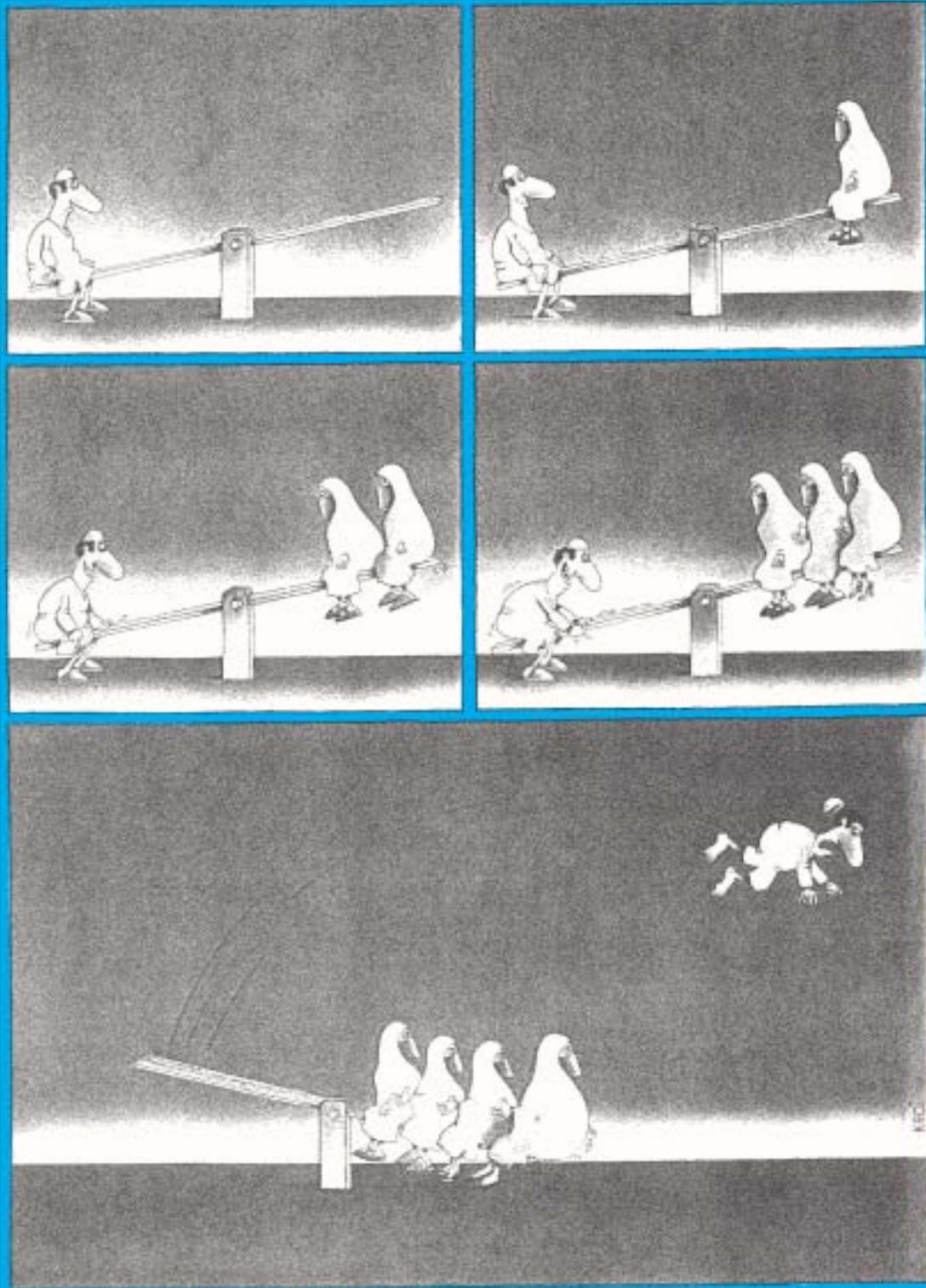


Women living under muslim laws
النساء في ظل قوانين المسلمين
Femmes sous lois musulmanes



Dossier 21

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Dossier 21 was edited by Harsh Kapoor.

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About the Dossiers

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Introduction

Fundamentalist political movements and their onslaught on women have been subject to much debate over the years and have become one of the key concerns of our network. The paper by Janet Afary surveys content and character of this systematic attack on women's rights in the name of religion and comes up with reactions, responses and mobilizational strategies to undermine the fundamentalist(s) politics.

Ever since the early days of the 1979 revolution in Iran, women's rights activists have keenly been interested in understanding the situation & struggles of Iranian women. The contribution by Azadeh Kian provides a fascinating description of the new protagonists for women's political and social rights in today's Iran.

The Iranian regime, over the last two decades has done its best to maintain a tight hold on all foreign influence and has in fact tried exporting its own ideological products internationally (e.g. Hezbollah in Lebanon, Islamic Students Organisation in Pakistan); The main focus for Iranian voices for change and democratisation, has come to revolve around a strategy of 'reform from within' (maybe, for lack of any other realistic possibilities), giving primacy to a re-interpretation of Muslim religious discourse of the state; One of the most prominent examples of progressive interpretation of religious texts favourable to women in the recent Iranian history has been that of the cleric & legal scholar Hojjat Al Salem Sai'dzadeh. The outstanding work of Saidzadeh has earned him the wrath of the more conservative of the Iranian Mollahs. Saidzadeh's work is little known outside Iran and it is very important that reformers, liberal voices and activists for change elsewhere in the Muslim world discover it. Ziba Mir Hossieni has done great service to us all by introducing Sai'dzadeh's writings & providing a translation of one of his works

Winds of change are slowly eroding the totalising hold of the Iranian authorities. The one time dreaded 'Moral' police which kept people at bay by keeping them in 'right Islamic order' is now not so omnipresent in Tehran.

From a dominantly Shia Iran where the clergy holds legal sway on matters political and personal, we move on to Bangladesh a largely Sunni Muslim context with a secular system of jurisprudence and a fervent civil society. Less regimented and organised compared to the religious institutions of Iran, Sunni Islam in Bangladesh historically gained currency through mystical 'sufi' saints or 'Pirs' who were products of local society in Bengal. These freewheeling and cult like spaces built around 'pirs' have continued over hundreds of years but parts of Bangladesh have witnessed an Islamisation influenced by factors alien to local Islam. During the period of a military dictatorship, Islam was officially invoked leading to many a parachuted measures to institutionalise informally mediated modes of faith.

Remodelling of the 'Pirs' though not officially sponsored has been one development. As in most South Asian countries, decades of steady flow of male labour migration to the west and to the economies of the Arabian Gulf have caused much change in the local configuration of power relations. Repatriation of money by working class immigrants has given them some degree of local influence in their rural country of origin. Returning influential immigrants have tried to 'rectify' and re-invent their local Pirs into 'Islamically correct' and properly scripturalised Sunni variety; based on an imaginary transcultural Islam which they have constructed in bits and pieces that they have picked up from many countries and cultures during their absence from Bangladesh. The paper by Katy Gardner recounts the story of religious change underway in a part of Bangladesh and its connections with Bangladeshi migrant communities which through its own internationalisation is now remoulding its local Islam.

The situation of predominantly muslim societies is somewhat different when compared to Sri Lanka a multi religious society where Muslims constitute a small minority community. The Sri-Lankan Muslim elites, faced with processes leading to polarisation of different religious communities with distinct ethno-religio-political representation, got involved in their own project to construct a homogenous community identity. This process over the last four decades has increasingly encountered the emergence of conservative and fundamentalist political currents, which at moments in time even suggested that Sri Lankan Muslims adopt Arabic as their language, as it would bring them in line with 'real' Islam. This process has also slowly been leading to renaming of institutions with Arabic words instead of those traditionally in say Tamil. The paper by Nuhuman provides a historical overview of the processes of segregation and subordination of Muslim women in Sri-Lanka in wake of religious right gaining ground.

Picking up the threads of the discussion in the opening paper of this Dossier, Homa Hoodfar explores the challenges facing womens initiatives across Muslim contexts with all their cultural and social diversity.

September 1998

The War Against Feminism in the Name of the Almighty:

Making Sense of Gender and Muslim Fundamentalism

Janet Afary

Two Feminisms¹

In recent years, some post-modern feminists have warned us about the perils of generalizations in feminist theory that transcend the boundaries of culture and region, while feminist critics of postmodernism have argued conversely that abandoning cross-cultural and comparative theoretical perspectives may lead to relativism and eventual political paralysis.² As I will argue in this article, the two positions are not always as diametrically opposed as they seem to be. The militant Islamist movements which have proliferated across a wide variety of cultures and societies in North Africa, the Middle East, and Southeast Asia, have propagated remarkably similar policies and doctrines with regard to gender issues. As a result, a comparative theoretical perspective that would focus on this issue is both essential and surprisingly neglected. But careful distinctions need be made between conservative discourses - both *Sunni* and *Shi'ite* - that praise women's roles as mothers and guardians of the heritage yet deny them personal autonomy, and progressive discourses on Islam that argue for a more tolerant and egalitarian view of gender roles.

In examining the gender ideologies of several fundamentalist movements, we shall see that, despite regional and cultural variations, they exhibit a significant degree of similarity. Gender relations are not a marginal aspect of these movements. Rather, an important strength of fundamentalism lies in its creation of the illusion that a return to traditional, patriarchal relations is the answer to the social and economic problems that both Western and non-Western societies face in the era of late capitalism.

1. A version of this article was presented at the 1997 annual meeting of the American Historical Association in New York. I am grateful for many helpful comments and suggestions by Kevin Anderson, Robin Blackburn, Sondra Hale, Valentine Moghadam, Claire Moses, Rayna Rapp, and especially Nikki Keddie on various drafts of this article.

2. For the first view, see Linda J. Nicholson, ed., *Feminism / Postmodernism*, London 1990, pp. 1-16, and Judith Butler and Joan W. Scott, eds., *Feminists Theorize the Political*, London 1992 ; for the second view, see Nancy C. M. Hartsock, Foucault on Power : A Theory for Women ? , in Nicholson, *Feminism / Postmodernism*, pp. 157-75, and Caroline Ramazanoglu, ed., *Up Against Foucault*, London 1993.

A number of feminist thinkers have tried to explain the appeal of fundamentalism among the middle and lower-middle classes in the predominantly Muslim societies of the Middle East, North Africa, and Southeast Asia. Despite some significant regional variations, these studies can be divided into three groups. One group of writers has stressed the economic and political issues that have contributed to the rise of fundamentalist movements; a second group has explored the disruptive impact of modernization on the family; while a third group has argued that militant Islamist movements and organizations may indeed empower students and professional women in certain ways, though restricting their lives in others.³ By critically examining these three approaches, we can develop a more integrated and dialectical explanation of fundamentalism, and understand why in the late-twentieth century men *and* women have become attracted to such authoritarian ideologies.

At the same time, Western readers need to become more attentive to the progressive Islamic discourses that are gradually developing in the region, voices that call for greater tolerance, diversity, and more egalitarian gender relations. In Iran a new generation of men and women, who are in opposition, are constructing feminist and democratic discourses on *Shi'ite* Islam, and are carefully and thoughtfully reinterpreting Muslim jurisprudence to arrive at more liberal perspectives on the issue of women's rights. As an Iranian historian who has followed these developments from afar, I will argue that we must map out the differences between voices of progressive women and men who, in difficult conditions, are carving out a more egalitarian discourse on Islam and gender relations, and the rhetoric of those, who under the rubric of the "sovereignty of the Muslim people" and "the struggle against colonialism and imperialism", have maintained nativist and reactionary teachings with regard to gender relations.

A Battle Over Terminologies or Bodies?

Scholars of the Middle East and of religious issues continue to debate the relevance of two terms, "Islamism" and "fundamentalism", to a growing number of cultural and political movements that have made substantial inroads in the Middle East, North Africa, and parts of Southeast Asia. Some, such as Martin E. Marty and R. Scott Appleby, have argued for the relevance of the term "fundamentalism", not just in the context of the Middle East, but for similar ideological currents around the world, which in the last two decades have sought political power in the name of religion, be it Islam, Christianity, Judaism, Hinduism, Buddhism or Confucianism. Fundamentalism in this view is a late twentieth-century phenomenon, a response to the loss of identity in a modern secular world. Fundamentalism

3. I would like to stress that these three categories are not mutually exclusive, and that some authors have utilized two or all three approaches. My classification here is based on the authors' emphases.

is a militant movement that accepts and even embraces the technological innovations of the West, but shuns many social and cultural aspects of modern society, particularly in the realm of the family. Fundamentalists fight for a world view based on an ideal and imagined past, and yet this past is a carefully constructed one which often rests on unacknowledged forms of theological innovation. Fundamentalists believe they are carrying out the will of God, and are often intolerant of dissent both within and without the community of believers.⁴ Others such as John Esposito and Edward Said have criticized indiscriminate use of the term. In Said's view, by constructing reductive notions of "terrorism" and "fundamentalism", the West has attempted to claim for itself "moderation, rationality" and a specific Western ethos.⁵ Both groups of writers, however, would agree that despite significant regional and political differences among these movements, such Islamist or fundamentalist groups have called for a return to more traditional norms for women, emphasizing women's roles in procreation, the adoption of "proper *hijab*" (the Islamic dress code), and submission to patriarchal values. A few examples should suffice to establish this point.

The first dramatic reversal in women's rights took place during the Iranian Revolution of 1979 which brought to power the Islamic Republican Party (IRP). To this day, strict government enforcement of the *hijab* and periodic rounding up, fines, and imprisonment of women on charges of "improper *hijab*" continue. Despite some compromises by the government in the areas of education, divorce and marriage law, and employment, and despite the fact that women remain very active in the social and political life of Iran, holding high academic, managerial, and even political positions, Iranian women remain segregated in schools, on buses, and on beaches and are restricted in their choice of career, employment, and education. Prohibitions against dating and casual friendship between unrelated men and women remain strong, while polygamy, encouraged by the government, has increased among the urban middle classes.⁶ The

4. See Martin E. Marty and R. Scott Appleby, eds., *The Fundamentalism Project : Fundamentalisms Observed*, Vol. I, Chicago 1991, pp. IX-X. Bernard Lewis prefers the term "fundamentalism" because use of the terms "Islamic" or "Islamist" to identify such movements implies that "this is what the Islamic religion and civilization is about". See "Un entretien avec Bernard Lewis", *Le Monde*, 16 November 1993 ; see also Henry Munson, Jr., *Islam and Revolution in the Middle East*, New Haven 1988, pp. 3-4, and Nikki Keddie's forthcoming essay "Women, Gender, and Fundamentalism", which she kindly shared with me.

5. See Edward Said, *Culture and Imperialism*, New York 1993, p. 375-7. See also John Esposito, "Secular Bias and Islamic Revivalism", *Chronicle of Higher Education*, 26 May 1993, p. 44. I have used the terms "fundamentalism" and "Islamism" for the conservative movements, but not the term "Islamic", leaving space for other more democratic interpretations of Islam to be discussed later.

6. For a summary of these policies, see Nayereh Tohidi, "Gender and Islamic Fundamentalism : Feminist Politics in Iran", in C. Mohanty, A. Russo and L. Torres, eds, *Third World Women and the Politics of Feminism*, Bloomington 1991, pp. 251-65 ; Azadeh Kian,

election in May this year by a large margin of the more moderate President Mohammad Khatami, whose support was particularly strong among women and young people, shows how frustrated Iranians have become with the harsh policies of the Islamist Government, and how widespread the desire for change was after eighteen years.

In Sudan and Afghanistan fundamentalist groups have assumed control of the government and so have significant authority in imposing their views, while in Egypt, Algeria, Jordan, and Lebanon, Islamist movements remain in opposition to the government. These and other religious revivalist movements do not operate in isolation from one another. Indeed the 1994 UN Population Conference in Cairo became the scene of a new type of alliance between the Roman Catholic Church and a host of Muslim fundamentalist groups. Both opposed any reference to abortion rights in the UN documents. Since Muslim jurisprudence has historically been tolerant of birth control methods, one wonders whether Islamist movements are learning new arguments from the Catholic Church or from Christian fundamentalist groups in the United States in their efforts to limit women's reproductive rights.⁷

There have been frequent reports of human rights violations against Sudanese women since the National Islamic Front (NIF), led from behind the scenes by the Sorbonne-educated theologian, Dr. Hasan al-Turabi, assumed power in a coup d'état in 1989. The process of Islamization and Arabization of Sudan, where the dissenting southern region of the country has a mix of Muslims, Christians, and followers of indigenous religions, and where the northern Muslim Sudanese have often embraced more tolerant Sufi expressions of Islam, is rigidly pursued. Large numbers of women in the legal and medical professions, and in the civil service have either been barred from work or placed under severe restrictions. Women who do not observe proper *hijab* are periodically rounded up, and their names broadcast on radio to further shame and humiliate them.⁸

"Gendered Occupation and Women's Status in Post-Revolutionary Iran", *Middle East Studies*, vol. 31, No.3, July 1995, pp. 407-21. For the more recent reforms in family law, see Shala Haeri, "Obedience Versus Autonomy : Women and Fundamentalism in Iran and Pakistan", *The Fundamentalist Project : Fundamentalisms and Society*, No.2, 1993, pp. 181-213 ; and N. Ramazani, "Women in Iran : The Revolutionary Ebb and Flow", in *US-Iran Review : Forum on American-Iranian Relations*, vol. I, No.7, October 1993, pp. 8-9.

7. On contraceptive methods in pre-modern Arab societies, see B. F. Musallam, *Sex and Society in Islam*, Cambridge, 1989. On the debates at the Cairo conference, see "Vatican Seeks Islamic Allies in UN Population Dispute", *New York Times*, 18 August 1994, p. 1.

8. See Ali A. Abbas, "The National Islamic Front and the Politics of Education", *MERIP*, September-October 1991, pp. 23-5 ; *Women Living Under Muslim Laws (WLWML)*, 6 July 1992 ; Manahil A. Salam, "Islamic Fundamentalist Rule is a Setback to Women's Progress in the Sudan", paper presented at the Purdue Women's Symposium, Fall 1995.

On 27 September 1996, when the Afghan Taliban, whose activities have been backed by Pakistan and the United States, captured Kabul, their first decree was to close girls' schools and force women to stay home from work. This went far beyond the restrictions of the previous fundamentalist faction in power, the *Mujahidin*, or for that matter those of any other militant Islamist governments - including that of Iran. Similar measures were adopted in Herat and Jalalabad which had been earlier taken over by the Taliban. Women may not leave their homes unless accompanied by a male relative, and then only with their bodies, including their faces, completely covered.⁹ The fanatical government forbade surgeons from operating on members of the opposite sex, and called for stoning as the penalty for adultery. These actions prompted UN Secretary-General, Boutros Ghali, to call for a withdrawal of aid by UN agencies to Afghanistan if the Taliban did not end these extraordinary and discriminatory policies. The actions of the Taliban have provoked a deep sense of revulsion throughout much of the Muslim world. In Iran, even the militant cleric, Janati, who heads the Hezbollah Party of God, complained that the actions of the Taliban "were giving Islam a bad name".

In Algeria, the Islamic Salvation Front (FIS) won the 1991 elections but was banned by the government in January 1992 and prevented from taking power. The FIS has unleashed a campaign of terror that has killed over 50,000 residents, and has targeted foreigners, those who attended French schools, feminists, and gays. The FIS has vowed, if it comes to power, to end women's employment, to make sexual relations outside marriage punishable by death, and to enforce the *hijab*. Since January 1992 several hundred women have been assassinated by the fundamentalists for not wearing a head scarf, for wearing Western clothing -- such as jeans -- for working alongside men, or for living without a male guardian in their own apartments. Many more have been stabbed, raped or subjected to death threats for the same "violations", or for such offences as teaching boys in school and running hair salons. Algerian feminists have consistently protested these and other abuses. The regime itself has accommodated fundamentalist pressure, enacting the Family Code (1984) which allows men the right to divorce their wives for any reason, and to practice polygamy.¹⁰ In recent years, the regime has permitted the emergence of a moderate Islamist party, the Islamic Movement of Society for Peace which

9. See Elaine Sciolino, "The Many Faces of Islamic Law", *New York Times*, 13 October 1996, p. 4. Fred Halliday, "Kabul's Patriarchy with Guns", *The Nation*, 11 November 1996, pp. 19-22. For a discussion of the Mujahidin's opposition to female education, see Valentine M. Moghadam, *Modernizing Women : Gender and Social Change in the Middle East*, Boulder 1993, pp. 207-47.

10. See "Algeria Again at the Crossroads", *Middle East International*, 24 January 1992, p. 3 ; *Le Nouvel Observateur*, 15 January 1992 ; Anis, "Un homosexuel algérien à Paris", *Le Monde*, 22 June 1996, p. 15 ; Karima Bennoune, "Algerian Women Confront Fundamentalism", *Monthly Review*, vol. 46, No.4, November, pp. 26-39.

won 69 seats in the controlled elections held in early June. It now holds posts in the government. Women have on occasion played a leading role in the opposition : the socialist-feminist Haroun was elected to the Assembly as a member of the Socialist Front, and is an opponent of both the regime and the integralists.

In Malaysia, the more liberal customary Malay laws dealing with marriage, divorce, and child custody have been replaced by the Islamic *Shafi'i* laws that oppose family planning policies and call for punishment in cases of "wilful disobedience by a woman of any order lawfully given by her husband". Religious law has once again sanctioned the marriage of young girls without their consent, and accepted repudiation of wives by husbands with impunity.¹¹

Persecuting the Opposition

In Bangladesh, a state which was originally dedicated to the ideals of secularism and socialism during the period immediately after its independence from Pakistan in 1971, Islam was declared the state religion in 1988. Fundamentalist clerics, with backing from the government, have issued a *fatwa* (religious decree) calling for the death of the feminist Muslim writer and poet, Talisma Nasrin. She is the author of a popular novel, *Shame* (1993), in which she recounts the killing of Hindus by Muslim fundamentalists, and she has been accused of calling for the reform of the *Qur'an*.¹²

Even in predominantly Muslim societies where feminists have made some inroads, these gains have to be defended from continuous attack. Many literary works are denied publication in Egypt on the grounds that they violate religious, sexual, or moral taboos. At the plenary session of the 1993 annual conference of the Middle East Studies Association in North Carolina, Egyptian feminist writer and physician, Nawal el-Saadawi, announced that fundamentalists in both Egypt and Algeria had threatened to kill her. Saadawi's organization, the Arab Women's Solidarity Association, was banned by the Egyptian government in 1991 as a move to appease the fundamentalists. Some of her books remain banned in Egypt. Other secular intellectuals have similarly been persecuted. In late 1995, Dr. Nasr Abu-Zeid, an Egyptian professor, was ordered to divorce his wife - also a university professor - because his writings smacked of "apostasy".¹³

In Pakistan the respected poet and social campaigner, Akhtar Hamid Khan, known for his life-long support of family planning, education, and

11. Maznah Mohamad, "Islam, the Secular State and Muslim Women in Malaysia", *WLUML*, Dossier 5/6, 1989, pp. 13-19.

12. See "Man sukut nakhvaham kard", *Kayan* (London), 6 January 1993 ; Naila Kabeer, "The Quest for National Identity : Women, Islam and the State of Bangladesh", in Deniz Kandiyoti, ed., *Women, Islam and the State*, Philadelphia 1991, pp. 115-43.

13. *Al-Jadid*, No.2, December 1995, pp. 16-17.

employment for impoverished women, was threatened with execution by both the government and the *ulama*. The 1979 *Hudud* Ordinance declared all sex outside marriage unlawful, practically eliminating the distinction between rape and extra-marital sex. It also sanctioned the flogging of accused women. Despite her promises, Benazir Bhutto, who was re-elected premier in 1993, did not during her abbreviated term of office take any major steps to reform laws that deny women's rights.¹⁴

In recent years, Turkish women have campaigned around the issue of domestic violence and helped to create shelters for battered women. They have formed consciousness-raising groups, and have discussed the limitations of legal reforms such as those introduced by Ataturk in the 1920s, and have demonstrated in the streets against sexual harassment. They have also become active in environmental issues. Additionally, feminists have set up women's coffee houses and have organized art exhibits. The Women's Library and Information Center, the first such centre devoted to feminist scholarship, was opened in Istanbul in April 1990. But Turkish feminists are extremely worried about the fundamentalist Islamic Welfare Party (RIFAH), which now heads the coalition government, fragile though that now seems, and they fear that the new government might try to dismantle Ataturk's secular reforms.¹⁵ Followers of the Welfare Party claim to represent women's rights and direct their attacks at the objectification of women under Western-style capitalism. The fundamentalists' criticisms of pornography and prostitution, and the many free social services they provide for the community have helped to legitimate their claim that they represent issues of concern to women. Their outspoken challenge to industrial pollution has also gained them converts. A return to religious values, they insist, would solve the myriad social and economic problems of Turkish society.¹⁶

Palestinian women in the occupied territories became instrumental in forming decentralized popular committees once the *Intifada* was initiated in 1987. They also began to address women's issues. Debates on divorce, women's income, and greater respect for women continued to be aired during the *Intifada*. Many young women activists broke with earlier traditions of arranged and semi-arranged marriages, pursuing marriages based on individual choice. Others tried to remain politically involved even after marriage. This was a new phenomenon in a movement which had historically insisted that married women must leave the political

14. See *WLUML*, 27 October 1992 ; "Pakistani Crusader vs. the Mullahs", *New York Times*, 10 August 1992. See also Paula R. Newberg, "The Two Benazir Bhuttos", *New York Times*, 11 February 1995, p. 5.

15. See "Turkish Women and the Welfare Party", *Middle East Report (MERIP)*, Spring 1996, pp. 28-32.

16. See Nukhet Sirman, "Feminism in Turkey : a Short History", in *New Perspectives on Turkey*, vol. 3, No.1, Fall 1989, pp. 1-34.

organizations and instead give "sons to the resistance", and where the birth of boys was glorified under various names such as the "Palestinian womb", the "factory of men" or the "women's *jihad*".¹⁷ The Palestinian community took pride in the impressive role of Hanan Mikhail Ashwari, a feminist and professor of English at Bir Zeit University, who emerged as the official spokesperson for the Palestinian delegation to the 1993 Middle East peace talks. Ashwari was elected as an independent to the Palestinian legislature in January 1996 and was subsequently appointed Minister of Education in the Palestinian Authority. The Palestinian leadership is divided, however, in its attitude towards women's rights and on women's place in the nationalist struggle. With the ascendancy of the religious right in Israel and the unravelling of the Oslo agreements, any accommodation between the Palestine Liberation Organization and the fundamentalist group Hamas would surely mean greater limits on women. Hamas projects a theocratic and sex-segregated state as its ideal vision of a Palestinian society, one which undermines the basic civil rights of, not only women, but also of Christian Palestinians who have long been active in the resistance movement.¹⁸ The above list could continue since a number of other nations such as Lebanon, Morocco, Nigeria, Saudi Arabia, and Somalia have also experienced the growing power of fundamentalism.¹⁹

Feminist Writing on the Roots of Fundamentalism

As the political discourse of the Middle East, North Africa, and Southeast Asia became increasingly dominated by conservative Islamist arguments, a number of feminist thinkers and writers have tried to probe the contradictions of the region in an attempt to understand the underlying reasons for the growth of fundamentalism. These studies can be broadly divided into the following three categories :

1) The Political and Economic Explanation

Several sociologists and political scientists have discussed the rapid economic changes which have characterized the region in the period since World War II, changes which took place under secular and highly

17. See Rosemary Sayigh, "Palestinian Women : Triple Burden, Single Struggle", *Palestine Profile of an Occupation*, London 1989 ; Islah Jad, "From the Salons to the Popular Committees, Palestinian Women, 1919-1989", in Jamal R. Nassar and Roger Heacock, eds, *Intifada : Palestine at the Crossroads*, New York 1990 ; Rita Giacaman and Penny Johnson, "Palestinian Women : Building Barricades and Breaking Barriers", in Zachary Lochman and Joel Beinin, eds, *Intifada : The Palestinian Uprising Against Israeli occupation*, Boston 1989, pp. 155-69.

18. This point was eloquently discussed by a long time Palestinian activist Rabab Abduladi at the 1993 meeting of the Association for Middle East Women's Studies at Triangle Park, North Carolina.

19. For example, see "For Another Kind of Morocco : An Interview with Abraham Serfaty", *MERIP*, November-December 1992, pp. 24-27.

authoritarian governments.²⁰ Iranian sociologist, Valentine Moghadam, points out that in the 1960s and 1970s, improvements in health, at the start of the demographic transition in the Middle East and North Africa, led to an increasingly youthful population. At the same time, the fall in oil prices in the late 1970s, and the accompanying unemployment, increased the gap between the upper classes and the middle and lower-middle classes. A crisis of political legitimacy ensued in which the secular, authoritarian governments were attacked for corruption, continued subservience to Western powers, and especially for the propagation of supposedly immoral modernist values and institutions. This last point of contention was fuelled by the growth of women's education and employment. The fierce competition of the university entrance exams, and government civil service jobs, especially affected the lower-middle classes, who were the first generation of their families to attend colleges and universities. To pacify this angry and youthful population, and also to undermine the leftist and Marxist groups, the secular governments of the region, whether Anwar al-Sadat in Egypt, or Muhammad Reza Shah Pahlavi in Iran, permitted and sometimes encouraged the activities of Islamist groups.²¹

Fatima Mernissi has focused on the economic and political problems that contributed to the growth of fundamentalism in North Africa.²² She argues that the spread of fundamentalism in the last two decades has stemmed from the political and social failures of the secular, authoritarian states of the post-colonial period, states that operate within the rules of the International Monetary Fund and the interests of the imperialist powers.²³ Mernissi also traces the development of Muslim fundamentalism among the urban lower-middle classes and university students - who make up the great majority of the movements' adherents - to factors such as rapid urbanization and mass education. The sharp increase in the number of educated and employed women, the fact that most women now delay marriage until their twenties, the greater authority women experience as a result of the earnings they bring home, the greater control they have gained over unwanted pregnancies, and the higher divorce rate, have all helped produce important changes in relations between the sexes.²⁴ Given the limited opportunities for advanced education in most Third World countries, there is great competition between men and women for university placement and

20. Moghadam, *Modernizing Women*, ; Saad Eddin Ibrahim, "Anatomy of Egypt's Militant Islamic Groups", *International Journal of Middle East Studies*, vol. 12, No. 4, 1980, pp. 423-53.

21. See Moghadam, *Modernizing Women*, p. 137.

22. Fatima Mernissi, *Beyond the Veil : Male-Female Dynamics in Modern Muslim Society*, Bloomington 1987, second edition.

23. Fatima Mernissi, *Doing Daily Battle : Interview with Moroccan Women*, New Jersey, 1989, pp. 3-4.

24. Mernissi, *Beyond the Veil*, pp. VII-XV.

processional positions, adding fuel to an already explosive situation in predominantly Muslim countries. High unemployment rates in North African countries (in Algeria, the rate is close to 40 per cent) have only increased the tension. Many men, who have been stripped of their old identities as heads of the households and patriarchs, find the message of fundamentalist Muslim clerics and politicians quite appealing. As Mernissi argues :

The *hijab* is manna from heaven for politicians facing crises. It is not just a scrap of cloth ; it is a division of labour. It sends women back to the kitchen. *Any Muslim state can reduce its level of unemployment by half just by appealing to the shari'a, in its meaning as despotic caliphal traditions.* This is why it is important to avoid reducing fundamentalism to a handful of agitators who stage demonstrations in the streets. It must be situated within its regional and world economic context by linking it to the question of oil wealth and the New World Order that the Westerners propose to us.²⁵

In her study of the National Islamic Front (NIF) in Sudan, Sondra Hale presents a similar analysis. She argues that a variety of economic and political factors, such as the emergence of multinational corporations, the uneven nature of economic development, and emigration as a result of high unemployment, have contributed to the "socio-political/economic crises which in turn have had a profound impact on gender arrangements". The process of "romanticizing" women's role in reproduction and the insistence of the NIF that women return to the home and take care of children and husbands can be viewed as an attempt to force women out of the labour process and to create jobs for lower-and-middle-class urban males, civil servants, and college instructors, in areas in which women have made significant inroads.²⁶

The Economic Benefits of Getting Religion

Several writers have also pointed to the economic opportunities that fundamentalist institutions provide for believers, thus attracting women with low incomes and their families.²⁷ In oil-producing countries, wealthy supporters donate large sums as alms to these institutions, allowing them to engage in a wide range of charitable activities. The oil-producing countries, such as Saudi Arabia and Iran, also give large sums to these institutions in other countries, both openly and covertly. Naila Kabeer writes that in Bangladesh the fundamentalist organizations, with funding from Saudi Arabia, have established a large network of Islamic Non-Governmental Organizations (NGOs) that provide students with a wide variety of educational assistance, from scholarships and vocational training to

25. Mernissi, *Islam and Democracy : Fear of the Modern World*, Wokingham 1992, p. 165.

26. Sondra Hale, "Gender, Religious Identity, and Political Mobilization in Sudan", in V. Moghadam, ed., *Identity Politics and Women*, Boulder 1994, pp. 145-66.

27. "Women Regain a Kind of Security in Islam's Embrace", *New York Times*, 27 December 1992.

dormitories, jobs, and medical clinics. The same organizations train Muslim clerics to run the village administration, and to provide basic health care including pre- and post-natal care. These services are dispensed alongside a religious and ideological message which seeks to counter Western and modernist views. For example, the feminist literature in the West which emphasizes women's contribution to the household as a form of unpaid labour is adopted, but then a different conclusion is derived from this literature : that women, therefore, need not work outside the home because they already make substantial contributions at home.²⁸ Andrea Rugh points out that in Egypt the services which the private mosques provide for the community are not only more reliable than government services but also contribute to the community's sense of dignity:

Services may include the provision of subsidised clothing and food, health care, regular educational programs (usually at the pre-primary or primary level), after-school tutoring for children, religious instruction, subsidies for students, evening courses, social group activities, Qur'an reading sessions, and special programs for religious holidays. In poor areas, mosque representatives hand out free food, clothing, and money in exchange, as one poor woman put it, "for our wearing proper Islamic dress". Money can also be borrowed through Islamic banks in the approved "profit sharing" way where a fixed interest is not required.²⁹

While these services bring new adherents, the truth remains that, despite their claims, none of the Islamist movements have been able to offer a viable solution to the overall economic problems of their societies. Decades ago, Maxime Rodinson had shown in his *Islam and Capitalism* that Islamist economic policies are no alternative to capitalist development.³⁰ More recently, Iranian economist Sohrab Behdad has shown that if a utopian Islamic economic system ever were viable, it should have happened in Iran where every ideological, social, and economic condition was at its disposal. Instead corruption is rampant in the country, unemployment is above 20 per cent, the rhetoric of "the role of the oppressed" has been shelved and "a privileged class of clergy and their cronies, their sons, daughters, and other relatives, have replaced the privileged class that the revolution uprooted".³¹ Continuing this line of thinking, Valentine Moghadam has argued that since Islamist governments in Sudan, Iran, and Pakistan were unable to prevent escalating and structural unemployment, to carry out a programme of wealth distribution, or even to reduce government corruption, they have instead focused on issues of family, culture, and law as the root causes of all social and economic problems.³²

28. Kabeer, "The Quest for National Identity", pp. 134-5.

29. Andrea B. Rugh, "Reshaping Personal Relations in Egypt", in *The Fundamentalist Project : Fundamentalism and Society*, p. 164.

30. Maxime Rodinson, *Islam and Capitalism*, Austin 1978 (first edition, 1966).

31. See Sohrab Behdad, "A Disputed Utopia ; Islamic Economics in Revolutionary Iran", *Comparative Studies in Society and History*, vol. 36, No.4, October 1994, p. 810.

32. Moghadam, *Modernizing Women*, p. 167.

2) The Cultural Explanation : Modernization and the Family

A second argument that appears in writings about fundamentalism, including those on the American Protestant fundamentalist movement, is that women should not be viewed as passive and submissive objects who are coerced or simply duped into such movements. Fundamentalism is not simply "constructed by men and imposed on women", notes Julie Ingersoll.³³ Women are drawn to these movements because of their emphasis on family, and because fundamentalist organizations demand that both women and men place a higher priority on raising children and family relations in general. We are living in a world in which the requirements of capitalist development have placed an enormous strain on married life. Husbands and wives often both work full time; there is appallingly inadequate child care; there are frequent job losses and relocations; and to make ends meet couples often work much beyond the eight-hour day. The fundamentalist message, which appeals to a much "higher" authority than corporate owners and manufacturers, falls, therefore, on receptive ears. Women who generally hold low status jobs in the capitalist market, and are overburdened with responsibility for children as well as care for the elderly, may in fact, writes Helen Hardacre, make "conscious decision to use the fundamentalist message to secure the husband's loyalty and support of them and their children."³⁴

Sociologist Deniz Kandiyoti, ethnologist Aihwa Ong, anthropologists Erika Friedl and Mary Hegland, and political scientist Cynthia Enloe have all, in their respective areas of research, emphasized the disruptive consequences of shifting gender roles in developing societies, especially changes in the family in the Middle East and Southeast Asia. They suggest that we may be witnessing a growing interest in a return to a more traditional and seemingly secure patriarchal culture of the past in both women and men.³⁵

Kandiyoti, a Turkish feminist, suggests that in Asian and Middle Eastern societies a tacit inter-generational agreement, a "patriarchal bargain", has historically helped to maintain the social structure. A young bride, who is deprived of inheritance rights in her father's house, acquiesces to her subservient position at the residence of her in-laws. She accepts her role and internalizes the patriarchal values because she anticipates a day when she herself may become the beneficiary of these traditions and could rule

33. See Julie J. Ingersoll, "Which Tradition, Which Values ? "Traditional Family Values" in American Protestant Fundamentalism, *Contention*, vol. 4, No.2, Winter 1995, p. 93. See also Helen Hardacre, "The Impact of Fundamentalisms on Women, the Family, and Interpersonal Relations", *The Fundamentalism Project*, pp. 129-50.

34. Hardacre, "The Impact of Fundamentalisms on Women", p. 142.

35. The two essays by Hegland and Friedl appear in N. Keddie and B. Baron, eds, *Women in Middle Eastern History*, New Haven 1991. Others will be cited below.

over her daughters-in-law. In the late twentieth century the process of modernization rapidly deprived this social bargain of its necessary economic foundation.³⁶ Once, however, the built-in insecurities of the capitalist structure and the nuclear family become more obvious - unemployment, lack of child care, or care for the elderly - both younger and older women grow more receptive to an ideology which calls for a return to the old patriarchal bargain in exchange for greater security.

Aihwa Ong probes into why many lower-middle class women have been attracted to the Islamist movement in Malaysia. She argues that the process of modernization has had a mixed impact insofar as women are concerned. It has given them greater economic and personal freedom, with paid employment, spending money, and the power accompanying it, but it has also resulted in men abandoning their customary obligations to the family. Given the inherent instability of the capitalist economy and continued exploitation by the West, as well as the economic recessions of the last two decades, which have hit many Third World countries especially hard, women who may not have long entered the labour market often find themselves out of a job, and without the traditional support of the extended family or the community. Ong writes, "Land scarcity, widespread female wage labour, and secularization in many cases reduced men's customary obligations to be the sole supporter of their families".³⁷

As Cynthia Enloe argues, "it isn't always obvious that surrendering the role of cultural transmitter or rejecting male protection will enhance a woman's daily security, reduce her burdens".³⁸ The return to traditional and religious values may thus be attractive to the over-worked home-maker, worker, and mother who hopes that her husband and community assume a greater share of her burden. She is also more likely to turn to the religious foundations and their networks of social support. These associations have assumed the customary role as head of the patriarchal clan. They also act as family counsellors and help to end conflicts by advising women to be more subservient to their husbands, but they also ask men to uphold their traditional obligations to the family.

3) Veiling as Empowerment

A third group of feminist scholars has argued that women who join militant Islamist organizations do so not only because of the economic support they

36. D. Kandiyoti, "Bargaining with Patriarchy", *Gender and Society*, vol. 2, No.3, 1988, pp. 274-90.

37. Aihwa Ong, "State Versus Islam : Malay Families, Women's Bodies, and the Body Politic in Malaysia", *American Ethnologist*, vol. 17, No.2, May 1990, p. 269. For a recent reaction by progressive Malay women such as Sisters in Islam, see "Blame Men, Not Allah, Islamic Feminists Say", *New York Times*, 10 October 1996, p. 4.

38. Cynthia Enloe, *Making Feminist Sense of International Politics : Bananas, Beaches, and Bases*, Berkeley 1989, p. 55.

gain, or the pro-family message they cherish, but also because of the alternative social and political power and autonomy they gain in the movements. By donning the veil, young-lower-middle class women may lose many individual freedoms, but they gain access to public spaces, to employment, and can become valued and powerful members of political organizations that propagate the militant Islamist ideology. When a young girl adopts the *hijab* she becomes physically restrained in certain ways. She may not be able to climb a tree or ride a bicycle so easily. But she may also face a lesser degree of sexual harassment. She may gain the right from her traditional family to finish high school and even attend the university, to seek outside professional employment, to socialize with her peers in mass organizations that promote the Islamist ideology, and even to choose her own husband in these gatherings rather than submit to an arranged marriage. Those women who become active members of militant Islamist groups also gain power over other more secular women. They become the guardians of morality on the streets and public spaces. They abuse and arrest more upper-class secular women on charges of improper *hijab* and are tremendously feared in the community.

The Jordanian feminist, Lama Abu Odeh, writes of the problem of sexual harassment and the dilemma Middle Eastern women have faced ever since they unveiled in the early twentieth century. Negotiating the streets, using public transportation, and working side-by-side with men in offices and factories became ordeals for unveiled women. They found that their bodies were constantly under the intrusive gaze of men. In societies where sexual harassment and molestation of women - touching, fondling, stalking, and derogatory comments - are rampant on the streets, in buses, and in work places, unveiled women often have no recourse to law or higher authorities. Even worse, they themselves are held responsible for the harassment they endure.³⁹ Under such circumstances, the veil can offer women a certain degree of physical protection. A veiled woman is seldom harassed in public and if she is, she can loudly appeal to the chivalry and religiosity of the men around her who would almost certainly come to her help.

The Syrian feminist, Bouthaina Shaaban, who has studied the personal lives of Lebanese, Palestinian, Algerian, and Syrian women, is particularly effective in showing the appeal of Muslim fundamentalism to lower-class single women. Shaaban shows how adherence to the Islamist dress code provides a new public space for young women in traditionally segregated societies. In one case study we read about Zeinab, a single woman from a working-class district with a university education, who has joined the *Shi'ite* fundamentalist organization Amal in southern Lebanon. She explains

39. See Lama Abu Odeh, "Post-Colonial Feminism and the Veil : Thinking the Difference", *Feminist Review*, No.43, Spring 1993, pp. 26-37.

how her activity with Amal, and her wearing of the prescribed outfit, *al-Shari*, have given her both protection and increased freedom of action. She feels safe from harassment, and considers herself a productive member of society, helping to feed and shelter the poor. Above all, she has gained greater respect, power, and authority : "My father who used to be the only supreme authority in the house, never takes any decisions now concerning the family without consulting me first."⁴⁰ Zainab can stay out until eleven o'clock at night doing organizational work without her parents questioning her. She has this liberty in a society where even grandmothers cannot stay out late for fear of what the neighbours might say.

There is considerable disagreement among feminist writers on the actual liberatory potentialities that donning the veil provides. Leila Ahmed, for example, draws on a study of 400 veiled and unveiled women at Cairo University which shows that there is a direct correlation between the *hijab* and the economic level of the female students. Those with lower-class parents are more likely to adopt the veil. She thus concludes that the veil is not a social innovation but a sign of conformity to the social class from which these upwardly mobile young women have emerged. The veil certainly saves young women from the expenses of acquiring many fashionable outfits. But joining the Islamist groups also carries "the comfort of bringing the values of home and childhood to the city and its foreign and morally overwhelming ways."⁴¹

While Ahmed recognizes the severe limitations that have been imposed on women in countries where fundamentalists have entered the government or gained substantial power, she nevertheless believes that the new practice of veiling serves as a transition process for lower-class women. In Ahmed's view, some of the goals of secular and upper-class Egyptian feminists, who were the first generation to demand women's entry into the universities and professional employment, are now pursued in a different ways by the middle- and lower-middle-class women. The new *hijab*, in her view, marks a "broad demographic change - a change that has democratized mainstream culture".⁴²

The Veil and Menial Work

Anthropologist Lila Abu-Lughod takes issue with Leila Ahmed on this point. She argues that since Islamist movements are unwilling or incapable of carrying out a serious programme of redistributing wealth, they have instead attempted to construct the illusion of equality through the imposition of the

40. Bouthaina Shaaban, *Both Right and Left Handed*, Bloomington 1991, p. 85.

41. Leila Ahmed, *Women and Gender in Islam : Historical Roots of a Modern Debate*, New Haven 1992, pp. 222-3.

42. *Ibid.*, p. 225.

veil. She asks why "a political discourse in which morality displaces class as the central social problem is so appealing?"⁴³

Arlene MacLeod points to the alienating nature of the labour most women perform. Using Antonio Gramsci's concept of hegemony, she argues that, where Islamist movements oppose the state, the wearing of the veil is neither a sign of victimization and subordination, nor is it an expression of "false consciousness". Rather it is a measure of women's alienation from modernization and its false promises. The subordinated lower classes are neither forced nor completely duped into accepting regulations and restrictions. MacLeod describes the difficult lives of women who take care of their families and work for a living. She shows how demoralized these women become when they realize that the jobs they so much fought for at home are so repetitive and uncreative. Most lower-middle-class women who have entered civil service jobs find their work "boring and unchallenging", as well as "useless".⁴⁴ These ambitious women have few options but to work for the public sector which provides them with jobs, but allows them no true initiative or creativity. Thus, women suffer from a gender division of labour which assigns them to low-status jobs, a class division which limits them to repetitive and boring work, and an economic straight-jacket which obliges them to work outside the home in a culture which sees women's primary role to be in the home. Women who lack viable and tangible alternatives and who have come to view Western women as sex objects because of the popular media, have, therefore, turned to traditional alternatives to gain some measure of control over their lives.⁴⁵

MacLeod speaks of the veil as a conscious symbol of resistance in an Arab society where women work outside the home. But choice involves having access to information and real options. MacLeod says nothing about the fundamentalist message that male sexuality is by nature "uncontrollable", that women "induce" inappropriate male sexual behaviour. Likewise, she glosses over the vast unemployment and the pressures of women to return to the home so that more jobs are opened for men. The questions remain: to what extent does the wearing of the *hijab* empower young students and professional women? What does it mean if you choose your own husband but are then denied the right to divorce, to child custody, or to a fair share of the property you and your husband have acquired during the life of your marriage? How free is a woman who goes to the university and seeks employment but is then deprived of a choice of

43. Lila Abu-Lughod, "Movie Stars and Islamic Moralism in Egypt", *Social Text*, No.42, Spring 1995, p. 53.

44. See Arlene Elowe MacLeod, "Hegemonic Relations and Gender Resistance : The New Veiling as Accomodating Protest in Cairo", *Signs*, vol. 17, No.3, Spring 1992, p. 546.

45. *Ibid.*, p. 555.

a career by her husband? How much autonomy does a veiled woman have when the very acceptance of the veil means approval of gender segregation, and the admission that a woman is first and foremost a sexual object? What does it mean when the burden of avoiding sexual harassment is placed on women, while men are seen as impulsive creatures with little or no control over their sexual desires? Further, what kind of freedom is this when governments sanction homophobia and severely persecute homosexuals?

These and other questions indicate that while young unmarried women may gain some control over their lives through wearing the *hijab*, or find temporary solutions to the problems of sexual harassment and other issues facing them in modern society, donning the *hijab* is by no means a serious step toward resolution of these problems. In the late twentieth century, emancipation for women means the free exercise of body and mind, ending degrading traditions that limit women's choices, and enabling women to pursue alternative lifestyle. There can be no emancipation when women are deemed inferior and different beings by virtue of their biology.

A New Feminist Discourse on Islam in Iran

While feminist issues are more easily articulated in a progressive, democratic, and secular society, the serious efforts of feminists who live under Islamist regimes and hope to bring about a more egalitarian society cannot be dismissed because they are not expressed in a secular discourse. In contrast to countries such as Algeria where fundamentalists are in violent opposition, or in Afghanistan where extreme fundamentalists have only recently assumed power, the fundamentalist government in Iran has been in power since 1979. As a result of popular disillusionment with the system, a new and democratic discourse on Shi'ite Islam is gradually and painstakingly taking shape within the opposition. The most well-known advocate of this new school is the German-educated philosopher and theologian Dr. Abd al-Karim Surush. A former IRP ideologue, now he is regularly harassed by Hezbollah goons. Surush peppers his pleas for a more democratic and tolerant interpretation of Muslim jurisprudence before hundreds of enthusiastic university students with references to European thinkers such as Immanuel Kant, Karl Popper, and Erich Fromm.⁴⁶

46. Surush's writings appear regularly in the *Kiyan*. Judith Miller, who has visited the offices of *Kiyan* in Tehran and has interviewed scores of other progressive writers and clerics, writes that "despite what Iran has endured, it remains a vibrant society - far more than it ever was under the Shah and more so than any of its Arab neighbours." She suggests that an "Islamic reformation" may very well be part of Iran's future. See her *God Has Ninety-Nine Names*, New York 1996, p. 431. Arguments similar to those of Surush have also been raised by the Syrian writer Muhammad Shahrur who has been greeted enthusiastically by many secular Arab intellectuals. See Dale F. Eickelman, "Islamic Liberalism Strikes Back", *MESA Bulletin*, vol. 27, No.2, December 1993, pp. 163-7.

But it is the Iranian women's journal *Zanan* which has taken up the even more difficult task of developing a new feminist interpretation of Shi'ite Islamic laws and is aided in this by a group of progressive educators, lawyers, and theologians, both women and men.⁴⁷ *Zanan*, which began publication in 1991, is edited by the feminist Shahla Sherkat and is part of a growing effort by women writers, filmmakers, academics, artists, and other professional women, who have reclaimed some of the rights and organizations that they had developed before the 1979 Revolution. By Western standards *Zanan*, which could be shut down by the government at any time, is a curious publication. There are regular features that would appear in a popular women's magazine on such topics as food, diet, health and exercise, fashion, family psychology, science and medicine. But *Zanan* is also a literary and cultural magazine with an explicitly feminist agenda. They are detailed reviews of films, poems, and short stories produced by Iranian women. Recent books by and about women are regularly featured. There are also translations of classic feminist essays by authors such as Mary Wollstonecraft, Virginia Woolf, Charlotte Perkins Gilman, Evelyn Reed, Nadine Gordimer, Alison Jaggar, and more recent articles by contemporary feminist writers from the US magazine *MS* in which feminist perspectives and politics are defined and explicitly defended.⁴⁸ *Zanan* regularly features original sociological studies on working women and is trying to start the first shelter for battered women in the country.

Rereading the *Qur'an*

But, more importantly for our purposes, the journal has embarked upon a meticulous re-examination of the *shariat* in light of feminist issues. The *shariat* is the code of laws, close to 1,400 years old, which determines what actions of the *umma* (community of believers) are regarded by God as obligatory, recommended, neutral, objectionable, or forbidden. The Twelve Shi'ite jurisprudence practised in Iran is derived from the *Qur'an*, the Traditions attributed to the prophet Muhammad, and the accounts attributed to the Twelve Shi'ite Imams. In contrast to most Sunni schools, *Shi'ism* gives greater recognition to the authority of living *mujtahids*, legal and theological scholars, whose training has qualified them to render judgement

47. I should point out that in recent months the Western media has paid much attention to the army of Mujahidin that sits on the border between Iran and Iraq, and includes many women in its officer corps. Some Western analysts have suggested that the Mujahidin represent a progressive and feminist alternative to the government of the Islamic Republic. See for instance Barry Iverson, "Women's Army Takes on the Mullahs", *The Sunday Times*, 27 April 1997, p. 19. The Mujahidin are, however, highly discredited in the eyes of many Iranians - both inside and outside the country - because of their authoritarian and indeed cultist Islamist beliefs, and because they are fully maintained by Iran's arch enemy, Saddam Hussein.

48. For two recent examples see a selection of Jaggar's *Feminist Politics and Human Nature* in *Zanan*, No.26, Mehr/Aban 1374 / Fall 1995, pp. 48-51 ; and "What is Feminism", in *Zanan*, No.28, Farvardin 1375 Spring / 1996, pp. 2-3.

on contemporary issues.⁴⁹ There is a long-standing tradition of reading and reinterpreting both the *Qur'an* and the accounts attributed to Muhammad and various Imams in the light of contemporary social and political realities. Feminist theologians and legal scholars who have entered these debates demonstrate a remarkable familiarity with such arguments. While many Qur'anic laws on women and family call for a more conservative regulation of gender relations, others can be found that uphold the matrilineal and matrilocal traditions of pre-Islamic Arabia of the seventh century CE.⁵⁰ In deconstructing the text and re-examining the narratives which form Islamic jurisprudence, feminist scholars also employ a series of reputable and acknowledged strategies to their advantage. Qur'anic verses and narratives that suggest a more egalitarian treatment of women are highlighted. Those which call for restrictions on women's actions are reinterpreted. Often a word has multiple meanings and a less restrictive synonym can be adopted. Since stories attributed to the prophet Muhammad (*hadiths*) and many of those attributed to the Imams (*ravayats*) were not written down until much later, a chain of reporters known as *isnad* exists for each account. The strength of a narrative is based on the reliability of the transmitters of that story, much like the task of footnotes in Western scholarship. A weak link, a reporter with a reputation for unreliability, could weaken the entire chain and make the story suspect.⁵¹ As the following two examples demonstrate feminist scholars showed that they could use such strategies to buttress innovation, just as fundamentalist theologians had done.

In an essay entitled, "Man: Partner or Boss ?", Shekufeh Shokri and Sahereh Labirz argue that Islam does not privilege men over women because of their biology and that, therefore, it is not "sexist". The only distinction that can be found among Muslims in the *Qur'an* is between the pious and the impious. To prove their point they turn to chapter 49/verse 13 of the *Qur'an* which says: "O mankind, surely We have created you from a male and a female and made you tribes and families that you may know each other. Surely the noblest of you with Allah is the most pious of you...".⁵² Having argued that God privileges only the most pious and knowledgeable human beings, the two writers conclude that "if a woman were more knowledgeable and more scholarly than a man", surely she would be regarded in higher esteem in God's eyes. They then return to an earlier verse in the *Qur'an* (chapter 4 /verse 34) which says, "Men are

49. For a discussion of the shariat and sources of the Islamic law under Shi'ism see Arthur Goldschmidt, *A Concise History of the Middle East*, Boulder 1983, pp. 93-9 ; and Said Amir Arjomand, *The Shadow of God and the Hidden Imam*, Chicago 1984.

50. For further discussion on this issue, see Ahmed, *Women and Gender in Islam*, pp. 41-78.

51. Goldschmidt, *A Concise History of the Middle East*, p. 95.

52. *The Holy Qur'an*, Columbus 1991, p. 979. Here and below, I have slightly modified the English translation for greater clarity.

custodians [*qavuumun*] of women, with what Allah has made some to excel over others, and with what they spend out of their wealth".⁵³ This verse is commonly used by conservative male theologians to argue that God has elevated men over women. The feminist theologians tackle this verse from several different angles. They argue that a better translation for the word "custodian" is "initiator in affairs". The word "custodian" implies that women are minors whose affairs should be regulated by men, but "initiators in affairs" points to a man's responsibility to provide for his family without, it is claimed, having the parallel degrading view of women. The authors then present the more audacious argument that because of numerous changes in present-day society such as women's education and employment, and their participation in politics, economics, and even war, new and more egalitarian interpretations of Islamic doctrines must be adopted. Finally, they conclude that Article 1105 of the Iranian civil code, which designates husbands as heads of households and establishes an unequal conjugal relation between husband and wife, is contrary to Islamic doctrine. Since the *Qur'an* recognizes only piety as a matter of hierarchy, not gender or race, the Iranian civil code which purports to base itself on Islamic doctrines is in fact un-Islamic and inaccurate and should be changed.⁵⁴

In another article, entitled "Women as Justices of the Court", Mina Yadgar Azadi writes that chapter 33/verse 33 in the *Qur'an* which reads, "And stay in your houses and display not your beauty like the displaying of the ignorance of yore. . ."⁵⁵ has been used to argue that women should not hold the prominent social position of a judge. Azadi rebuts the interpretation of this verse in three different ways. She argues that the verse addresses only Mohammed's wives and not other women. Further, even if it were addressing all women, it should at most be considered a recommendation not an obligation upon women, since no religious scholar has ever ruled for women's seclusion at all times. Finally, she argues that if this verse were indeed carried out, women of all professions including teachers, nurses, and doctors would be prohibited from working. Hence, why invoke the verse when the debate is about reinstating women as judges in Iranian courts, but not at other times?⁵⁶

These and other arguments may not seem radically egalitarian from a secular feminist perspective, but they have an impact on the public as well as many clerics. The state, after all, draws the legitimacy for its conservative patriarchal politics from the same sources. Women have now entered the

53. *Ibid.*, pp. 199-200.

54. See "Man, Partner or Boss ?" in *Zanan*, No.2, 1992, p. 27.

55. *The Holy Qur'an*, p. 808.

56. See "Women as Judges", *Zanan*, No.4, Ordibehesht 1371 / Spring 1992, pp. 20-26, and *Zanan*, No.5, Khordad & Tir 1371 / Summer 1992, pp. 20-26. See also the essays by Mehrangiz Kar.

debate and have proven knowledgeable about minute theological issues. They have become capable of demonstrating ambiguities and multiple meanings in Qur'anic verses and other texts, and are trained as theologians in major religious centres. These facts are in some ways more significant than the substance of the argument. They mean that feminist theologians and legal experts have to be taken seriously and that they have opened a breach in conservative ideology at a time when there was anyway popular dissatisfaction with the heavy-handed patriarchy of the Islamist regime.

Indeed theology is not the only male-dominated domain in which Iranian feminists have made some inroads. They have also been active in politics. In spring 1996, the fifth round of elections to the parliament resulted in the election of Fa'ezeh Hashemi, the former President's daughter. Hashemi, who was elected with over 850,000 votes, apparently received the highest number of votes of any candidates from Tehran, though official tallies subsequently demoted her to second place. An accomplished athlete in a variety of fields including riding and water-skiing, Hashemi, who is in her late thirties, is unlike anything the Islamic Republic of Iran propagates as the image of the subservient Iranian woman. She founded the Iranian Federation of Women's Sports, and heads the country's Olympic Committee. She is married to a psychologist and is pursuing an advanced degree in international law. In a recent interview, Hashemi admitted that most family responsibilities, including the care of their two children, were shouldered by her husband, and that she was not even aware of current food prices in the market. What she is aware of is the bias against women in society and in public television, where working women are always demonized and home-makers are presented as obedient women who serve tea. Hashemi wants new legislation that would address the unequal treatment of women under the law, that would push for greater education for women, more participation in top-level management positions, and more involvement in national sports. This last issue caused a great brouhaha when Hashemi called for the construction of bike paths in Tehran for the use of both men and women. Several leading clerics issued *fatwas* against women cyclists claiming that the sight of such women out and about in Tehran would be too erotic. While the degree of Hashemi's commitment and her ability to bring about these reforms remain to be seen, she has received much support from *Zanan* and other women's publications.⁵⁷

The May 1997 election of President Mahammad Khatami may strengthen the voices of women like Hashemi and journals such as *Zanan* which supported him. Khatami, who speaks three foreign languages and teaches university courses on Islamic reform movements, was Minister of Culture and Islamic Guidance from 1982 to 1992. He was ousted from that

57. For a recent interview with Hashemi, see *Zanan*, No.28, Favardin 1375 / Spring 1996.

position because he gradually adopted a more moderate view on social and cultural issues and would not strictly enforce the censorship laws. Khatami is certainly not an opponent of the government. He was one of four candidates - out of 238 - who were hand-picked by the Council of Guardians and allowed to run for election. Nevertheless, he was allowed to do so only two weeks before the elections, in order to give a greater semblance of democracy to the process. The clerical establishment which runs the government, and the grand ayatollahs all backed the Speaker of the Parliament, Ali Akbar Nateq Nouri, who was expected to win with a comfortable majority. Once Khatami campaigned on a platform of curbing censorship, fighting fanaticism and calling for greater tolerance on social and cultural issues, however, his candidacy was embraced by much of the public. Of 33 million eligible voters, 29 million (88 per cent) voted, an unprecedented number in Iranian elections. 20 million votes (70 per cent) went to Khatami, who did equally well in cities and in villages. Word of mouth that Khatami would adopt a more liberal stance on gender relations and that he wished to remove the severe censorship on the media and the ban on satellite dishes, and that he advocated a more tolerant interpretation of Islam, one that "was opposed to oppression and coercion", brought women and young people on to the street to vote for him in overwhelming numbers.

Following the elections, Fa'ezeh Hashami demanded that Khatami show his gratitude towards the women who helped elect him by appointing women to his cabinet - a request he was to respond to - while others have called for wide-ranging reform of laws that deprive women of rights, especially in matters of divorce and custody of children. It remains to be seen whether the new president is willing and able to carry out such reforms, or if his opponents in government - who include most members of Parliament, and who harassed him and his supporters during the election - will prevail. Even so, the vast majority of Iranians voted for a change and to an end to the strict rule of the Islamist government which can no longer claim a public mandate.

Toward A New Politics

As has been argued in this article, the emergence of Muslim fundamentalism is a complicated phenomenon stemming in part from the crisis of capitalist development and modernization in the Third World. Muslim fundamentalism has been difficult to confront, not only because in the seminaries and in the mosques it has an organization with ample financial backing and, at times, state support, but also because the fundamentalists speak to many urgent economic, social, and cultural needs. At least three sets of illusions have fuelled the intensity with which some women and men in the region have embraced the fundamentalism cause:

1. That an Islamist economy would remove the country from the orbit of the IMF and the imperialist powers; provide the necessary health and social

services that corrupt, authoritarian governments have all but ignored; solve the problems of high unemployment and under-employment; and offer the male heads of households both better educational opportunities and a more generous income for their families.

2. That the "higher" authority of religion would slow down the capitalist and modernist onslaught on the private domain; that an Islamist government would bring back traditional social relationships, the collective and personal loyalties and obligations which maintained the cohesiveness of the community; and that the old patriarchal bargain could be reinstated, enabling women to devote their time and energy to their families and also feel secure about their husband's loyalty and support.

3. Finally that the veil and self-imposed rules of chastity would empower women; solve the persuasive problems of sexual harassment and molestation on the streets and in the workplaces; and thus pose an alternative to the much maligned Western and secular model of feminist empowerment.

The way to challenge such illusions is not to move away from a progressive feminist agenda. Feminism is the response of fundamentalism, which is why fundamentalists have waged a war against feminism. But to be more effective, a new feminist politic must become indigenous to the region and permeate both the economic and ideological domains. To prevent the Islamists from driving a wedge between middle- and upper-class advocates of women's rights and others, including working-class and rural woman, feminists ought to pursue a three-pronged policy in conjunction with educators, journalists, the democratic Left, labour, and other grassroots activists.

1. Modernization without grassroots democracy or autonomy for the fledgling institutions of civil society, rapid economic development and high productivity without concern for workers' welfare and care of the environment, and increased integration of women into the capitalist economy without providing alternative institutions that would shoulder women's traditional responsibilities to their homes and communities, have contributed to the growth of fundamentalism everywhere. One answer, therefore, is to call for a lessening of the burdens of the overworked mother and home-maker. A shorter working week that would allow more time for families; improved health care and working conditions; reduction in environmental pollution; high quality and affordable child care centres - such as those in France and Japan that are used by all classes ; facilities for the care of the elderly, would be essential steps in this direction. It is important that feminists put forward such issues at a time when their opponents seek to portray them as part of a rich Westernized elite having nothing to say to ordinary women.

2. Equally important is for advocates of women's rights to call for a feminist education, one that aims at the empowerment of young girls and social awareness among young boys from the elementary schools to the college and university levels. Such a feminist education ought to be pursued, insofar as political conditions permit, in both Muslim countries and in exile communities across Europe and the United States. Ever since the late nineteenth century, intellectuals in exile have had a profound impact on political and ideological movements in their home countries in the Middle East and North Africa, and feminists need to take more advantage of such opportunities. Pedagogical strategies that focus on global and comparative feminist perspectives, that show the pervasive and systematic abuse of women in all cultures and throughout history, and also elaborate on the global struggles for women's rights, offer the greatest possibility of success. To avoid the charge by fundamentalists and others that feminism is a tool of imperialist governments, a feminist education should begin with a comparative view that focuses on the subordinate role of women in all major religions (not just Islam), move on, for example, to a discussion of the chastity belts that the European Crusaders forced on their wives when they went off to fight Muslims in the eleventh to thirteenth centuries, and continue with a discussion of European witch hunts by the Catholic Church, up through the job discrimination, sexual violence, and the abusive relationship that so many women in the West face today. After such an introduction, it would be more acceptable to speak of issues that affect the lives of women who live under Muslim law, issues such as women's poor health and diet, lack of exercise, denial of women's sexuality and reproductive rights, unfair divorce laws, lack of common property in marriage, cruel custody laws that tear young children from their mothers, and the need for legal, cultural, and religious reforms. Such debates must enter the mainstream through textbooks, storybooks, newspaper columns and cartoons, television and radio shows, as well as films and plays.

3. The work of individuals and institutions that are dedicated to developing an indigenous expression of Muslim feminism must be encouraged. This includes individuals such as Fatima Mernissi of Morocco who, together with a number of colleagues, is working on a project entitled "Humanist Islam" that plans to publish verses from the *Qur'an* and *Traditions of the Prophet* that are sympathetic to women's rights.⁵⁸ It also includes journals such as *Zanan* in Iran and *al-Raida* in Lebanon, or institutions such as [the International solidarity network] Women Living Under Muslim Laws, and the US organizations The Association for Middle East Women's Studies, and Sisterhood Is Global.⁵⁹ A more progressive and

58. See the interview with Mahnaz Afkhami in the Summer/Fall 1996 issue of the Lebanese journal *al-Raida*, pp. 13-18.

59. The most recent publication of Sisterhood Is Global is an handbook *Claiming Our Rights : A Manual For Women's Human Rights Education in Muslim Societies*, Bethesda, Maryland 1996.

feminist interpretation of Muslim law is gradually gaining ground through the collective efforts of these and other individuals and institutions. Such developments are an important step toward undermining fundamentalism. They should be supported by secular feminists, although the latter should never give up their own right to address all major issues confronting women, including religion.

These and other efforts by feminists offer hope for an alternative future for the region, one in which emancipatory rather than reactionary politics might come once again to the fore. This time, however, in their alliance with other progressive movements, women must never again subordinate their own demands or organizational independence to nationalist, leftist, or democratic political parties.

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Women and Politics in Post-Islamist Iran:

the Gender Conscious Drive to Change

Azadeh Kian

The implementation of the Shari'a and the institutionalization of gender inequality in the aftermath of the revolution led to the disillusionment of the gender-sensitive Islamist women and triggered their discontent. Through their involvement in politics they attempted to present a different reading of Islam and Islamic laws which would be more attentive to the condition of women. These endeavours failed, however, because on the one hand they were still largely based on traditionalist interpretations, and on the other hand, the condition of women did not constitute a priority for the political and religious elite during the Iraq-Iran War (1980-88). The end of the war and the implementation of 'Reconstruction Policies' provided an opportunity for a new generation of gender-conscious Islamist women to seek allies among secular women, to present a modern reading of Islam, and make radical demands for change in women's status by using politics as a potent agent. This article, which is largely based on personal interviews with some of these vocal women, traces their aspirations and endeavours, their identity formation, and the outcomes of their mobilization.

Introduction

What is the difference between the presidency of the Republic and the management of a government service? None. Both positions involve responsibilities in the executive branch. Therefore, why should a woman not lead the country when she can legitimately be at the head of a government service?¹

Faizeh Rafsanjani, the President of the Islamic Countries' Sports Solidarity Council, and the younger daughter of the President of the Islamic Republic, gained the second highest number of Tehrani votes in the March-April 1996 legislative elections. She is part of a new generation of modernist-Islamist women who, though not feminist in the Western sense, are gender-conscious and have discovered politics as an agent for radical change in women's status. As controversial by-products of the Islamic Republic, they

1. Personal interview with Faizeh Rafsanjani, Tehran. July 1996.

are open to the outside world, and share a modern reading of Islam which accounts for the wholesale societal change marking the post-Islamist Iran. These women attempt to adapt Islam to the realities of a society in which women's social, economic and political activities have become an integral part.

Islamist women's collective political involvement dates back to the revolutionary upheavals of 1978-79. Their participation forced Khomeini to retract his previous stand and to endorse women's political rights as a religious duty. Evidence of this may be seen in the following:

Women have the right to intervene in politics. It is their duty... Islam is a political religion. In Islam, everything, even prayer, is political.²

This shift marks a significant change in Khomeini's perception on women's roles in comparison with his position a decade and a half earlier, when the Shah's decision to grant voting rights to women in 1963 created scandal in Qum among the leading clergy. Khomeini, the most vocal among them, had at that time criticized women's involvement in politics as an anti-Islamic measure:

By granting voting rights to women, the government has disregarded Islam and has caused anxiety among the Ulama and other Muslims.³

It was indeed unimaginable for the *Ulama*, who perceived women primarily as biological reproducers and houseworkers, to conceive of them also as politicians. To make their point, they referred to both the Islamic and the Constitutional Law of 1906:

Women's entrance in the two Majlis (chamber of representatives and the senate), the municipal and local councils, is against Islamic law... The granting of voting rights to women and their election... is against the second article of the amendment to the constitutional law... and abrogates the conditions Islam has set on voters and the elect.⁴

The Revolutionary Period (1979-86) and the Iraq-Iran War (1980-88)

In the immediate aftermath of the revolution, the Family Protection Law of 1967 was abrogated and the Islamic law implemented.⁵ Thus, a series of regressions were imposed on women's rights in both the public and the

2. Ayatollah Khomeini's sermon on 19 September 1979, in *Sahifeh-i Nur*, Vol. 9, p. 136.

3. From Khomeini's telegram sent to the Shah on 9 October 1962, in *Sahifeh-i Nur*. Vol. 22, p. 29.

4. From Khomeini's telegram sent to A. 'Alam, the then Prime Minister on 20 October 1962, in *Sahifeh-i Nur*, Vol. 22, p. 30. A similar telegram, signed by nine highest ranking religious authorities was sent to 'Alam in February-March 1963. They included Gulpayigani, Shari'atmadari, Zanjani, Tabatabai and Khomeini. See *Sahifeh-i Nur*, Vol. 1, p. 29.

5. For the Family Protection Law, see among others, Ilahnaz Pakizegi, 'Legal and Social Positions of Iranian Women', in Lois Beck and Nikki Keddie (eds), *Women in the Muslim World* (Cambridge: Harvard University Press, 1978), pp. 216-27.

private realms: Islamic dress code was applied and the Islamic veil became compulsory, initially for active women and then more generally among the female population; important limitations were set for women in matters of divorce and child custody; the minimum age of marriage for girls was lowered to nine years; and women's access to judiciary occupations was prohibited. At the same time, a nation-wide campaign aimed at 'purifying' the public and private sectors of secular women, or what Ayatollah Khomeini called 'corrupt manifestations of the monarchical regime and the West',⁶ was orchestrated.⁷ In the words of one scholar concerned with women's affairs:

Following the revolution, everything which remained from the pre-revolutionary time was rejected... Under the pretext that the West and its model is evil, women were dismissed from the administrative system, and the home was considered the best and the most suitable place for them ...⁸

Yet, secular women were not the sole targets of the traditionalist religious and political elite. Some Islamist women activists soon realized that these regressions concerned all women, regardless of their convictions. They thus engaged in social struggle against the type of gender segregational policies outlined here:

A series of regressions were imposed on women's rights, and even revolutionary [Islamist] women were thrust aside. The authorities only needed us to demonstrate in the streets but when the revolution triumphed they wanted to send us back to domestic work. I then realized that revolutionary social activity was meaningless when women were losing their rights, and started to defend women's rights'.⁹

Contrary to the traditionalist clergy, Ayatollah Khomeini encouraged Islamist women's activities in the public sphere and criticized the opposition of the traditionalists. He said that 'God is satisfied with women's great service, It is a sin to sabotage this [women's activity in the public sphere].¹⁰ By endorsing women's political rights, however, and reiterating their political significance, Khomeini intended to obtain their unconditional allegiance to the Islamic regime. On the occasion of the referendum for the Islamic Republic he thus affirmed that 'all of you [women] should vote.

6. *Sahifeh-i Nur*, Vol, 10, p. 234.

7. Azadeh Kian, 'Gendered Occupation and Women's Status in Post-Revolutionary Iran', *Middle Eastern Studies*, 31 (July 1995). pp. 407-421. See also Ziba Mir-Hosseini, 'Divorce, Veiling and Feminism in Post-Khomeini Iran', in Haleh Afshar (ed), *Women and Politics in the Third World* (London: Routledge, 1996), p. 149.

8. Zhaleh Shaditalab, a professor of sociology at the Tehran University and a consultant to the Office of Women's Affairs, interviewed by Firuzeh Sharifi, in 'Muqi'yyat-i zanan dar nizam-i idari-i Iran', *Zanan*, I (February 1992), p. 7.

9. Personal interview with an Islamist activist who prefers to remain anonymous. Tehran. September 1994.

10. From Khomeini's declaration issued on 12 March 1982, in *Sahifeh-i Nur*, Vol. 17, p. 211.

Vote for the Islamic Republic. Not a word less, not a word more... You have priority over men'.¹¹ Indeed, he was persuaded that women's loyalty would inevitably draw the support of their male family members for the regime. He added that 'women have done more for the movement than men, for their participation doubles the power of men. Men can't remain indifferent when women take part in the movement...'¹²

Thus, although the application of the *Shari'a* entailed women losing their civil rights,¹³ they maintained their political rights. While the civil code and the penal laws promote gender inequality, men and women have equal political rights. For example, a woman's legal evidence is not accepted unless it is corroborated by that of a man, whereas her vote is equal to a man's vote. The Islamic Constitution reflects this contradiction by attributing religious and judicial leadership exclusively to men (articles 5, 107, 163), while remaining ambiguous on the issue of political leadership (article 115). Indeed, the word *rajul*, which is used in the latter article to define the prerequisite condition for assuming the post of the President of the Republic, denotes both a man and a well-known personality (which by definition can also be a woman).¹⁴ As we shall see later, this ambiguity has allowed modernist-Islamist women to argue that the Constitutional Law authorizes women to run for presidential elections.

Women Parliamentarians During the Iraq-Iran War

The Iraq-Iran War (1980-88), which for eight years mobilized the country's resources, was an impediment to the advancement of debate on the condition of women. Despite the active participation of Islamist women in war efforts and their recruitment by the *pasdaran* and the *basij* (volunteers), the image of the true Muslim woman during the war years was strictly limited to that of the mother and wife who sacrifices her sons and husband for the Islamic cause. Both television and cinema played an important role in perpetuating state ideology on women.¹⁵ The plight of Islamist women social activists was also overshadowed by the predominant values of self-denial, devotion and sacrifice, rooted in the *Shi'a* culture and internalized

11. From Khomeini's sermon to a group of women in Qum, on 7 March 1980, in *Sahifeh-i Nur*, Vol. 5, p. 177.

12. From Khomeini's sermon to a group of women, members of the society of women of the Islamic Revolution, Shimiran, 12 July 1980, in *Guzideh ha-i az Maqalat-i Payam-i Hâjar*. No. I (Tehran: Jami'eh-i Zanan-i Inqilab-i Islami publications). (Autumn 1982), p. 6.

13. See, Haleh Afshar, 'Women, Marriage and the State in Iran', in Haleh Afshar (ed.), *Women, State and Ideology: Studies from Africa and Asia* (Albany, NY: SUNY Press, 1987), pp. 70-86.

14. See, Sayyid Mihdi Hashimi, *Huquq-i Asasi-i Jumhuri-i Islami* (The Constitutional Law of the Islamic Republic), (Tehran: Shahid Biheshti University, 1993) Vol. II. pp. 46, 362, 363.

15. For a discussion on the subject see Hamid Naficy, 'Zan va masa'il-i zan dar sinimay-i Iran ba'd az inqilab'. *Nimeh-i Digar*, 14 (Spring 1991), pp. 123-69.

by the young volunteers. Indeed, their attempts to highlight the sufferings of women caused by the overwhelming privileges granted to men by the *Shari'a*, were afforded scant attention by the state-controlled media. Moreover, the clerical and political elite, who attributed all shortcomings and problems to the force of circumstances, used the war as a pretext to dismiss women's social problems, as the following quotation demonstrates:

During the war, the conditions for women were alarming. Not only were they losing their rights but they were also faced with immense social problems. Prostitution was increasing among the widows and orphans who had lost the heads of their households in the war. But each time we wanted to emphasize these social problems, the power elite restrained us under the pretext that the country was at war.¹⁶

Indeed, during the war, the government was devoid of specific economic, social, and cultural policies on women, to the extent that 'women had no place in the First Plan, implemented during the war'.¹⁷

The dominant state ideology was also largely shared by male parliamentarians of the first, second and third *Majlis* (parliament), convened respectively in 1979, 1983 and 1987. Women parliamentarians, on the other hand, who occupied 1.5% of the seats in all three *Majlis* and defended 'women's Islamic needs and rights', were at a distinct disadvantage. Marziyyeh Dabbagh, who held responsibilities during the war as the head of women volunteers (*basij*) and the commander of the *Pasdaran* in Western Iran, affirms:

in the second and third *Majlis*, each time we [women] wished to present motions [concerning the condition of women], we had to first talk to and persuade every single male member, then we had to take the motion to the commissions to convince the members of its validity before presenting it to the general assembly. But even those who had already agreed with our propositions in a given commission would, as a rule, vehemently oppose it once in the general assembly. For example, I, Mrs Rajayi and Dastghiyb worked diligently to prepare a motion relevant to women who had lost their heads of households. We asked our brothers [male members] what they wanted to do with these women. We argued that we could not abandon them, and that the government should provide them with both material and moral assistance. But our male colleagues responded to our request by saying that each woman had a brother, a father or a son who should pay her alimony. We negotiated with them for several months to no avail. Eventually the same motion was passed by the fourth *Majlis* which was credited with its initiation.¹⁸

16. Personal interview with an Islamist activist, who prefers to remain anonymous. Tehran, September 1994.

17. From Marziyyeh Siddiqi's interview, in *Riyhaneh*, 2 September 1996. p. 11.

18. Marziyyeh Dabbagh, 'Zanan va naqsh-e anan dar majlis' (Women and their role in the *Majlis*: a round table), *Nida*, 17-18 (Winter 1996), p. 9.

The majority of women parliamentarians of the first to third *Majlis* came from established religious families.¹⁹ Gohar-al Shari'a Dasteghayb and 'Atiqih Rajayi (members of the first to third *Majlis*), Marziyyeh Dabbagh (member of the second, third, and fifth *Majlis*), and Maryam Behruzi (member of the first to fourth *Majlis*) were candidates of the Islamic Republic Party and the traditionalist/conservative Tehran Society of the Combatant Clergy. Maryam Behruzi, who was a preacher prior to her election, leads the *Ziynab* Association, a politically influential religious group for women, and an offshoot of the Tehran Society of the Combatant Clergy. As fervent advocates of the rule of a jurisconsult (*vilayat-i faqih*), they participate in the traditionalist/conservative religious networks, and, with the exception of Dasteghayb who holds an MA in literature, they all have an elementary and religious education.²⁰

Despite their divergent views, they shared some traits with their male counterparts. For instance, they all concurred that 'following the teachings of Islam, the Islamic Republic has been attentive to women's rights'.²¹ Moreover, although they were not opposed to women's outside activities, they viewed women primarily as houseworkers, child-bearers and child-rearers. During this period, most of their efforts were focused on preparing motions to defend more adequately women's Islamic rights in the private sphere of the family.²² The divorce law thus became one of the controversial issues of the first *Majlis*.²³ However, the plight of employed women was largely overlooked until the foundation of the Social-Cultural Council of Women and the Office of Women's Affairs. The shortage of day nurseries, kindergartens, and other child care facilities is one of the main problems facing employed women, especially those with young children. Some of them lobbied unsuccessfully to have additional nurseries created. Women parliamentarians, however, were not mobilized to defend their cause. Maryam Behruzi even told the press that nurseries were not suitable places for children, and that children needed the presence of their mothers more than anything else.²⁴

19. Ziba Mir-Hosseini, *op. cit.*, p. 150.

20. G. Maliki, 'Zanan dar majlis, az ibtida ta kunun' (Women in the Majlis, from the Beginning until Now), *Payam-i Zan*, 51 (June 1996). pp. 30-36.

21. See, among others, Maryam Behruzi's interview in *Jumhuri-i Islami*. 28 Farvardin 1361 (17 April 1982), p. 7.

22. To defend the cause of women they frequently re-interpreted Islamic laws. See, Haideh Moghissi, 'Factionalism and Muslim Feminine Elite in Iran', in Saeed Rahnema and Sohrab Behdad (eds), *Iran After the Revolution* (London: I. B. Tauris, 1996).

23. For an in-depth account of these debates, see Haleh Esfandiari. 'The Majles and Women's Issues in the Islamic Republic of Iran', in Mahnaz Afkhami and Erika Friedl (eds). *In the Eye of the Storm: Women in Post-Revolutionary Iran* (New York: Syracuse University Press, 1994).

24. See, *Ittila'at*, 3 Isfand 1361 (22 February 1983), pp. 6 and 11.

Azam Taliqani, who was elected to the first *Majlis*, differed from other women parliamentarians. Contrary to the latter, who mainly addressed women's issues, Taliqani was more preoccupied with general political discussions, as she shows here:

The first *Majlis* was unique in the Islamic Republic because different ideologies and viewpoints were represented and confronted. While I actively participated in heated debates along with my political allies, I had a rather individual activity with regard to women's issues.²⁵

Daughter of the radical cleric, Ayatollah Taliqani, she is a well-educated political activist who was a political prisoner under the Shah. Although she was more concerned with the promotion of her radical political stands than with women's status, her quest for social justice brought her into contact with the plight of women.²⁶ She thus combined her gender sensitivity and political ambitions to found a political group called Women's Society, a research group called the Iranian Islamic Women's Institute, and to start publishing a magazine called *Payam-i Hâjar* in 1979. The following is a brief account of her involvement in all this:

The idea of founding an Islamist women's organization goes back to when I was in prison. Back then I realized that leftist women were better organized and could thus attract the Islamist youth to their ideology. I was persuaded of our need for an organization to serve women who had both legal and economic problems... After the revolution, many women came to see us complaining about their condition. Their grievances made us realize that our women had specific problems under the new circumstances.²⁷

It is worth pointing out that the majority of these problems facing women had been initiated by the abrogation of the Family Protection Law of 1967, and the implementation of a new civil code based on the Islamic law in which overwhelming privileges had been granted to men, particularly in matters of marriage, divorce and parental authority. Therefore, *Payam-i Hâjar* addressed mainly family issues, and was the first Islamist magazine to raise the question of the necessity for the reinterpretation of Islamic laws. For this purpose, Ayatollah Taliqani's teachings, popular among the Islamist left, were largely used. Azam Taliqani is one of the rare vocal activists who continues to advocate social justice by severely criticizing the consumerism of the elite, and the increasing gap between the rich and the poor in post-war Iran. She believes that 'wealth is concentrated in the hands of a minority, including big merchants, while the majority, that is the middle classes, have been impoverished. This is against the very notion of Islamic

25. Personal interview with Azam Taliqani. Tehran, February 1996.

26. For Azam Taliqani's views, see, Azar Tabari and Nahid Yeganeh (eds), *In the Shadow of Islam* (London: Zed Press, 1982), pp. 171-200.

27. Personal interview with Azam Taliqani, February 1996. Also see, *Masa'il-i Zanan* (Women's Problems), Vol. II. (Tehran: Payam-i Hâjar Publications, 1991), pp. 6-8.

justice'.²⁸ Likewise, in a response to a question about women's achievements in post-revolutionary Iran, she bitterly told the press that 'poverty and polygamy are the only things that poor women have obtained from the revolution'.²⁹

The Post-war and the Post-Khomeini Era

With the end of the war in 1988, which the power elite had used as a pretext to justify all shortcomings, a new age called the 'period of reconstruction' began. Economic, social and demographic realities forced the power elite to adopt new strategies. For example, the 1986 national census of the population--the first under the Islamic Republic--revealed a population growth of about 15 million. Thus, despite the pro-birth traditions of Islam and Iranian culture, and the traditionalist *Ulama's* disapproval, the government readopted family planning and birth control from 1988 onwards.³⁰ The values of devotion and self-denial, which dominated the previous period, began to weaken, and the population, exasperated by the eight-year war, aired economic, social, political and cultural demands. As a response, the government authorized a relative freedom of press. Thanks to Hujat ul Islam Muhammad Khatami, the liberal minded Minister of Culture and Islamic Guidance (who was forced to resign in July 1992), several hundred new journals and magazines, including those for women, began to be published.³¹ Similarly, the scope of debates on the condition of women expanded, and conferences started to be organized on various aspects of women's and family issues. In 1988, the High Council of Cultural Revolution, chaired by President Rafsanjani, founded the Social and Cultural Council of Women to promote women's economic and social activity, and in 1992 the Office of Women's Affairs, an offshoot of the presidential bureau, was created to 'detect problems and shortcomings and to propose solutions to ameliorate women's status and their economic, social, cultural and political role'.³² The emergence of new types of female social and political activists with modern discourses and agendas was yet another outcome of the post-war era and was tightly linked to broader transformations.

New economic and social policies were implemented to reconstruct the devastated infrastructures and to reorganise the economy. Investment of

28. Personal interview, February 1996.

29. *Ittila'at*, 13 Isfand 1368 (3 March 1990), p. 4.

30. For family planning, see, among others, Homa Hoodfar, 'Devices and Desires, Population Policy and Gender Roles in the Islamic Republic', *Middle East Report* (September-October 1994), pp, 11-17.

31. Their number is now approximately 560.

32. Personal interview with Marziyyeh Siddiqi, member of the fifth *Majlis* elected from Mashhad, and one of the founders of the Office of Women's Affairs. Tehran, July 1996.

foreign capital in Iran was encouraged, and specialization (*takhasus*) and know-how gained increasing importance.³³ The growing significance of higher education and specialization is also reflected in the composition of the ruling elite, especially cabinet ministers, who are becoming increasingly better educated, though in terms of social and family origins they still belong overwhelmingly to traditional middle and lower classes. In 1988, 93% of the cabinet members had received a university education, and 42% held doctorates. Likewise, the proportion of highly educated *Majlis* deputies increased from 10% in the second *Majlis* (1983) to 47% in the third *Majlis* (1987).³⁴ The biographical data of a sample of 854 cabinet ministers, *Majlis* deputies, governors of provinces and districts, mayors, *Imams* of Friday prayers, commanders of the armed forces, directors of state agencies, high-ranking state cadres and directors of revolutionary organizations, for instance, show that 537 (or 62%) have a college degree, while 317 (38%) have a theological education.³⁵ Nonetheless, the proportion of highly educated deputies decreased in the fourth *Majlis* (1992) in which traditionalists, most of whom had received a theological education, predominated.³⁶ The proportion of highly educated representatives increased sharply in the fifth *Majlis* (1996). Of the 249 elected deputies, 69% are university graduates: this figure is made up of 35 PhDs, 42 MAs, and 94 BAs. From the remaining, 22 have a high-school diploma or are university students, 4 have less than a high-school diploma and 52 (or 21%) have theological education.³⁷

The mounting importance of specialists in post-war Iran and the consolidation of their positions also meant the gradual thrusting aside of *Hizbullah* elements for whom devotion to the Islamic system (*nizam*) and to the leadership of a jurisconsult is more important than specialization.³⁸ Thus, if the professional credentials of the political elite are likely to narrow the gap between them and secular professionals--as illustrated in the support of the latter for the pro-Rafsanjani faction, called the

33. Technical, technological and scientific knowledge proved indispensable to the implementation of reconstruction policies. Consequently, the government began to valorize professionals, especially medical doctors, engineers, architects and economists. The shortage of specialists even led the government to send envoys to persuade the educated diaspora to return.

34. Ahmad Ashraf, 'Theocracy and Charisma: New Men of Power in Iran', *International Journal of Politics, Culture and Society*, 4 (1990), pp. 128-9.

35. *Iran Who's Who*, 1993 (Tehran, April 1993).

36. *Salnameh-i Zan* (Zan-i Ruz, February 1993), p. 82.

37. *Zan-i Ruz*, No. 1559, p. 9.

38. For a discussion on the *Hizbullah*, see Farhad Khosrokhavar, 'Iran: de la révolution à l'islamisme hezbollah', in Gilles Kepel (ed.), *Les politiques de Dieu* (Paris: Editions du Seuil, 1993), pp. 71-95; and, Shahin Gerami, 'Privatization of Women's Role in the Islamic Republic of Iran', in Gustavo Benavides and M. W. Daly (eds), *Religion and Political Power* (Albany, NY: SUNY Press, 1989), pp. 99-118.

Representatives of the Reconstruction of Iran, during the fifth *Majlis* elections--it has simultaneously deepened the lack of understanding between them and the *Hizbullah*.³⁹ In heated press debates, the *Hizbullah* have accused the professional elite of adhering to liberal and Western-oriented stands while the latter treat the former as incapable and outmoded.⁴⁰

Women's Participation in the Labour Force

In addition to the increasing importance of the Islamic professionals, the implementation of reconstruction policies also resulted in the return of secular women professionals who had been dismissed from their posts during the revolutionary period. Indeed, it was to recover the great shortage of professionals that the power elite was forced to concede to their skills.⁴¹ Firuzeh Khal'atbari, a well-known economist at the Central Bank of Iran, said that 'many educated women, who had been "purified", seized the opportunity to regain their posts, while many others joined the professional activity for financial reasons'.⁴² Indeed, the economic crisis of the post-war era has led to the decline in the real income of urban households, the majority of which relied on a single source of income.⁴³ Women, whose financial contribution proved essential, were thus compelled to participate in the labour force. As a result, the representation of women in the economic arena began to expand.⁴⁴ Contrary to 1986, when as a result of

39. For a detailed account, see Azadeh Kian, 'Les enjeux des elections législatives en Iran post-islamiste', *Les Cahiers de l'Orient* (forthcoming, January 1998).

40. Keyhan, Risalat and Subh, close to Ayatollah Khaminehyi, usually advocate devotion, while Ittila'at, Iran, Hamshahri, Akhbar and Bahman, who are close to the professional ruling elite, argue for the crucial significance of specialization in the period of reconstruction. The weekly *Bahman*, edited by Muhajirani, the Vice-President in parliamentary and juridical affairs, was the most vocal organ of the Islamist-professional elite. It was forced by the Tehran Society of the Combatant Clergy to cease publication in April 1996 and its editor was tried.

41. Professionals are usually graduates of the higher educational institutes, and are composed of two groups: the salaried employees of the public and private sectors, and the liberal professionals. They include medical doctors, dentists, university professors, engineers, managers, technocrats, bureaucrats, and the like.

42. Personal interview, December 1992, Paris.

43. A. H. Mehryar, M. Tabibian and R. Gholipour, 'Changing Pattern of Household Incomes, 1974-1993', (Tehran: Institute for Research on Planning and Development, Working Paper No. 7, 1994).

44. Controversy exists among specialists as to women's participation in the labour force. For example, Fatemeh E. Moghadam ('Commoditization of Sexuality and Female Labor Participation in Islam: Implications for Iran', in *In the Eye of the Storm*), argues that their participation is lower compared to the pre-revolutionary Iran, while Val Moghadam ('Women's Employment Issues in Contemporary Iran: Problems and Prospects in the 1990s', *Iranian Studies*, 28 (1995), pp. 175-200), maintains that official statistics show a higher participation. As to the break down of women's participation in the labour force, I argue that it increased

the revolution and the war, the proportion of active women to the total female population had dropped sharply from 10.8% in 1976-77 to 6.1%, it increased to 8.7% in 1991.⁴⁵ According to one estimate, women's participation in the labour force has tripled since 1986 to attain 18% in 1993.⁴⁶ Nonetheless, highly educated women are still one of the few categories of women to have been reintegrated into the formal economy. The 1991 census data demonstrate that the highest participation of women in the labour force (11 %) belongs to the educated women in the age group 24-49, residing in urban areas. Likewise, Marziyyeh Siddiqi affirms that the highly educated constitute the bulk of active women.⁴⁷ It should be noted that women's employment rate as reflected in official statistics is quite questionable: the data reflect legal participation of women in the labour force mainly in urban areas. Rural women, the majority of whom work in family enterprises, are categorized either as unpaid domestic workers or housewives. Thus, according to official statistics, the proportion of active rural women to the rural female population of ten years and above is 3.4%.⁴⁸ Moreover, the labour participation in the underground economy, which overwhelmingly employs less-educated women and has seen a remarkable increase of activity as a result of economic crisis, is not reflected in the statistics.⁴⁹

Women Parliamentarians of the Post-war Era

The Fourth Majlis

Contrary to social and economic spheres where specialization and know-how constitute sufficient criteria for women's participation, involvement in the political sphere necessitates the allegiance to the regime and to its leadership. Yet, Islamist women's participation in the political sphere follows the general trend of social and economic spheres. Indeed, despite the sweeping victory of traditionalists in the fourth *Majlis* elections,

in the service sector (90.6% of employed women in 1986 against 85.5% in 1976), but sharply decreased in the industrial sector (9.1% of employed women in 1986 against 14.2% in 1976), while remaining unchanged in the agricultural sector (0.3%). See, 'Gendered Occupation and Women's Status in Post-Revolutionary Iran', *Middle Eastern Studies*, 31 (1995), p. 410,

45. 'Natayei-i tafsili-i musharikat-i zanan dar niruy-i kar'. ('The Participation of women in the Work Force') *Sarshumari-i umumi-i nufus va maskan*, (Tehran: Markaz-i Amar-i Iran). October 1988, and September 1993.

46. See, 'Gam ha-i dar jahat-i tabyin-i jaygah-i zan dar iran', *Salnameh-i Zan*. (February 1993), p. 23.

47. From Miarziyyeh Siddiqi's interview, in *Riyhaneh* (2 September 1996), p. 11.

48. Fariddeh Sarhadi, Nahid Muti', and Furugh Ihsani, 'Naqsh-i zanan-i rusta-i dar Tawsi'ih, zarurat-i azish guzari', *Iqtisad-i Kishavarzi va Tawsi'ih* (Quarterly Journal of Agricultural Economic Studies), 2 (1994), p. 135.

49. See, Firuzeh Khal'atbari, 'Iran: A Unique Underground Economy', in Thierry Coville (ed.), *L'économie de l'Iran islamique: entre l'Etat et le marché* (Tehran: Institut Français de Recherche en Iran, 1994), pp. 113-131.

convened in 1992, the number of women doubled to reach a total of nine (or 3.3%). In addition to their numerical increase, they were also more educated than their predecessors, some were active as professionals prior to their election, and their average age was lower (46 years as opposed to 55 for the previous women deputies). Moreover, for the first time, four women were elected from the provinces: Akhtar Dirakhshandih (high-school teacher) from Bakhtaran, Fakhrtaj Amirshaqai (BA in French language and literature), and Fatimeh Humayun-muqadam (BA in planning and educational management) from Tabriz, and Bibi Qudsiyyeh 'Alavi (MD gynaecologist, and surgeon) from Mashhad. The five women elected from Tehran were candidates of the traditionalist/conservative right and included Maryam Behruzi (elementary, religious education), Nafiseh Fayyazbakhsh (MA in Islamic philosophy), Parvin Salih (MA in mother and child health), Marziyyeh Vahid-Dastjirdi (MD gynaecologist), and Munireh Nawbakht (MA in Islamic philosophy).

The airing of demands by the female population, the flourishing of debates on the condition of women in women's press, and the activities of the Office of Women's Affairs and the Social-Cultural Council of Women, encouraged some women deputies of the fourth *Majlis* to address these issues, although not without reservations. Some, more sensitive to women's problems, presented amendments to articles of personal status law and prepared motions 'to fill the gaps', accusing judicial authorities of 'the non-execution of the existent laws beneficial to women'⁵⁰ Nonetheless, because they either adhered to the dominant ideology or did not want to be marginalized in the *Majlis*, they refrained from criticizing the traditionalist viewpoints which dominated the fourth *Majlis*. One example is particularly revealing. Influenced by the activities of the Office for Women's Affairs which had opened branches in the executive to evaluate and eventually meet the problems of active women, Nafiseh Fayyazbakhsh and Munireh Nawbakht presented a motion in January 1993 to create the Special Commission of Women's Affairs. Several male deputies, who refused to admit that women encountered specific problems, spoke against the motion. They argued that Islamic laws granted full rights to women, that women and men shared the same problems, and that if such a motion were passed it would divide Muslims. Faced with this opposition, the women deputies, with one exception, preferred to allow some of their male colleagues who approved this motion to stand in their defence. This decision led to an opponent deputy stating ironically that 'because women [deputies] preferred to delegate their power to men in the discussions relevant to this motion, they would also prefer that the men take care of them'⁵¹ Maryam Behruzi was the only woman who dared to make a

50. See, among others, 'Ujrat ul misl tasvib shud', *Salnameh-izan* (February 1993), p. 28.

51. See the speech of Hassan Aminlu in 'Tarh-i Kumision-i vizheh-i umur-i zanan dar majlis', (The Proposition for the Creation of Women's Affairs Commission in the *Majlis*). *Zan-i Ruz*, 26 (February 1993), pp. 11-12.

speech, but instead of promoting the motion, she deferred, affirming that 'Islam has been sufficiently attentive to women's rights... We are fundamentally against the Western type of defence of women's rights... We do not wish for women to rise up against men. Following Islam, we believe that men are protectors of women...'⁵²

The few initiatives of women members of the fourth *Majlis* to improve the condition of women by amending laws thus remained unfruitful. Moreover, their political ideology did not correspond to the growing dissatisfaction of women with the existing laws and the increasing social and economic activities of women.⁵³

Women in the Fifth Majlis

These circumstances triggered an unprecedented mobilization of gender-conscious Islamist women in the March-April 1996 legislative elections for the fifth *Majlis*. Many of the candidates were known to the female population for defending women's rights and promoting the status of women. Often highly educated and vocal, they represent the new generation of Islamist women technocrats whose ongoing interaction with the Islamist state and an emerging civil society has led them to perceive politics as a potent and necessary activity towards the acquisition of women's rights. During the electoral campaign, they disassociated themselves from the previous women parliamentarians by criticizing their lack of determination to tackle women's problems. By so doing, they were responding to the demands aired by the female population who seek change in the civil code, a better access to women to employment opportunities, a better employment legislation, and the reform of laws to promote women's status in both the private and the public spheres.⁵⁴ Fatimeh Rafsanjani, the President's older daughter, the founder of Women's Solidarity Association, and the head of the Office of Women's Affairs in the Ministry of Foreign Affairs, thus maintained that 'the fourth *Majlis* was not really preoccupied with women's problems'. She also contended that 'women's rights are annihilated by the civil code, the courts and the society', and that 'women's social, educational and cultural problems cannot be resolved as long as the number of conscious and active women remains slim in the *Majlis*'. She also pleaded that 'half the seats of the Islamic *Majlis* should be occupied by these women'.⁵⁵ Faizeh, her younger

52. *Ibid.*, p. 54.

53. For middle class women's aspirations, see Shahin Gerami. 'The Role, Place, and Power of Middle Class Women in the Islamic Republic', in Val Moghadam (ed.), *Identity Politics and Women: Cultural Reassertions and Feminism in International Perspective* (Boulder: Westview Press, 1994), pp. 329-48.

54. For these demands see, among others, 'Nimayandegan-i majlis va khasteh ha-i zanan' (The Deputies of the fifth *Majlis* and Women's Demands), *Payam-i Zan*. 52 (June 1996), pp. 4-7.

55. *Ittila'at*, 15 January 1996, p. 3.

sister, while running for the elections, maintained that 'the fifth *Majlis* should resolve problems confronting women by revising the civil code and facilitating their access to key posts in the administrative and political institutions'. She argued that if women are given equal opportunities, they are capable of running for the presidential elections.⁵⁶ Suhayla Jiludarzadeh, who for years has served as the director of the employment and social and economic affairs committee in the Social and Cultural Council of women, and who was elected from Tehran, affirms:

A woman deputy should be particularly aware of the shortcomings and problems women are facing. As a woman, she should have an inner determination to promote their status. For this very reason, I believe that half of the deputies should be made up of thoughtful and specialist women who are aware of women's sufferings. In countries where women's rights are respected, a growing number of women are elected to the parliaments ...⁵⁷

Throughout the country, 305 women, of whom the majority ran as independent candidates were mostly refused qualification by the Council of Guardians (*Shura-i Nigahban*). In Tehran, of a total of 419 candidates qualified by the Council of Guardians, 50 or 12% were women, among whom only 13 or 26% ran as candidates of the four major factions, namely the Representatives of the Reconstruction of Iran (RRI, modern right, close to President Rafsanjani), the Society of Combatant Clergy of Tehran (SCCT, traditionalist right, close to Khamenehi and Natiq-Nuri, president of the fourth and fifth *Majlis* and the candidate of the traditionalist right for the forthcoming presidential elections), the Coalition of the Line of *Imam* Groups (CLIG, Islamist left, close to Musavi, the former Prime Minister), and the Society for the Defence of the Values of the Islamic Revolution (SDVIR, traditionalist centre, led by Ray Shahri).⁵⁸ These factions contained some candidates, yet among the ten women elected to the *Majlis*, Fatimeh Ramizanzadeh was the only joint candidate of three factions (RRI, CLIG, and SDVIR); Marziyyeh Vahid Dastjirdi, Nafiseh Fayyazbakhsh and Munireh Nawbakht were candidates of SCCT, and Faizeh Rafsanjani and Suhayla Jiludarzadeh were candidates of the RRI. Provincial candidates ran as independents, though some were endorsed by the leading factions. This was particularly the case of Marziyyeh Siddiqi, elected from Mashhad (the second largest city), who was supported by the four factions. Marziyyeh Dabbagh from Hamedan, Shahrbanu Amani-Angineh from Urumiyyeh, and Bibi Qodsiyyeh 'Alavi from Mashhad were elected as independents. It should be noted that two other women, namely Nayyireh Akhavan-Bitaraf from Isfahan (the third largest city) and Ilaheh Rastgu from Malayir were

56. *Ittila'at*, 22 January 1996, p. 2.

57. 'Zanan va naqsh-i anan dar majlis' (Women and their Role in the *Majlis*), Round Table, *Nida*, 17-18 (Winter 1996), p. 12.

58. For a detailed account see, Azadeh Kian, 'Les enjeux des élections législatives en Iran post-islamiste', *Les Cahiers de l'Orient* (forthcoming, January 1998).

elected during the first round, and Pishgahifard from Isfahan won the second largest number of votes, but the elections were nullified by the Council of Guardians for no valid reason. A total number of eight constituencies with several women candidates saw their elections cancelled. As a result, the ten women elected constitute 4% of the total deputies.

Although Islamist women's representation in the parliament remains slim, the five newly elected women are more vocal, much younger (with an average age of 37.2), and more experienced in women's issues than their predecessors. In addition to their political attitude, which is overwhelmingly modern and moderate, another characteristic which they share is their passage from social to political activity. Shahrbanu Amani-Angineh, a student in Public Management who encountered enormous problems with the traditionalists during her campaign,⁵⁹ has been in charge of women's mutual aid and social affairs in Western Azarbayjan; Marziyyeh Siddiqi, who has an MA in engineering from the United States, is one of the founders of the Office of Women's Affairs; Fatimeh Ramizanzadeh, who is an MD and a gynaecologist-surgeon, has been in charge of family planning, public health and medical education in the Ministry of Public Health; and Suhayla Jiludarzadeh, who has an MA in engineering, has had important responsibilities in the Social-Cultural Council of Women and the Office of Women's Affairs. From a working-class background, she has been active in promoting the conditions of workers and is the only woman whose position is endorsed by the powerful Islamic Workers' Association. Faizeh Rafsanjani, who has a BA in political science and physical science, is the founder and the president of the Islamic Countries' Solidarity Sport Council, the vice-president of the National Olympic Committee, and a member of the Islamic Republic's High Council for Women's Sport. In her own words, the reasons which triggered her interest in women's sports are that 'sporting activities have tremendous impact on women and prepare them for social activities. It offers them the courage they need to get involved in the country's affairs'. She has recently gained extensive popularity among women, especially the youth, for courageously defending women's outdoor cycling. In fact, her forthright views run contrary to the traditionalists whose opposition has politicized the issue:

Women's outdoor cycling is neither illegal nor illicit ... It has become a political issue because it was proposed during the legislative elections, and those who opposed it bestowed a political dimension on it. After all, their opposition was beneficial to outdoor cycling for now there is a significant demand for it.⁶⁰

59. See *Zanan*, 29 (June 1996), p. 60.

60. Personal interview, July 1996.

The increased participation of the young people in the fifth *Majlis* elections⁶¹ was advantageous to these vocal women because 'for the younger generation, the younger a deputy, the better she understands their problems.'⁶² Faizeh Rafsanjani acknowledged the importance of the young people's support for her candidacy when she said that 'my efforts to promote women's sporting activities led the younger generation to vote for me'. She is the only deputy who recognizes the specific problems faced by young people, and claims to have conceived of a programme to improve their condition. In her view, 'despite the serious problems of young people, no one talks about them. There is no commission in the *Majlis* to think about these issues'. Through her analysis, she implicitly acknowledges the failure of the power elite to revolutionize and islamize this new generation:

Our younger generation was born after the revolution and is devoid of revolutionary mentality. They were annexed to the revolution after its victory. Although courses are taught at schools on the revolution, they are not palpable for pupils and students who do not normally appreciate courses at school anyway ... Western cultural invasion is a very serious threat to our youth who are its main targets. If the younger generation, who are the future of our country, are not raised to proper values, how can they run this country in the future? To solve the problems of our youths, we should make them believe that they are important for this country. For if they increase their self-standing, they will no longer consume drugs, or watch satellite programmes or listen to rap music and the like. We cannot force them by means of laws and limitations. Not only will these laws fail to solve problems, but they will increase them. Since the revolution our social problems are increasing incessantly because they [the authorities] have wanted to solve them through intimidation. Well, coercion and violence have had negative results.⁶³

With regard to her perception on women and women's issues, she believes — contrary to her sister Fatimeh, and to Suhayla Jiludarzadeh, who are in favour of a system of quota for women — that:

Women should attain scientific, technical, economic, political, social and cultural status which they deserve by themselves. The quota will have no positive results. On the contrary, it will make everybody distrust women. Yet a woman who obtains a post owing to her proficiency will undoubtedly leave a positive impact on society's perception on women.

With reference to the persistent social and cultural barriers that hamper the progress of women, some of which are created by women themselves, she argues that cultural change in their mentality will follow with the increase in women's participation in the decision-making posts:

61. The voting age is set at 16 under the Islamic Republic.

62. G. Maliki, *op. cit.*, p. 34.

63. Personal interview, July 1996. Also see her interview with the Iranian press in *Hamshahri*, 26 June 1996, pp. 1-2; and *Zan-i Ruz*, 1563 (June 1996), pp. 4, 61.

Women themselves often do not trust other women... Well, I believe that active women are highly competent. They are more motivated and can work more efficiently for women than men. One of our major impediments is that despite the existence of a sufficient number of women professionals, there is a lack of women's representation in key posts where macro politics and planning are decided ... Thus, if we manage to appoint women specialists to relevant key posts, they can better defend women's rights'.⁶⁴

Fatimeh Ramizanzadeh intends to 'reform laws in view of protecting women's rights in the family, at work and in society, and to erase men's erroneous belief that they are superior to women'.⁶⁵ Marziyyeh Siddiqi maintains that women's education and awareness should be promoted, cultural programmes should be devised to eliminate false impressions of women, laws should be reformed to promote women's status and to solve women's problems.⁶⁶ Siddiqi, who is also the director of an international transportation company, agrees that the airing of demands by the female population in the past few years has influenced women deputies of the new *Majlis* who are now 'far more vocal, courageous and determined' than their predecessors. She also detects a changing mentality among the male deputies, whom she maintains have come to accept that women have specific problems:

Women deputies now have more courage and determination to talk about shortcomings. An example of this courage is that for the first time we all stood as candidates for various responsibilities in the *Majlis*. For the first time in the Islamic Republic, several of us were elected members of permanent commissions: reporters, secretaries, vice presidents; whereas in the past a woman would have not dared to present her candidacy, and even if she did she would not have been elected ... But now we consider ourselves equal to men, and men vote for us because they trust our competence.⁶⁷

The Impact of Religious-Reformist Discourses on Women's Activities

The period of reconstruction also coincided with Khomeini's death in June 1989, provoking the crisis of consensus both at the societal level and among the religious and political elite on the leadership of a jurisconsult (*vali-yi faqih*). Indeed, Khamenehi, the current leader, does not possess the necessary criteria to assert his claim to authority. This lack of consensus has allowed the emergence or the enforcement of modernist interpretations of Islam by some religious intellectuals and clerics, including Abdulkarim Surush, a popular philosophy professor, surnamed the Luther of the Iranian Islam.⁶⁸ Surush, who claims to be anti-ideological (and therefore against

64. Personal interview, July 1996.

65. *Zan-i Ruz*, 1559, 19 khordad 1375, p. 7.

66. *Ibid*, p. 6.

67. Personal interview, Tehran, July 1996.

68. For a more detailed discussion, see Azadeh Kian, 'L'islam est-il incompatible avec la démocratie?', *Etudes* (September 1995), pp. 161-7.

political Islam) affirms that 'we should not give a superficial, official, rigid and final interpretation of religion because religion is not an ideology ... If religion becomes ideology, it will be reduced at best to jurisprudence'.⁶⁹

Following the constitutionalist cleric Mirza Muhammad Husayn Nāini (1860-1936),⁷⁰ these intellectuals and clerics attempt to reconcile Islam with democracy, and to separate religion from the state. Muhammad Mujtahid-Shabistari, a leading modernist cleric argues:

A *mujtahid* [doctor in jurisprudence] can infer value principles from the Qu'ran and traditions. [But] political system, institutions, the functioning of the government, ... in short, everything which is relevant to the political sphere, should be dealt with through reason and human sciences. In this way boundaries are justifiably set.⁷¹

These religious intellectuals and modernist clerics also maintain that political power should acquire its legitimacy exclusively through founding its authority on the public will. They admit that concepts of Western political thought have entered Iran and have initiated significant change in the political culture of the post-revolutionary Iranians who now aspire to economic, social, political and cultural progress. In order to maintain this progress, they propose a synthesis of Islamic traditions and Western modernity.

Their intellectual endeavours have found tremendous support among educated Islamists, including gender-conscious women, who rely upon these modernist views to advocate change. The following statement by Shahla Shirkat, the editor in chief of *Zanan*, one of the leading women's magazines, clearly reveals this influence:

Radical legal changes are needed to solve women's problems. Many articles of the civil code are based on the *Shari'a*, which must, therefore, be reinterpreted. Moreover, women should be involved in this undertaking. Our understanding of religion varies in each historical period, and religious interpretations should account for factors of time and space ...

Referring to Surush's works, she affirms that 'through their works, some religious intellectuals have posited the necessity of radical reforms in religious thought. If they succeed, these reforms will undoubtedly be expanded to women's issues'.⁷²

69. Abdulkarim Surush, 'Farbeh tar az idioluzhi', *Kiyan*, 14 (September 1993), pp. 9-11.

70. Mirza Muhammad Husayn Naini, *Tanbih ul umma va tanzih ul milla* (Tehran, 3rd edn, 1955).

71. Muhammad Mujtahid-Shabistari, 'Din va 'aql, sukhan-i akhar', *Keyhan Farhangui* (July-August 1989), p. 14.

72. Personal interview with Shahla Shirkat, Tehran, September 1994. See also the editorial of *Zanan*, 1 (February 1992), pp. 2-3.

Women's Press: A Forum for Protest Social Activity

New Islamist women's magazines, especially *Zanan* and *Farzaneh*, to which secular women contribute, have begun to be published. Despite their divergent views, an unprecedented gender solidarity has emerged between secular and modernist-Islamist women, thus making their alliance possible.⁷³ Mahbubeh Umami, the editor of *Farzaneh* said the following:

Although secular women do not share our convictions, we can collaborate because we all work to promote women's status. We [Islamist women] no longer consider ourselves to be the sole heirs of the revolution. We have realized that our sectarian views of the first post-revolutionary years led to the isolation of many competent seculars, which was to the detriment of all women. We now hope to compensate our errors.⁷⁴

This view is also shared by Shahla Shirkat, the editor of *Zanan*, who said that 'We should tolerate and respect each others' convictions. Even though we do not share the same philosophy, belief and thought, we can and should work together'.⁷⁵

Mehrangiz Kar, a legal attorney, Shirin 'Ibadi, a jurist, Nahid Musavi, a journalist, and Zhaleh Shaditalab, a sociology professor, are among secular women specialists who contribute to these magazines. Through their writings and interviews, secular lawyers, economists, sociologists, artists, historians, novelists, movie directors, etc. who are denied the right to publish their own magazines, have seized the opportunity to present their opinions and works and to raise demands for equal rights in the private and the public spheres.⁷⁶

The aim of these magazines, which primarily attempt to reach both the educated women and the political and religious elite, is to promote women's status through emphasizing legal, social and economic shortcomings, and to propose changes in civil and penal laws, the employment legislation and constitutional law.⁷⁷ They manage to exert pressure on the elite through civil society, especially through active women who have both professional and family networks. Yet their editors unanimously maintain that the inequality between men and women is not initiated by the Qu'ran, but rather by the interpretations of religious

73. For the alliance between secular and Islamist women, see, among others, Azadeh Kian, 'Des femmes iraniennes contre le clergé: islamistes et laïques pour la première fois unies'. *Le Monde Diplomatique*, November 1996, p. 8; and Ziba Mir-Hosseini, 'Stretching the Limits: A Feminist Reading of the Shari'a in Post-Khomeini Iran', in Mai Yamani (ed.), *Feminism and Islam: Legal and Literary Perspectives* (London, Garnet, 1996), pp. 285-319.

73. Personal interview with Mahbubeh Umami, Tehran. September 1994.

75. Personal interview with Shahla Shirkat, Tehran, September 1994.

76. For a discussion on legal issues, see, Ziba Mir-Hosseini, 'Stretching the limits...', pp. 306-308.

77. *Ibid.*

authorities of the divine laws. They thus argue that radical change in Islamic laws is essential. The editor in chief of *Zanan* maintains that:

The Qur'an has not banned women from becoming a judge. This prohibition was initiated in the history of jurisprudence and in the opinions of the previous religious authorities, whose ideas on women were probably shaped by the examples of their own wives or female relatives whom they generalized to the entire female population.⁷⁸

In November-December 1992, shortly after its publication, *Zanan* published a series of articles in which the obstacles towards women's authority in religious and judiciary institutions were examined. It was maintained that none of the main Islamic texts justify such prohibitions, that no consensus exists among religious authorities on the issue, and that in the past, several women in Iran and elsewhere in the Muslim world have reached the summit of religious authority. The author thus concludes that 'a man has no natural privilege over a woman. If a man can become a judge so can a woman, and if a man can become a source of imitation, so can a woman'.⁷⁹

Mahbubeh Umami and Ma'sumeh Ibtikar, the editors of *Farzaneh*, hold the same position:

We support the equality of rights between men and women and believe that according to the Qur'an, men and women are equal. We should make a distinction between Islam and patriarchal traditions. Our laws are largely founded on some unreliable *hadith* (remarks attributed to the prophet), narrated by religious authorities. Several articles of the civil code, including those concerning the right to divorce, guardianship of children after divorce and those prohibiting women's access to judiciary are among them. Religious reformists examine the authenticity of these laws and purify the civil code from spurious articles.⁸⁰

Since its inauguration in Autumn 1993, *Farzaneh* has been printing articles to illustrate the prophet's high esteem for some women as reflected in the Qur'an, and to highlight the political and religious roles that some women played during his lifetime. Based on such evidence, the magazine argues that an incompatibility exists between the Qur'an and existing religious interpretations.

Zan-i Ruz, the only women's magazine which existed prior to the revolution and which continued publication through changes in owner, board of editors and journalists, has recently joined the general trend.

78. Personal interview with Shahla Shirkat, September 1994.

79. Mina Yadigar Azadi, 'Qizavat-i Zan', (Women's Judgment) *Zanan*. Vol. I. No. 5, p. 21; and 'Ijtihad va marja'iyat-i zanan', (Women's Religious Authority), *Zanan*. vol. I, No. 8, p. 24.

80. Personal interviews with Mahbubeh Umami, Tehran, September 1994, and with Ma'sumeh Ibtikar, Tehran, July 1996.

Although published by the traditionalist/conservative *Keyhan* press company, *Zan-i Ruz*, which is popular among less educated women for its cooking recipes, fashion, sewing and health care instructions, is being transformed into a vocal magazine. Contrary to *Zanan* and *Farzaneh*, which primarily communicate with the intelligentsia and the political elite, *Zan-i Ruz*, whose readers are 'middle level women in terms of their education, social and economic status', reaches a wider public including men. Tayyibeh Iskandari, the new editor, is 'determined to pose fundamental questions concerning the condition of women'. She believes that 'if we really intend to solve women's problems we should also reach men'⁸¹ Since the overwhelming majority of the decision makers are men, she, in common with editors of other women's magazines, includes increasing contributions from modernist clerics and religious intellectuals, including Ayatollahs Yusif Sani'i and Bujnurdi, Hujat al Islams Muhsin Sa'id Zadeh and Muhaqiq-Damad, and Husayn Mihrpur and Ahmad Akuchakian. As specialists of Islamic law and jurisprudence, they attempt to reinterpret the *Shari'a* with a view to implementing change in the existing laws. It is interesting to note that political and religious authorities, who are aware of the significant social impact of these magazines, often respond to critical articles they publish. The office of Ayatollah Yazdi, the head of the judiciary, for example, has, on several occasions, reacted to articles published in *Zanan* and *Zan-i Ruz* which analyzed and criticized legal shortcomings.

The extent and multitude of queries by the female population has even led the Qum religious seminary to publish a women's magazine called *Payam-i Zan* to address these issues. Yet contrary to other women's magazines edited by women, the editorial board of *Payam-i Zan* is composed exclusively of men.

These debates, initiated by women's magazines, have also had an important impact on women political activists, including Faizeh Rafsanjani, who maintains that 'it is not Islam but the clergy's interpretations of its precepts which initiated the prohibition of women's access to the judiciary'.⁸²

Although women's magazines have managed to interact with the more moderate power elite, they are also increasingly the subject of verbal attacks by the traditionalist press, including *Keyhan* and *Subh*, and physical attacks by the *Hizbullah* mobs, backed by the traditionalist clergy. The traditionalists protest against the gender-conscious women whom they call 'Westernized feminists'. The defence of women's rights is considered to be 'an attempt to annihilate Islam and the revolution through accommodating

81. Personal interview with Tayyibeh Iskandari, Tehran, July 1996.

82. Personal interview, July 1996.

Western cultural invasion'.⁸³ What triggers the anger of the traditionalists is that in addition to the demands for legal changes, these magazines also publish views for and against the *tchador* (traditional Islamic veil), reports on women's maltreatment by their husbands, the dramatic stories of women who have been divorced without their consent, those who could not obtain the guardianship of their children after divorce, and salary and status disparities among men and women at work, for example. These reports increase women's awareness, and encourage them to be less tolerant of the claim of superiority by their husbands or male family members. They thus encourage women's resistance against patriarchal traditions, which consequently provokes conflict within the family institution. At the same time, these magazines reach out to men and attempt to influence their attitudes towards women. As Tayyibeh Iskandari argues, 'although it is women who buy these magazines, they take them home and their husbands read them too. A lot of men contact us to criticize us for the articles we publish, but it also happens that some make suggestions on how to improve the condition of women'.⁸⁴

The mobilization of vocal women who are social and political activists on the one hand, and the demands uttered by the female population on the other, have led some traditionalist women to join the general trend, thus contributing to the polarization of the power elite into traditionalists and reformers. Munireh Nawbakht, who, though a traditionalist, seems to be receptive to recent transformations affirms that:

the increasing social activity of women ... necessitates radical reforms in the existing laws to determine women's rights and their social responsibilities... These issues should be discussed by the majority of the deputies and this will only be possible if women are members of different commissions ...'.⁸⁵

Yet, some others rebuke the modernist aspirations of their fellow Islamist women. For instance, Maryam Behruzi severely criticized Faizeh Rafsanjani in public for having promoted women's outdoor cycling and horse riding, which she maintains will assist the Western cultural invasion. Khaz'ali, member of the Social-Cultural Council of Women, reprimands the editors of *Farzaneh* for their feminist stands as illustrated in their articles published in a special issue of the magazine on the United Nations' Beijing Conference on Women in September 1995.⁸⁶ Likewise, *Zanan* is increasingly a subject of traditionalist disapproval. The latter urges the Ministry of Culture and

83. See among others, the interview of Nasiri, the editor of *Subh*, in *Subh*, 2, 60 (July 1996). pp. 57-58. Also, 'Zan-mard, tasavi ya tafavot' ('Woman, Man, Equality or Difference'), in *Pasdar-i slam*. May 1996.

84. Personal interview, July 1996.

85. *Zan-i Ruz*, No. 1559, 19 khordad 1375, p. 7.

86. See, *Subh*, 2, 50, June 19, 1996, p. 7 and 2, 61, August-September 1996. For the special issue, see *Farzaneh*, No. 7 (Autumn-Winter 1996).

Islamic Guidance to retract its authorization to publish. Recently, a petition was launched by Suraya Maknun, the chair of the women's department in the Institute of Cultural Studies and Humanities, who did not appreciate *Zanan* publishing her life story along with those of forty other renowned women (most of them secular), in a special issue entitled "Women Talk About Men's Impact on Their Lives".⁸⁷

The Outcomes of Women's Struggles

The obstacles towards implementing radical change in conditions for women are as much intertwined with traditionalist impediments as they are with social, cultural and legal ones. Yet during the past few years, women have successfully lobbied for the modification of certain family laws to make it more difficult for men to divorce their wives. To prevent unjustified divorces and to protect divorced women, a new law called *ujrat ul-misl* was recently passed which stipulates that when a man files for divorce his wife can ask to be financially rewarded by her husband in return for the housework she has carried out without her consent during the marriage. To file for divorce, couples should now refer to civil courts which have recently been authorized to hire women judicial counsellors. In January 1996, the ministry of justice appointed 200 women judicial counsellors to preserve more satisfactorily women's rights in courts. Their appearance can be regarded as a first step toward rehabilitating women judges in the judiciary. In fact, a conference was organized in September 1996 to discuss the works of Ayatollah Muqadas-Ardibili who issued a *fatwa* authorizing women to become judges. Following this conference, Ayatollah Muhammad Yazdi, the head of the judiciary, declared that 'the question of the possibility for women to reoccupy this post is under study'.⁸⁸ Concomitantly, and for the first time in the Islamic Republic, a woman was appointed the vice director general of Tehran's justice department. Likewise, a woman was appointed vice minister (of public health). Marziyyeh Siddiqi estimates that several other women will be imminently assigned to similar posts and that there will be a woman cabinet minister in the future government.⁸⁹

In October 1996, the fifth Islamic *Majlis* approved a motion presented by women deputies to create the Special Commission of Women's and Family's Affairs composed of thirteen members, nine of which are women. This commission aims at reforming laws to improve the protection of women's rights. Moreover, some newly elected women deputies, who argue that the dynamism of Islam should be reflected in the civil code, propose

87. Personal interview with Shahla Shirkat, Tehran, July 1996. For the special issue, see *Zanan*, No. 29, June 1996.

88. Agence France Presse. 27 Octobre 1996.

89. Personal interview, July 1996.

that women be granted equal rights to divorce and that they should obtain the exclusive guardianship of their children after divorce.⁹⁰ These propositions reflect the determination of these modernist-Islamist women to respond to the demands of female constituents.

Despite traditionalist attempts to contain women's awareness, the process which was begun to construct women's social identity is now irreversible. Today, both secular and Islamist women reject the institutionalized inequalities and demand a dynamic and adapted reading of Islam. Although seculars do not have access to the political sphere, vocal Islamist women, increasingly backed by civil society, are determined to implement conscious change through involvement in politics. The Islamic state has thus no other choice but to accommodate the participatory aspirations of moderate and modernist women whose partaking in politics will undoubtedly implement democratic change in the political system. They are protagonists of a change which encompasses the entire society. Under the present circumstances where political Islam has demonstrated its limits, and the gap between civil society and the state is ever widening, only the opening of religion to modernity can avoid an ultimate rupture.

90. See, among others, Fatimeh Ramizanzadeh, Suhayla Jiludarzadeh and Marziyyeh Siddiqi's interview with *Zan-i Ruz*, No. 1577, 19 October 1996, pp. 18-19 and 60.

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Hojjat al-Eslam Sa'idzadeh - Iran

*Ziba Mir Hossieni**

The arrest on Sunday 30 June 1998 of Hojjat ol-Eslam Seyyed Mohsen Sa'idzadeh must be cause for concern for Muslim women everywhere, since this independent Iranian legal scholar has been addressing the issue of gender inequality through Islamic jurisprudence, in a way that has the potential to change traditional attitudes. Hojjat ol-Eslam Sa'idzadeh was detained at his home by three plainclothes security officers, without a warrant. His current whereabouts are unknown.

Hojjat ol-Eslam Sa'idzadeh has emerged as a leading figure in the popular movement for the reform of family law in Iran. He is among the new generation of clerics who have matured with the Islamic Republic. Born in 1958, he began his religious studies at the age of ten at Qa'en, his home town. In 1973 he moved to Mashhad to continue his studies, and in 1976 to Qom. During the Revolution, he took part in anti-Pahlavi demonstrations, and was arrested. He was among the first graduates of the Qom Law School (Madrasedh-ye 'Ali-ye Qaza'i-ye Qom), set up in 1979 to train judges for the Revolutionary Courts. He served as a judge in Kermanshah until 1986, when he resigned to return to seminary life in Qom and to resume his studies at the advanced level. He was active in the cultural section of the Society for Houzeh Teachers until February 1995, when he took up a post in Tehran as adviser and researcher for the Ministry of Justice. He has Certificates from fifteen Ayatollahs attesting to his proficiency in Koranic exegesis and Hadith (Sayings/Traditions).

Sa'idzadeh has written on a variety of subjects, from theology to history, publishing articles in Iranian journals since 1984. He has published two books: a two-volume history of Qa'en, based on research after his return to Qom: and a study of Resurrection. He began researching women's issues in 1988, and has written extensively on the subject, but so far only a small portion of his work has appeared in print, mostly in Zanan, a woman's journal with an Islamic feminist agenda. Since 1994, he has also been a contributor to Payam-e Zan, a woman's journal published by the Seminaries in Qom. In these writings he neither covers up nor rationalizes

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the gender inequalities that are embedded in the orthodox interpretations of the Shari'a, but attempts to address them within the context of the Shari'a itself. His approach has the potential to break down the old and tired opposition between feminism and Islam.

Sa'idzadeh calls his approach the Equality Perspective. He contends that it has always existed in Fiqh (Islamic jurisprudence) and that many eminent jurists have adhered to it, alongside the dominant approach which he calls the Inequality Perspective. He sees his achievement to be in articulating this approach coherently and shaping it to accord with 20th-century realities. He grounds his arguments in a commentary on theological and jurisprudential issues, with the premise that the Theologian and the Jurist, in understanding the doctrines and in inferring Shari'a Rules, cannot detach themselves from their own world-view, which in turn reflects the state of knowledge, politics and social customs of the age and milieu in which they operate. He further argues that, apart from some minor religious rules (relating to biological differences), Islam regards men and women in the same way, thus it can accommodate feminism, which articulates women's aspirations in this century. In a seminal paper that he presented at the Sixth Seminar of Iranian Women's Studies Foundation, in June 1995, he defines feminism (feminizm - there is no Persian equivalent) as: "a social movement whose agenda is the establishment of women's human rights. Feminism endeavours to free women from an unwanted subordination imposed on them by androcentric societies; it recognizes that women are independent and complete beings, and puts the emphasis on common humanity of sexes, not their differences".

Unlike the mass of apologetic literature on 'Women in Islam', Sa'idzadeh sees gender inequality in Shari'a law as a mistaken construction by male jurists; and he argues that it goes contrary to the very essence of Divine Will as revealed in the Koran. Some of his primary postulates, drawn from his various writings, are:

- Equality does not mean parity and identity of rights and duties, but it means that gender is not used as a criterion in their determination. Gender is not the basis for perfection or defectiveness of men or women, but to connect them. God has created both sexes perfect, their difference is not for separating them but for connecting them. Even in a case where a Rule (hokm) apparently pertains to one sex only, again its subject-matter is humankind with that specific sexual attribute. For instance, if sex-change could enable men to become pregnant, Rules relating to pregnancy have not lost their subject-matter.
- Gender is a social and human concept and does not enter the divine realm, thus it could never have been a consideration for the divine Law-Giver. Sexual markers recommended by religion cannot be taken as proof of gender roles. For instance, Islam recommends

that women keep their nails long and coloured, and that men keep them short and plain. Such recommendations are not intended to separate the sexes nor to create gender roles. Because the length and colour of nails are matters of custom and social habit, religion endorses them as sexual markers of beauty. When people change their customs, whatever becomes a marker of feminine beauty - even if it goes contrary to this recommendation - religion will endorse it, as with ear-rings. In the early years of Islam, only men pierced their ears and wore ear-rings; now in Muslim societies it is a women's fashion, but in the West men also wear them. In other words, these customs are recommended to satisfy men's and women's sense of beauty, not to create and enforce discrimination and separation between them.

- A distinction must be made between two matters: a) belief in religion and following its rules and b) discussing religion and proving or disproving its axioms and rules. In that case a person who speaks of Islam does not have to be a Muslim or to believe in it. Discussing Islam is a matter that bears no relation to people's belief or practice. Likewise motives for discussing or appealing to religion are not necessarily indicative of people's belief.
- A substantial number of Fiqh and Hadith theories obstruct the way to establishing equality between the sexes. A majority of Jurists and all Hadith specialists have sacrificed the principle of equality in Islam to endorse a set of theories resting on assumptions which are no longer valid but still remain part of Fiqh.

Sa'idzadeh has set himself the task of demolishing these theories, arguing it should be done from within Fiqh itself, using its own language and mode of argumentation. His approach and style of writing are those of Fiqh texts. First, he introduces the issue - for instance, woman's right to serve as judge - and places it in its Fiqh context, by reviewing the divergent positions of jurists, both Shi'a and Sunni; he then scrutinizes these opinions in the light of Koran, Hadith, Consensus, Reason, and the practice and custom of the time; finally he refutes those that are contrary to the principle of equality and elaborates on those which accord with it. To advance them, he uses a number of arguments and devices which Muslim jurists have used for centuries, in both Shi'a and Sunni schools. They include the following:

- Distinguishing between the divine Law-Giver and worldly law-makers, and between primary (Koran and Hadith) and secondary (Fiqh texts) sources of Islamic law. Primary sources are subject to innovative interpretations, while secondary sources are debated, and at times refuted, with the aid of the former, or by the very logic of their own arguments.

- Arguing that social custom ('orf) and politics (siyasat) are among the decisive factors in upholding or modifying a Shari'a Rule, even if it is rooted in explicit Koranic injunctions, which are in turn divided into two categories: binding (elzami) and guiding (ershadi). The Prophet's practices are also divided into three categories: those emanating from his mission as the Prophet of Islam (based on Revelation); those emanating from his position as leader of the Muslim community (based on political and social considerations); and those emanating from his human status (based on his physical and psychological individuality). Only the first, based on Revelation, is part of the primary sources of Shari'a law and are binding on all Muslims.
- Dividing the Rules inferred from primary sources of the Shari'a (Koran and Hadith), into three kinds: those that sanction already existing Rules; those that reform existing Rules; and those that create new Rules. Only the last, largely in the realm of ritual and belief, are mandated by Islam and are thus immutable; while the first two categories are not, and evolve and change according to demands of time and space, as the Prophet himself intended and expressed. Here Sa'idzadeh resorts to arguments well-grounded in Islamic jurisprudence, such as instances of abrogation (naskh) in the Koran itself, the nature of Koranic Rules, and whether they are incumbent equally on those to whom they are addressed (mokhatebin) and those who heard them directly from the lips of the Prophet (mushafehin) and so forth.

Hojjat ol-Eslam Seyyed Mohsen Sa'idzadeh is widely recognized as one of the most important young modernist Islamic scholars, whose ideas and approach are helping to offset negative views of the position of women in Islam. An independent-minded religious scholar such as Hojjat ol-Eslam Sa'idzadeh should not be persecuted for exercising his right to freedom of expression. Please add your voice to his support by calling for his release. You can do this by making appeal to the Iranian authorities listed below

Ayatollah Mohammad Yazdi Head of the Judiciary Ministry of Justice Park-e Shahr Tehran, Islamic Republic of Iran Fax: (+98) 21 673 177

Mr Mohammad Hassan Zia'i-Far Secretary, Islamic Human Rights Commission PO Bos 13165-137 Tehran, Islamic Republic of Iran Fax: (+98) 21 204 0541

In addition, please send a copy of your letter to your country's ambassador to the Islamic Republic of Iran.

Foundations of the Equality Perspective

Modern Fiqh:

the Case of Divorce

Hojjat al-Eslam Saidzadeh 1

The presence of the Equality Perspective in the arena of religious thought has shaken fiqh theories. This new view, proposed exclusively by a researcher in the Qom Houzeh, rests on strong jurisprudential, theological and legal foundations. He has written over 150 articles on the issue, has ejazeh from several eminent Houzeh teachers, and is accepted in both Houzeh and University circles in Iran.

This article deals briefly with one example of the application of this approach, and mentions some of its jurisprudential and legal bases.

Divorce has always been a problem for Muslim women. In the light of the new perspective the problem is no longer for women but for contemporary male Jurists of Iran if they are free from constraints and fear of their followers.

In the Equality Perspective, divorce cannot be considered separately from theories and assumptions made in the Chapter on Marriage. Therefore, whatever we understand of marriage affects divorce. Based on terms employed in the Koran and the Sayings, the Equality Perspective has reached the conclusion that marriage rested on the 'theory of unilateral protection'. According to consensus of the Jurists, marriage is a customary affair and was a pre-Islamic tradition. The new religion accepted this tradition and, on the basis of the said theory, left divorce as it was. The modifications introduced by the new religion confined polygyny to four wives and limited the number of times a man could divorce [one woman].

With this brief overture, we now examine the basis of the Equality theory about marriage and its dissolution.

1. Identification of the subject is one of the difficulties and at the same time the ultimate manifestation of the Jurist's ability. The Jurist's

1. This is a translation of one of Saidzadeh's recent writings which he gave me to include in my book - I had told him that a chapter was devoted to his work and had asked for a recent piece. It is an interesting piece which complements to a large extent my introduction to his work. A modified version of it was later published in '*Payam-e Hajar*', a woman's journal in Iran. *Payam-e Hajar*, No 223, Spring 1998, pp. 51-53.
(Note by Ziba Mir Hossieni)

first task is identification of the subject [of a Rule], just as the physician's is to make a diagnosis. Once the illness is diagnosed, a cure becomes possible. The same is true in fiqh. The error of previous Jurists (as regards marriage) lies in their identification of its subject.

The new perspective claims to find 1) the subject of marriage, which is: the social/civil dimensions of [relations between] man and woman; in other words, man and woman are the subject of marriage and divorce, since both need each other and are parties to them; 2) and also the cause, which is a social theory reflecting the era of its origin. In the pre-Islamic era, only men were given social rights and responsibilities - and this was based on a set of ideas and assumptions that must be discussed and does not concern us here - as a result the subject of the Marriage Rule was understood to be men. With the marriage contract, women of the time came under the protection of the tribe (generally) and the husband (specifically), exactly like camels and sheep. Men could remove the protection any time and release the women, since women were not party to but subject of the contract. This unilateral protection was the basis of family links, and parts of this culture are still evident in the written sources and the idioms used. Talaq, in Arabic, means release, untether, from the tie of protection; it is used to refer to a camel which is untethered, no longer under the control of a driver, and free to graze where it wants; or a sheep which has left the herd and no longer has the protection of a shepherd. In this culture, the separation of a sheep from the herd is analogous to that of women from her kin-group and tribe; the driver's care is like being controlled and provided for by the husband. The same term, *imsak*, is used both for caring for and using an animal (its milk and back), and for caring for and sexual pleasures of women. These two examples reveal the importance of the 'theory of protection' in the sphere of marriage and divorce.

Why then did Islam accept it?

Islam accepted the principle of protection, but left its form to [be defined by] the people. The new religion accepted that protection is a good and useful principle, since unilateral protection was appropriate for people of that era, and since it was the way chosen by people themselves, [the religion] did not address it. But the silence of Law cannot be taken as acceptance of the form. While retaining the principle, we can now change its form and solve the problem of talaq - since people demand it.

We accept the theory of Protection and believe it was this theory that is the cause for legislation of 'accepted' laws of marriage and divorce in Islam. Having accepted this cause, we focus our discussion on unilaterality and bilaterality, and say:

The form of protection, its framework and the manner of its application are relative, changeable and subject to the demands of time and place. In

every time and place people can alter the form of this theory; and since alteration in form (not nature) is permitted, then the product of this alteration is also permitted.

In the present era, protection can take any one of the following forms, as accepted by people:

- Government protection of the family;
- Men's protection of the family (generally) and of women (specifically);
- Spouses' shared protection of the family;
- A combination of all the above.

Acceptance of each of the above forms will affect divorce in a different way. If we accept the first form, divorce will become governmental and will come under the control of the judge in charge, exactly like any other social contract, such as establishing and dissolving a company - the different form of judicial divorce stems from this. If we accept the second form, then divorce will be in the hands of women, exactly opposite to the form at present accepted by Muslim societies. If we accept the third form (which seems the most suitable for people of this era), then both men and women can divorce, and their rights in divorce become equal.

To be noted:

Protection is one the accepted principles in human societies. The basis for acceptance of this principle, in addition to custom, is people's social reason. Today too this principle governs all societies, and has a special role in government and among people. Asylum is based on the principle of Protection, and depriving criminals and offenders of their rights [freedom] is the same as withdrawing protection from this group in society. In the view of this article, Universal Conventions and Declarations are based on this theory.

Islam accepted the principle of protection, but the form it took in the Islamic society of that era was only one instance. We cannot assume that only this instance among many other instances of protection is sanctioned by a religion which is based on Revelation and Absolute Reason! Our explanation and analysis, therefore, is: since that instance was accepted by the people of that era and was useful for them, it was left as it was.

Religion is not concerned with outer forms: because religious Rules are based on immutable roots, not on mutable branches! Shi'a fiqh states that: Law gives the principles and the Jurist derives the branches. On this basis, in the case of marriage and divorce, the principle is protection, the [current] form is protection by men. The Jurists must thus, in accordance with the condition of the age, let go of this form and substitute another one for it.

Religion's silence, not criticizing the existing situation, does not mean approval of that situation. This is because reforms of Law are not placed on marriage and divorce, but places conditions on the man (the party who takes a woman and releases a woman), that is, they deal precisely with the form [of protection] mentioned.

In response to those who say that the Rules of religion are eternal, immutable, and unchangeable and therefore the above deduction cannot be accepted, I find it essential to add:

1. Eternity, immutability and unchangeability all pertain to Principles and Rules, not details and forms! We too consider the Rules of Islam to be eternal, immutable and unchangeable, but distinguish Principles from forms.

2. As for Discerning the Cause (*tanqih al-manat*), the accepted views of Shi'a have it that if the Mojtabah Jurist knows or discerns what the cause of a Rule is, or what were the reasons that influenced the creation of the Rule, then he can give an Opinion on the basis of his understanding. In other words, Shi'a jurisprudential views admit that: once the cause of a Rule becomes clear to the Jurist, by means of either rational or narrated proofs, he can act in accordance with his opinion. Jurisprudential views in recent years, more than their predecessors, are inclined towards the validity and proof of this view. Whether *tanqih al-manat* is the same as *qiyas* (analogy) or not, and if so what sort of analogy is part of the issues related to this, needs to be discussed in conjunction with others in the *usul al-fiqh* (*Absar al-Afkar*, pp. 37-8; MS, Ja'fari College, Qa'en, Khorasan).

To prove its claim, the Equality Perspective has resorted to the above procedure, and states:

The cause of legislating the divorce Rule (in a unilateral form and for men) has been the theory of protection. Since we ascertained the cause, and on the other hand since we made it clear that the cause of the Rule was the theory of protection (not unilateral protection), it follows that forms of marriage and divorce are relative and subordinate to the will of the people. The known form of this theory cannot be the concern and the cause of a Rule.

The Law sanctions marriage and divorce (as based on the principle of protection) and the prevailing practices (as among the useful and accepted forms of the time), but never considers them to be eternal.

Iran's moral enforcers beat a retreat

Julian Borger

Each warm evening this spring, Jordan Street has been witnessing the elaborate mating rituals of the well-to-do Tehrani. It is a dance in the form of a circular traffic jam. BMWs and luxury Jeeps rub bumpers with more humble Paykans - Iran's reproduction of the Hillman Hunter - as they lumber up and down the tree-lined boulevard, making lazy turns at either end.

Some of the cars are filled with young men, exuding supreme nonchalance. Others are driven by women, their headscarves coquettishly pushed back to reveal a hint of hair above carefully made-up faces. Glances are thrown from window to window, and every few minutes a couple of cars will slip out of the flow to exchange passengers away from the revealing lights of the shops and pizza parlours.

This kind of drive-in dating has been a feature of the affluent northern suburbs for some years, but it has never been so open and relaxed as it is now. This spring one of the defining features of the Islamic Republic is conspicuous by its absence - over the past few months, the *basiji*, Iran's volunteer reserve and street enforcer of Koranic morality, has pulled out of Jordan Street like a retreating army.

It may not seem like a revolutionary step, but this is how the pace of change has been measured since the reformist cleric Mohammed Khatami was elected president last May. There are a whole host of other subtle adjustments to the daily rules of the game, but at street level, the withdrawal of the *basiji* is the most tangible proof that a "new Iran" may be emerging.

From his key position selling ice-cream half way up Jordan Street, Ali, a 20-year-old with sharp eyes, is as well placed as any to observe the new rules in action. "You can always tell the *basiji* apart. They usually have beards and a different build. And they turned up in Nissan Patrols," he said. "They would stop boys and girls meeting on the street or in the park and take them in for questioning, but you just don't see them that much any more".

Two teenage boys go past, walking a little white dog, an "unclean" act which until recently might easily have warranted a caution and perhaps an arrest. Arash and Majada, both 17-year-olds, are not worried.

"Since Khatami, the basiji have not come to Jordan Street. We're all united so they know they can't stop us," said Arash. A week earlier, when he and his friends were out lighting bonfires and leaping over them to celebrate the pre-Islamic Persian festival of Chahar-Shanbeh Suri, a gang of basiji tried to pounce. "We ran into a friend's garden and they came after us. They beat me up and tried to drag me into their car, but we fought back and my father called the police. He knows someone there. We made a complaint and we're going to go to court."

The idea of suing the basiji would have been absurd until President Khatami's election. The Niruyeh Moghavemat Basij - the Mobilisation Resistance Force - was the 400 000 strong right arm of the late Ayatollah Khomeini. Its volunteers were martyred in their tens of thousands in the Iran-Iraq war, and were given the role of moral police at home. The supreme leader's equally conservative successor, Ayatollah Ali Khamenei, has been careful not to let any of Iran's overlapping security forces fall under the control of his newly elected rival. But the sheer weight of President Khatami's victory margin has made the conservative ayatollahs think twice about the use of force.

This shift of power applies beyond the ranks of the basiji. The conservatives' other main weapon - the Ansar e-Hizbullah (Followers of the Party of God) - has also been blunted. The hizbullah have traditionally serve as club-wielding shock-troops for the hardline ayatollahs, breaking up meetings and rallies organised by their rivals. However, six weeks ago - according to Hadi Semati, a Tehran University political scientist - the tide began to turn.

"In Esfahan, they tried to disrupt Friday prayers (led by a pro-Khatami local cleric) but they were arrested by the police. They were let go again, but it was a very significant moment. It was the first time any of these people had been arrested," Mr Semati said.

Faideh Ferhi, another outspoken political commentator said: "There is a fundamental grassroots change in people's behaviour", which she shares herself. "Now when one of these people comes up to me and claims that my hair was not properly covered, I just walk on, and it's up to them to do something," she said.

But Ms Farhi believes the talons of conservative Islam have been retracted only temporarily as the hardline ayatollahs regroup. The forces remain at hand. "Nothing has been resolved. Lurking behind all these political fights is the potential for violence," she said.

The basiji headquarters in south Tehran is still bustling with activity, and huge murals depicting basiji martyrs dot the city. An interview request was

politely declined. In the working-class suburbs near the base, the volunteers remain popular for their piety and for their patriotism and for bringing the rich kids of the northern suburbs down a peg or two.

The cruiser of Jordan Street are well aware their new-found social freedoms do not yet extend much beyond the Tehran city limits. Majada, one of the dog-walkers, had his head forcibly shaven by basiji when he was recently on holiday by the Caspian Sea.

But the small changes of the past year have left many young Tehranis dreaming of much more. "Sure, we can come and get a pizza," said Shahram, a 25-year-old out for the evening with his girlfriend and her brother. "But that's not real freedom. Young people want to be able to choose our own destiny. These are the real basic freedoms we just don't have."

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Mullahs, Migrants, Miracles:

Travel and Transformation in Sylhet (Bangladesh)

Katy Gardner

Introduction

Dominating the courtyard of the homestead of Abdul Hossain is a large and ostentatious shrine. Decorated with Arabic designs and words, and surrounded by flags, the shrine (*mazaar*) is similar to hundreds of similarly venerated graves scattered over the landscape of rural Sylhet, in north-east Bangladesh. It proclaims for all to see that the late Abdul Hossain is a *pir*. It is a social recognition of his spiritual power; by giving offerings and directing prayers towards it, believers can gain the help of an intermediary with privileged access to God. The presence of a *pir* in their lineage is thought to signify great religious purity amongst family members. As part of a *pir's* lineage, they are inherently more holy than others. Indeed men in subsequent generations will inherit their ancestor's holiness, and, if they study and lead pure lives they may themselves become *pirs*, receiving the devotion, submission and offerings of disciples who come in search of guidance and help.

All this is familiar in South Asia, where *pirs* (often described as Sufi saints [Ewing 1980: 1] are key figures in local Islam. *Pirs*, it is argued, enabled 'orthodox' Sunni faith to merge with indigenous culture when it was first introduced to the region, thus ensuring its acceptance amongst the masses (Cashin 1988; Haq 1975; Roy 1982; Saiyed 1989). Whilst the notion of 'syncretic' Islam is highly problematic,¹ it rightly indicates the embeddedness of the *pir* in South Asia: in Bengal, *pirs* and their shrines are as old as Islam.

Abdul Hossain's case is, however, distinctly contemporary. Unlike most *pirs*, he had no followers during his lifetime, and claims that he is a *pir* have only been made some years after his death. His cult is also exclusively confined to members of his immediate patrilineage. Indeed, their assertions that they are now part of a *pir* lineage, and as such are more inherently holy

1. 'Syncretism' implies a creole religiosity born from the mixture of 'pure' or 'orthodox' Islam with indigenous culture. Since everywhere Islam is expressed and interpreted in different ways, and nowhere exists in a 'pure' form, the term must be treated with suspicion.

than the hoi-polloi, are generally scoffed at by more distant relatives and neighbours. The legitimacy of a *pir* is always of course a social construct (Ewing 1980). But a particular interest in the construction of Abdul Hossain's *pir*-hood is its relationship to change in his family's economic status and their subsequent attempts to transform their own religious status. Like many other local shrines, the *mazaar* of Abdul Hossain is partly a result of overseas migration. More than the donations of devoted disciples, it was founded by remittances sent by family members in Britain.

The shrine is a useful entrance to the two main themes of this paper: the spiritual transformations and miracles of *pirs*; and the economic opportunities, and subsequent economic transformations of migration. Both types of transformation are interrelated; but rather than migration unlinearly affecting religious beliefs and behaviour, the relationship is more circular.

Originally, I suggest, migrants were part of the culture of miracles. The economic transformations resulting from migration have however led to a gradual rejection of charismatic *pirs*. But rather than moving away from their cults to complete monotheism, change has come internally; the cults have themselves been transformed. The legitimacy of this new breed of *pirs* no longer rests upon charisma and miracles, but instead upon scripturalism and notions of 'orthodoxy'. Abdul Hossain's family, for example, asserts that his power is derived from his knowledge of Quranic texts and Islamic learning. Unlike the followers of most *pirs*, they do not claim him to be the agent of miracles and today, activities at his *urs* (death anniversary) are very different from those of most *pir* cults. There is no singing, ecstatic dancing or *dhikir* (repetition), but instead recitation of the Quran and *namaz* (formal prayer). Like so many of their neighbours, they are also migrants.

Tiny and kin-based as it is, the cult is thus part of far wider processes in Sylhet, and intimately tied to sweeping changes that have come to the region in recent decades. These have been largely engendered by the widespread migration of many Sylhetis abroad, primarily to Britain, but also to the Middle East, USA and Western Europe. This and the consequent enrichment and leaps in social status of migrant families, is closely associated with growing Islamic 'purism' in the area (and by this I mean the increasing influence of Quranic text reference of the *Shar'iat* and stress on *adab* or correct procedures). These practices, and the boundary between what is and is not acceptable are the subjects of continual negotiation between different groups.

Pirs, and the continually disputed criteria for their legitimacy, straddle this boundary. Although some of the most orthodox disclaim any allegiance to *pirs*, others have redefined their *pirs* as Sunni holy men of the highest scriptural tradition, separating themselves from the cults of charisma and miracles which are increasingly left to the poor and powerless. There is therefore a growing polarisation between purist activities and belief and

what is increasingly being interpreted by the economically and politically powerful as 'incorrect' religious behaviour.

A Culture of Miracles; Bengali Pirs

No comprehensive description of Bengali Islam is possible without reference to *pirs* (Roy 1982), although at times the category covers such a broad range of characters that there is danger of it becoming meaningless. In general it is associated with Sufism (Ewing 1980; Lewis 1985; Nanda and Talib 1989), but this too covers a whole spectrum of beliefs and categories (Baldick 1989; Cashin 1988; Wilson 1983). In Sylhet *pirs* are sometimes saints of the highest order such as Shah Jafal (who, it is generally agreed, introduced Islam to Sylhet), or the 360 disciples who came with him and who have acquired *pir* status (Roy 1982). The term may also be used for various figures shared with local Hindus such as Kwaz, the 'saint' of fishermen (Blanchet 1984; Saiyed 1989), or simply for ordinary *mullahs* (clergy) when the speaker wishes to denote particular respect.

In the cults of living *pirs*, devotees express extreme deference and subservience (Nanda and Talib 1989). The *pir* is believed to possess special spiritual power, which allows him to communicate with God, and to be a vehicle for miracles. Only through his guidance, it is believed, can God be found. Many followers of *pir* cults in rural Sylhet speak of their need for a guide to teach them holy ways and act as an intermediary with God. Others may visit the *pir* at times of particular need: sickness, economic crisis, marital problems, and so on, bringing material offerings (*shinni*) such as sacrificial meat. The *pir* usually responds to requests for help with *tapiz* (amulets), *foo* (blowing on supplicant), or in some cases the utterance of a *mantra* (blessing with holy power). How effective these are depends on how powerful the *pir* is thought to be, or how 'hot'. The hotter a *pir*, the more transformative power he is thought to have.²

In Talukpur, the migrant village where I worked, not everybody follows a living *pir*. Whilst all villagers told me the greatest *pir* is Shah Jalal, only a small proportion claimed to have a living *pir*. Most of those who did belonged to the poorest families, which have not enjoyed the benefits of migration. These families cited a holy man in Eeshabpur a nearby village as their *pir*. Generally they had been introduced through kin, or had inherited cult membership from their parents which they would pass on to their own children. Others cited different *pirs*, usually living locally. Whilst many did not visit their *pir*, regularly, all told me they would visit in times of need. The following are statements made by the villagers who today tend to be the poorest and most marginalised, about their *pir*. People carry him from

2. South Asian notions of and religious transformation are further discussed by Parry (1979: 327).

here to there on their heads. They bring a throne and carry him on it. What this man says has effect...

The *pir* gives directions on how to lead my life. He shows me a straight path. I serve him and he tells me to fast pray and in what way to lead my life. If I do the things which my guru orders then I will go straight to Heaven. I sit by the *pir* and he tells me how to order my life...

The power of a *pir* is thought to increase at death (Troll 1989). Their graves are venerated as shrines, whilst disciples or male next of kin usually inherit the saintly mantle. Like the caliph, the line of descent from the Prophet the *pir* creates a holy line, in which descendants are closer than others to Allah. Many Sylheti cults are based around shrines of the dead. Soil and water from these are believed to contain *mortaba* (spiritual power) and effect cures in the sick. On the anniversary of the *pir's* death an *urs* is held. This usually involves singing into the night, drumming, and ecstatic dancing. Although I was never able to attend, the few villagers prepared to enlighten me whispered that *ganja* (marihuana) and prostitution were sometimes present at *urs*.

The legitimacy of *pirs* is generally based upon evidence that they are the vehicles of miracles seen as proof of their special relationship with God. These miracles invariably involve the transcendence of 'natural' law and reversal of apparent realities. These events were recounted by the followers of a local *pir*:

He did not go [visiting] by boat, but wearing shoes, walking over the water. This is the proof of his saintliness; then people believed he was a saint, that he had strength, and they called him *pir*...³

Some people were saying our *pir* was a cheat. One day they decided to prove whether he was *pir* or a fake. They hid some copper in the house where he was staying, then they closed the doors and set fire to it. Later, they found that those coins had melted but the *pir* had been not touched.

A child lay dead, her funeral shroud around her. The *pir* appeared and looked into her face and suddenly she was alive. Then he turned himself into a tiger, and ran off into the jungle.

Pirs, then, can transform their bodies and transcend elements which defeat normal men and women. They usually have healing powers and people who are not followers of a specific cult often visit when sick. If he is alive they will receive the *pir's* *foo* and amulets, if dead they will take soil from his *mazaar*. Because he has a special relationship with God he may also be able to influence events in a follower's life and for this reason *pirs* are often visited in times of crisis. An amulet or blessing may bring back an errant

3. A similar story is told about Shah Jalal, the great Sylheti *pir*. According to this, when first journeying into the district, he crossed the rivers which lay across his path by spreading his turban cloth on the water, and using it as a raft. Once again, spiritual power overcame 'natural' elements.

husband make a woman fertile or cure a man of sickness. Specialist *pirs* also exist who can find stolen property or detect thieves. Again, these *pirs* are often only visited in times of pressing need. Through devotion to a *pir*, then, followers are given a chance of escaping a state of affairs which seems inevitable.

This transformative ability extends to economic affairs. In the lines of a devotional song popular amongst labourers: 'My guru is a precious thing. He makes iron into pure gold'. Indeed whilst the *pir's* power is spiritual, and may be strengthened by his own asceticism, he may have the power to bring wealth to his followers. Poverty brings one closer to God, followers of *pirs* assert; but in turn, closeness to God can bring prosperity. Local myths often stress the economic transformations brought about by *pirs*. In one, the family of a labourer who stumbled upon the relics of a dead *pir's* grave was rewarded with great prosperity when they built a *mazaar* on the site and venerated it as a holy place. A similar link between holiness and wealth is echoed in many devotional Sufi songs:

Oh Great Guru, nobody returns from your court empty-handed: Allah gave his riches to Roussel; Allah disappeared;

Khaza received Allah's wealth and stayed in Ajmir; Khaza, everyone goes to your shrine:

If somebody wants something, he will give from his unlimited treasures.⁴

It is this which brings me to migration which, too, has led to economic transformation. I suggest later that overseas migration from Sylhet was originally informed by beliefs in the miraculous. But while the earliest migrants were initially part of the culture of the *pirs* and their miracles, many now follow a different religious path. Their transformation has been so radical that they now reject the charismatic *pir*, changing him into something more fitting to their new social and religious status.

Miraculous Transformation and Migration in Sylhet

As Eickelman and Piscatori point out (1990: 259), the relationship between migration and religious change has been little examined by anthropologists. With a few exceptions, studies of labour migration are mainly located under the broad rubric of political economy concentrating upon economic and political change but neglecting the ideological concomitants of such change. Those studies which do exist tend to focus entirely upon how religious belief and behaviour are affected by migration rather than examining the interrelationship of economic change and ideology as a two-way process. In Sylhet, however, whilst labour migration is at one level controlled by external economic forces it is itself influenced by ideologies of transformation central to local Islamic belief. In turn, migration and

4. Devotion to Chisti of Ajmer, sung by labourers in Talukpur.

economic prosperity have contributed to religious change and especially to a rejection of belief in miraculous transformation.

There are interesting similarities between the miracles of the *pirs* and migration. Both involve transformation on many levels. Just as the *pir* cited earlier can 'turn iron into pure gold', migration has enabled many families to reinvent themselves as high status landowners. Like the miracles of the *pirs*, travel involves a crossing, and redefinition of boundaries (Eickelman and Piscatori 1990: 5). More significantly, the spirit with which migration takes place often involves belief in the possibility of miracles, of being able to turn the world around and be transformed. As we shall see, in both instances, reality is not necessarily fixed; the given order of affairs can be changed. Migration to Britain from Bangladesh is a peculiarly Sylheti phenomenon. Although South Asians have always migrated overseas (Clarke 1990), and migrants to the Middle East come from all over Bangladesh (Islam et al. 1987), migration to the UK has been mainly monopolised by Sylhetis who, from the nineteenth century onwards were employed by British ship companies and travelled the world as crew (Adams 1987; Eade 1986). Their success is partly explained by the fortuitous success of a number of Sylheti *sarengs* (foremen, who controlled employment), who understandably favoured their kinsmen and fellow countrymen in recruitment. Although work on the ships was punishing, by village standards profits were considerable: a year's work in a ship's engine rooms might enable a man to buy land or build a new house. Anyway, many seamen did not confine themselves to the seas, jumping ship once they had docked, and seeking their fortune on dry land. Most of those who smuggled themselves ashore did so in London. A small but steadily increasing population of Sylhetis was established in Britain by the early 1950s (Adams 1987, Peach 1990).

Over the 1950s, the numbers increased dramatically. The post-war British economy needed cheap and plentiful labour, much of which was recruited from South Asia. It was a case *par excellence* of chain migration: just as ship workers helped their kin and find work, so British-based Sylhetis now helped each other to migrate. By the late 1960s, however, the situation had changed. British industry had declined, and immigrant labour was no longer in demand. New laws, radically curtailing entrance to Britain, were introduced. Alarmed by the increasing insecurity of their situations, most migrants responded by applying for British passports and sending for their wives and children (Ballard 1990: 219-47). At the same time, many Sylhetis switched from redundancy-prone factory work to the business of restaurants capitalising on a growing British appetite for curry. Since the early days when single men travelled to the West and returned every couple of years to their villages, things have greatly changed. Children are born and bred British, and the notion held by many migrants in the 1960s and 1970s that their stay in Britain was strictly temporary, and only to earn money, has increasingly faded (Carey and Shukur 1985; Eade 1990).

Meanwhile in Sylhet, a new form of labour migration had appeared by the 1970s, with the increasing importance to the Bangladesh economy of labour migration to the Middle East (Hossain 1985; Islam et al. 1987). Legally migrants can only enter these countries with official work contracts, which are sold by brokers for considerable sums. In Sylhet, many households without members in Britain have quickly taken advantage of this new opportunity, obtaining contracts for their young men and hoping for similar economic rewards. Other migrants enter illegally. These men face great insecurity. Working casually, often in the construction industry, or as street vendors, they have no legal rights and, if caught, face immediate deportation (Owens 1985). Although some have grown rich from Middle Eastern earnings, many do not recoup the initial capital expenditure. Others are cheated by brokers who take their money, but never deliver the promised contracts. In spite of such experiences, however, migration is perceived as the main economic opportunity available, and many households send their sons abroad more than once.

Just as the nature of migration has changed, so have the migrant villages (Gardner 1990, 1991). Those with high levels of overseas migration are startlingly distinct. Rather than the mud and thatch huts typical of Bangladesh, these villages are filled with stone houses, sometimes two or even three stories high. The migrant villages seem prosperous, replete with material evidence of their overseas success and a far cry from the impoverishment of much of rural Bangladesh. Similar remittance-induced 'booms' have been noted elsewhere in Asia (Ballard 1983; Kessinger 1979; Watson 1975).

In Sylhet, most migrant families have indeed enjoyed a success story of sorts. The original migrants, whilst not usually destitute, were by no means the wealthiest of their villages. Some were even landless, helped in their migration by the patronage and loans of better-off kin or neighbours. Many were originally small landowners with just enough capital to pay for the initial costs of migration. These men returned home rich, investing their earnings in land, the vital commodity upon which the well-being and position of all households in rural Bangladesh depends. Most became moderate, or very large, landowners (Gardner 1990).

And so by the 1970s, when men who had been working in Britain had accumulated enough money to convert themselves from small owner-cultivators or sharecroppers to large landowners, people began to appreciate that fortune could be made abroad. Given these leaps in fortune, foreign countries have increasingly been viewed as a source of great bounty, the means of economic transformation. In the eyes of those who have never been abroad, migration is something of a miracle:

Now if I go to London I'll get big and strong... Our poverty will be over. (A landless sharecropper).

A poor man can get rich - but only by going abroad (A sharecropper).

This economic miracle is very real. In Talukpur, land owning is strongly correlated with migration to Britain and the Middle East. Of the seventy households, only twenty-six are not involved in migration; over half have family members in Britain, and the rest are in the Middle East. Of the twenty-five landless households, only one has experienced migration to the West, whereas of the twenty-seven richest land-owning households, i.e. those with over six acres, only one has no migrant members. These patterns have radically changed since the 1950s. Most households with British migrants were originally small to medium landowners, and some were landless. Within a few decades, their economic positions have been transformed.

Correspondingly, those without access to foreign wages have found it increasingly difficult to compete in the struggle for local resources. During the period of most intense migration in the 1960s, when migrants struggled to buy as many fields as possible, local prices shot up. To buy fields today, foreign income is crucial. Other price rises - in labour, basic commodities and agricultural technology - have also contributed, making it increasingly hard for a small plot without capital behind it to be viable. The processes of land loss are as common in Sylhet as elsewhere in the country (Hartman and Boyce 1983; Jansen 1987). But in migrant areas, high prices offered to owners may have been a further incentive to sell, and once landless they had little chance of climbing back on to the land-owning ladder. In sum, there has been increasing polarisation between the migrants and the non-migrants.

Migration overseas has thus become something which non-migrants dream of, and aspire to. Families without migrants constantly seek ways to gain access to the opportunities which they perceive migration to offer, however low their chances might seem to the dispassionate outsider. Many households sell their few fields to fund a trip to 'Saudi', and even if cheated once will take further loans to try again. In Talukpur several households have lost all their land through their desperate attempts to join the category of 'migrant': a common fate in Sylhet.

Whilst the economic transformation brought about by migration is of a different order to the miracles of *pirs*, I suggest that belief in the latter has influenced the spirit in which migration has been carried out. One example of this is the risk taking involved in migration. As we have seen, potential migrants sometimes gamble away all their land on the chance of buying a work contract for the Middle East. When they are cheated, or the illegal migrant caught and deported before he can recoup his expenditures, their households tend to accept the disaster as part of the destiny which they tried to change through migration, but failed. In this view, life is something which can be radically changed, if God wills it.

The lives of successful migrants are often filled with instances of risk-taking. Some, for example, have become involved in gambling, the illusory

promise of instant fortune. The life histories of older British-Sylhetis often illustrate the connection between risk, gambling and migration. Problems with gambling were mentioned to me by several families with male members in Britain, and the earlier stages of migration: leaving for Calcutta, jumping ship, hiding out illegally, and going wherever there appeared to be economic opportunity, all involved risk. Contrary to Rodinson's conclusion that Islamic entrepreneurs tend to shy away from potential risks, preferring investments which bring certain gains (1974: 161), it seems that amongst Sylheti Muslims, at least, risk is an accepted element in the quest for economic transformation. Rather than a slow but steady process of accumulation, many prefer to gamble everything in the hope of a miracle.

In many cases, the gamble has paid off and the economic and social positions of the migrants have been transformed. Not only have they acquired land, but they have built new houses, educated their children, hired extra labour so that family members no longer need to work in the fields, and generally become high status landowners. This has not simply involved worldly change, but in many cases also a transformation of religious status which, in turn, has involved a rejection of the culture of miracles.

Migrants tend to present themselves as more pious than other villagers. By sending their sons to *madrasas*, contributing to funds for local mosques, and being freed from manual labour to spend more time studying the Quran, many migrant families have become highly religious. Many can now afford to perform *haj*, usually on their way back from Britain, or after working in the Middle East. This is of course the ultimate spiritual transformation: *hajjis* are deemed to have been purified of worldly sin and are treated with special respect and deference. As part of their reinvention some families have literally rewritten their histories, renaming their lineages with Islamic titles such as Khan and Sheikh. In Talukpur, various lineages have only been known by these prestigious titles for one or two generations. As others comment: 'They only started to write their name like that after he made money in London'. This use of prestigious Islamic titles by those whose economic status has improved has been described in many Muslim groups in South Asia (Vreede-De Stuers 1968: 3). In these cases, religious behaviour, and outward signs such as Islamic titles, are used to indicate a change in social position: relative religiosity becomes the explicit issue in implicit negotiations of status and power.

Migration and Theologies of the Self

Given these worldly changes, it is not surprising that many successful migrants now have very different ideas about destiny from poorer non-migrants. While the poor tend to declare that 'Allah gave us this position, so how can we change it?', the rich often assert that 'Allah helps those who help themselves'. Migrants and non-migrants also express remarkably

different opinions about their relationship to God. Everyone agrees that 'Allah has no partners', but poorer, non-migrant villagers argue that only those with God-given *mortaba* can pray to Allah directly: ordinary mortals must use a *pir* as an intermediary in their relationship to God. In the theology of many of the richer men in Talukpur, however, Allah can be approached directly, and wealth is the reward He gives the pious. Thus, whilst the followers of living *pirs* are unable to face God directly, because in the words of one man: 'I am nothing', migrants tend to make statements similar to this one of a return migrant from Germany: 'If a man leads a pure life, prays, does *Haj* and attends religious events, then he can pray direct to God'.

Related to these differences, those who visit living *pirs* in Talukpur today are invariably poor men and women, who have little power to control their circumstances. It is these people who speak openly of the *pir* that their family follows, or who visit *pirs* in times of trouble. It is the poorest villagers, too, who most often state that they cannot approach God alone, and need an intermediary. For them, the *pir* is a middleman to an unapproachable God: at times he may be treated almost like a deity himself.⁵ In Talukpur it is not true that only the poor have *pirs*; but the richer men, who have taken control of their own destinies, tend to have different beliefs about fate and their relationship with God. Rather than a simple dichotomy between migrants and non-migrants, then, there is a continuum: most of the younger, better educated men of migrant families tend not to believe in living *pirs*. Many richer men visit *pirs* in times of extreme crisis, but even then do not wear *tapiz* for, as one woman explained it: 'Men don't like to wear amulets because others would see them in the bazaar, and they'd be ashamed'. It is these men who are increasingly opposed to the miraculous cults.

In the second part of this paper I shall show how alongside, and partly because of the economic transformations of Sylheti migration, there has been a shift in attitudes towards God, and in religious behaviour. This involves a new emphasis on scriptualism, Islamic purity, and the international community of Islam. It has also entailed a rejection of what are now termed 'impurities', or activities which are closer to Hindu or tantric practices than those of Sunni orthodoxy. Alongside growing economic 'differentiation', then, has come religious differentiation in which the richer and educated members of the village continually seek to dismiss the religious activities of the poor as 'impure' or 'incorrect'. *Pirs*, however, are still important, for some families seeking to assert their new social status have reinvented their *pirs* or claimed that they themselves are descendants

5. For further discussion of intermediaries in monotheistic traditions see Gellner (1981) and Hume (1976).

of a *pir*. The *pirs* of rich migrant families have thus themselves been transformed.

The New Purity, Migration and Religious Change

While reformism is nothing new in the history of religion (Caplan 1987a), it is true that the direction of change in many contemporary Islamic societies is towards a 'new traditionalism', an increasing puritanism which seeks to reject the old, localised ways (see, for example, Gilsenan 1982; Roy 1982). In Sylhet, modernity, if that is how we are to describe the increasing importance of international migration and foreign revenue in the area, has been met with increased religious fervour. Indeed, return migrants are often the keenest to assert a traditionalism (in this case in the form of religious orthodoxy) which, as many writers have shown, is invariably a social construct, the product of contemporary circumstances and continual reinterpretation of the slippery past (Bourdieu 1977; Cohen 1985; Hobsbawm and Ranger 1983). Clearly, modernity must not be confused with secularisation (Caplan 1987a: 10).

I defined purism earlier as stress on *adab*: correct religious procedure as laid down by the Quran and other sources of Islamic law such as the *Hadith* and *Shar'iat*. It is concerned with the 'fundamentals' of the Islamic tradition, presented as enshrined in the holy text. Such concepts of 'orthodoxy' are however highly problematic (Baldick 1989: 7). Movements aiming to purify local Islam, or what we might term Islamic 'revivalism' are not new to South Asia, but have tended to erupt periodically, especially in the face of external threats such as British colonialism (Metcalf 1982; Roy 1982). The link of Islamic 'revivalism' to political resistance or its rise as a reaction to political inequality has been noted in many parts of the Muslim world (see, for example, Geertz 1968; Gellner 1981). In the Sudan, for example, where Sufi saints, or *marabouts* were politically and economically powerful, the puritanical Wahabi movement has challenged the hierarchy of the *marabouts* through their rejection of mysticism and insistence on Muslim equality (Amselle 1987). In a similar vein, as Asim Roy has argued, Islamic revivalism in Bengal at the end of the twentieth century was a reaction against colonial domination and heralded a rejection of traditional Bengali syncretism (Roy 1982). This argument provides a useful insight into the link between colonialism and religious reformism. It is especially pertinent for peoples who have a long history of contact with the West, and who today are continuing that relationship through migration.

Islamic purism in Sylhet is not simply the product of overseas migration, but it is linked with it. At the most practical level, this has to do with economic change. Within migrant villages it is predominantly the richest men (who usually have experience of migration, or whose close kin have migrated) who are most interested in enforcing what they define as 'orthodoxy'. This is the key to the acquisition of status, and it is the richer

families who are most able to manipulate its definition. I suggest that this association with doctrinal purity and economic class has always existed, and that there has always been religious heterogeneity amongst local Muslims in Sylhet. Roy, for example, mentions the presence of a small Ashraf elite in Bengal, descendants of the original Muslim invaders (1982). A minority of wealthy and educated people probably always leaned to the higher-status Sunni textual tradition. For the vast majority, this was out of reach since they could not read Arabic, or afford many of the religious activities which I describe below.

Migration has meant that in some parts of Sylhet, whole villages, or many households within them, have become relatively prosperous. Suddenly religious activities, which have always been revered, have become accessible. As we have already seen, families can now pay for sons to learn Arabic, can perform *haj*, and so on. It is not surprising that they should seek to differentiate their religious activities from those of the poorer, illiterate neighbours. At the same time, far wider processes have affected the way that Islam is viewed locally. Missionary movements such as Tablighi Jama'at⁶ and the political parties such as Jama'at i' Islam have grown rapidly over recent decades. The growth of mass communications, which can reach remote villages such as Talukpur, has aided the spread of doctrinalism, and nationally the ideal of the community of Islam has in many ways taken the place of secular Bengali nationalism (Eade 1990). Similar processes have been at work all over South Asia.

There are other links between overseas migration and increased purism in Sylhet. Migrants to Britain and the Middle East have moved from an Islam based around localised cults and moulded to the culture and geography of the homelands, to an international Islam of Muslims from many different countries and cultures. This international Islam is one of universals: the holy texts are the only common language, and Mecca is the only universally perceived centre (Metcalf 1982: 12). This, of course, is not confined only to migrant communities, but involves a global spread of ideas, and perceived homogeneity (Gilsenan 1982: 18). In this perspective, the localised shrines of Sylheti *pirs* can only be perceived as peripheral.⁷ In their new locations, Bengali Muslims had now, with other Muslim groups, to construct new communities based around the ideals of an international brotherhood of Islam and a central body of texts.

Travel and moving into a foreign culture may also prompt a heightened sense of 'being a Muslim' (Eickelman and Piscatori 1990: 16). The

6. This north Indian movement of spiritual renewal dates from the 1920s and exists throughout the world. Its main aim is spiritual guidance: spreading correct religious practice amongst Muslims.

7. There is an interesting parallel here with Turkish migrants in Germany whose concepts of core and periphery, in both religious and secular domains, have also shifted (Mandle 1990).

increasing importance of this identity, and its expression through revivalist movements is a common reaction both to imperialism (Metcalf 1982) and to being a beleaguered minority. As Caplan notes (1987a: 22), amongst all so-called 'fundamentalist' groups is a strong sense of 'otherness'. Thus, while not all migrants are interested in Islamic revivalism, many have been forced to define themselves first and foremost as Muslim, and in their religious institutions, their mosques, *madrasas* and festivals, increasingly join with other Muslims to create a universalist Islam (Eade 1990).

Religious Practice in Talukpur

It would be incorrect to present religion in Talukpur in terms of a straightforward dichotomy between 'purists' and non-purists. Amongst the majority Muslim population, there is much shared ground. All Muslims believe in certain basics (the five pillars of faith, the Day of Judgement, Heaven and Hell, and so on), and all attempt to follow basic Islamic laws.⁸ Religious behaviour is thus a continuum, with the most puritanical situated at one end, and the least at the other. This continuum tends to reflect economic levels within the community. Those who are the most puritanical reject religious practices not derived directly from what they define as the Tradition. As the *imam* of one of the richest household's private mosque put it:

Is not all milk white? Yet one drop of urine from a cow will ruin the whole bucket. Is it not so that one tiny prick will burst a balloon, one hole will sink a boat? In this way, one mistake will spoil someone's religiosity.

The purist end of the continuum is represented by the mosque and the village *madrasa* - the small Islamic college where students learn Islamic history and Quranic verse by heart. This *madrasa* and its students are part of the Tablighi Jama'at movement. Every year they organise a *wa'as* (preaching): an event for all local men, where renowned *mullahs* (those learned in the Quran and other holy texts) come to the village to preach and pray. The event lasts for twenty-four hours: the prayers and words of the *mullah* are broadcast across the fields all night. Men who attended told me that the sermons stressed the need for increased purity and rejection of 'incorrect' practices. The visitors had also urged them to keep their women in stricter *purdah*.

The behaviour of family women is an immediate indicator of piety, and extremely important for families anxious to assert their religious status. The less women are seen by outsiders, the more 'correct' the family is seen to be. This, like many other external signs of piety, is far easier for richer families to maintain. Seclusion costs money. The verandahs built around houses, the rickshaws and even *shrori* (covered sedan chairs) hired to carry

8. Shared 'basics' include the prohibition of alcohol and pork, daily prayer, fasting, the seclusion of women and, for men, weekly attendance at the small village mosque.

women, the *burqas*, and, most importantly, the ability to keep women within the household and not send them out to earn wages, all demand a certain level of prosperity, which many non-migrant families do not have. Most landless women in the village are forced to seek work outside their own household. As they say, 'Who can bother with *purdah* when her belly is empty?'

Other external indicators of piety are also more available to the richer families. All of these are seen as increasing the virtue which an individual accumulates over his or her lifetime and which is reviewed on the Day of Judgement. Such activities include *Haj*, donations to the mosque or *madrasa*, and the giving of generous sacrifice (*korbanī*) at religious festivals. Orthodox households may also hold *milads* (functions in which local *mullahs* and *madrasa* students visit for prayers and donations of *shinni*). These are held to mark the death anniversary of an ancestor, or on various dates in the religious calendar⁹, and can generate religious merit for the entire household. Again, only the more prosperous households can afford to hold a *milad*.

Religious virtue can also be gained through knowledge of Islamic texts and of Arabic. For households which can pay the costs, this can be taught to children by a resident *mullah*. Those who have read the Quran are also accorded special religious status, as are those who can write Arabic. *Hajjis* too, as we have seen, have a special spiritual status. It is thus possible to invest financially in religious merit, which not only ensures a smooth transition to Heaven, but much worldly power too.

In many ways purism is defined not so much by what it represents, but more by what it opposes. The most puritanical of the village seek to banish a host of beliefs and customs which, as they are marginalised, are increasingly associated with the 'ignorance' of women and poor men. Examples of activities dismissed as 'ignorant' or 'incorrect' are devotion to Kwaz, the *pir* (or Hindu god) of water, or to Loki, a spirit of the house.¹⁰ The poorest Muslim women pray and offer *shinni* (ritual offerings, usually food) to both Kwaz and Loki, but women from richer households deny belief in them. Other activities said to lead to punishment in this of the after-life include singing, use of drums, and dancing. In the company of the most pious, those who have performed *haj*, for example, such activities can barely be mentioned. All the songs which I recorded, many of which were devotional Sufi songs, were sung in secret by women or landless labourers, far from the ears of the household head.

9. In much of the Muslim world, *milad* is the commemoration of the Prophet's birthday. In Talukpur, however, the term is used more loosely.

10. Loki is almost certainly a version of the Hindu goddess Lakshmi. Mention of Kwaz is also made by Blanchet (1984) and Saiyed (1989).

It is this secrecy which most indicates the degree of division in Talukpur. Whilst economic and social power does not determine an individual's beliefs, the puritanical tend to be the most powerful men of the village. It is these men who are most keen to impose their new pieties on women and labourers who, in turn, are increasingly ashamed of their activities. 'We'll tell you when Abba goes to the bazaar!' the women of my household would declare, and it was only as his figure disappeared down the path that the stories of spirits and the songs would start. Likewise, when landless women showed me their traditional Bengali dances, the doors of their hut had first to be bolted. Reflecting the same division certain information is seen as directly oppositional to religiosity. Discussions about magic, the healing powers of medicine men, and spirits, invariably had to stop when Abba was saying his prayers, even though he was in another room.

Many of the activities which the puritanical condemn are central to the *pir* cults of the poor. Since *urs* involve singing, dancing and drumming, they are depicted by the religiously respectable as shocking in the extreme. At an *urs* of Shah Jalal, held during my fieldwork, a return migrant attacked a group of excited worshippers for their dancing and drumming.¹¹ The assertion that Allah can only be approached through an intermediary is extremely suspect to purists, who argue that God can always be approached directly, so long as one is *pak* (pure). In their eyes, the devotion paid to a *pir* may come dangerously close to worship of him. Various other methods to gain closeness to Allah are also extremely dubious. Ecstatic trance, possibly reached through *ganja*, meditation and tantric practices are roundly condemned. As one *madrassa* student put it:

Bad *pirs* are those who play music for prayer. For us this is bad: we call them pretender *pirs*. There's one like that I know of, who smokes *ganja*, drinks, and plays drums and sings as he prays. There are two types of *pir*, you see. One is good, and the other is *marifot* (tantric).

Significantly, purists tend to be against miracle-making, dismissing the miracles attributed to lesser-known *pirs*. As one man commented of a *pir's* shrine in a predominantly landless neighbouring village: 'No one in Talukpur believes in him. He's a poor man's *pir*'. A Talukpur sharecropper, however, told me the *pir* was extremely powerful and could walk on water. Such stories are said by the rich to be superstitious, their miracles the tricks of fakes. Asked if they believe in local *pirs* and the stories told of them,

11. Another event shunned by the purists is the annual festival of Muharram. This is of course a Shi'ite festival, marking the martyrdom of Mohammed's grandson Hussain. Despite the fact that Bangladeshi Muslims are predominantly Sunni, it is, however, celebrated by some groups, though only attended by the poorest men in the village. As a woman I was not able to go to the shrine where it was held, but the labourers and rickshaw drivers in the nearby bazaar downed their tools for the day for the celebration. There, I was told, they would perform *dhikir* (repetition of God's name), wail, and flagellate themselves. Respectable village elders conceded the holiness of the occasion, but said they would never attend.

return migrants, especially from Britain, referred to them disparagingly as evidence of the stupidity of the illiterate labourers who follow them. Since they have the power to control so much of their own lives, they appear to have no need of such miracle-making. It is interesting that purists also condemn gambling, the worldly path to transformation. I suggest that it is no coincidence that they are against both types of miracles - that of the *pir* and that of gambling. Theirs is now a world of certainties, in which virtue and wealth can be gained through steady investment, not risk and God-granted grace.

An example of the changing attitudes of richer villagers to the cults of living *pirs* is given by Heron Shah, a *pir* who has lost support in Talukpur. Originally, villagers told me, many people believed in him, and would flock to his homestead for his blessing. But in recent years, he has lost legitimacy, for the richer migrant families who once were his followers stopped believing in his miracles. As he became more desperate to prove his powers, he became more ridiculous. Eventually he claimed to predict his own death, but as one woman put it: 'We all went to see, on the day he said he would die, but nothing happened. That man didn't die. So how can we believe in him?'. What is interesting is not that Heron Shah did not die - for what happened could have been interpreted in many ways by believers - but that his followers now refused to believe in his miracles.

Economic Class and Religious Reinvention

The creation of religious 'correctness' involves continual re-styling of religious practice. In this, what is and is not 'proper' is defined by the most powerful. As they create religious status through 'orthodoxy', the criteria of which they also define, the religious activities of those without power are marginalised and presented as opposed to what is 'correct'. Meanwhile, people continually attempt to modify their behaviour in accordance with that of the most powerful. For example, some of the men who had been to the Middle East but were nonetheless landless were chary of admitting their devotion to local *pirs*. Religious practice not only marks out particular groups, it also reproduces them. The powerless are associated with unrespectable form of worship and are thus accorded even lower status, whilst the rich reiterate their power and status through their participation and knowledge of a system of beliefs which is of great prestige.

Lionel Caplan has suggested that to understand religious behaviour we must focus upon power relations between groups (Caplan 1987b). The hierarchy of religious discourses in Talukpur must indeed be interpreted politically. I suggest that whilst some degree of religious heterogeneity may have always existed amongst Muslims in Talukpur, as economic polarisation has increased, so too has religious differentiation. Rather than a united shift from the pluralism of traditional Bengal to the monotheism of modernity (Roy 1982), there is instead continual conflict and confusion

within the village over religious activities, with the alternate views very much related to relative degrees of secular power.

Other writers have focused upon the link between ecstatic Sufi cults and social marginality. Michael Gilsenan, for example, has argued that Sufi mysticism in Egypt and the Middle East has an inherent appeal to the poor and marginal. There, scriptualism is monopolised by the wealthier and better educated, simply because it is not accessible to the poor, whose own charismatic cults the rich despise (1982: 86). This is a useful insight which to an extent can be applied to Sylhet. But we must also be cautious of creating false dichotomies between charismatic cults and textual 'orthodoxy'. By describing them in terms of an opposition between mysticism and purism, the flexibility of the cults is hidden, for cults initially associated with mysticism can change within themselves. In Sylhet, the cults of those whose economic positions have improved have been transformed into respectable 'orthodoxy'. The *pir* is not inherently oppositional to purism, for interpretations of his role are malleable. Indeed, rather than rejecting *pirs*, many rich families now seek to improve their status through close association with one. But instead of being lowly followers, subject to his holy authority, they now claim to be his official keepers, or of his lineage.

The Reinvention of Pirs

Earlier, I quoted a *madrassa* student distinguishing between what he termed 'good' *pir*, and those who are *marifot* - or part of an ecstatic, tantric tradition. These he condemned as sinful. The student was part of the Tablighi movement, and told me that he did indeed have a *pir*, based in Sylhet town. This man was also mentioned by other villagers as their *pir*. He is presented by them as a stern proponent of doctrinal Islam, and his followers in Sylhet publish a regular newsletter, urging people to take up more pure ways. When I asked what sort of person he was, the student replied: 'Human, like us. He has much knowledge of religion, and teaches us'.

The *pir*, it seems, is appearing in a different guise. Shah Jalal is a good example of the way that cults can be reinterpreted by groups competing for religious prestige. Although some of the most orthodox men in the village claimed that they did not have a living *pir*, all without exception told me they were followers of Shah Jalal. Today Shah Jalal is represented by many in wholly purist terms. Those threatening such an image are not likely to be tolerated (such as the revellers who were attacked by an orthodox Londoni at the *urs*). The *khadims* (official caretakers) of the shrine now stress the historical legitimacy of Shah Jalal as a Yemeni soldier who brought Islam to Bengal. They dismiss stories about his miracles, stressing that he was mortal, but now is close to God. Claims about the miracles of other *pirs*, they also told me, were 'superstitions, which you get in all religions'.

Similar reinterpretations have been made for smaller *pirs*. A shrine in the same village as Abdul Hossain marks the grave of a *pir* whose family lives locally. Again, this *pir* is not associated with miracles, and certainly not with *marifoti* practices. Again too, his family is rich and of high status, and would certainly not wish to be associated with the miraculous cults of the poor. As a relative and follower of the *pir* put it:

It's not a singing and dancing *urs*. It's a time when my brothers invite many *mullahs* and *madrassa* students, and they pray for others, and read the Quran. Then they sacrifice a cow and prepare a big meal which everyone eats. Then they pray again, and everyone goes their own way.

These cults are clearly very different from those of the landless speakers cited earlier, at least in the way they are presented to outsiders. All the marks of 'correct' praxis are there: the formal prayer, sacrifice, and the presence of *mullahs*. If they were once charismatic mystics no one admits it. They have been 'routinised' (Weber 1947: 334), stripped of their spiritual powers to become holy men who uphold the social order rather than threaten it through their miracles.

But this is not the only difference between the cults of the rich and those of the poor. Not only are the former's *pirs* now presented in different terms but, most interestingly many claim the *pirs* as their ancestors. Indeed, rather than *pirs* dying out in the face of puritanism, in recent decades there has been an outbreak of new shrines and revelations of *pir*-hood. Rather than the legitimacy of these ancestral *pirs* being demonstrated through miracles, it is often revealed through the dreams of *mullahs*. Such claims tend to be made by the richer, migrant families. In the case of Abdul Hossain, a *mullah* employed by the family as a teacher, is said to have received in a dream the revelation that the dead *dada* (paternal grandfather) was a *pir*. And the woman who described her *pir* continues as follows:

My mother's lineage is a *pir's* lineage. Yasin Ali was the leader of the village - he was so rich and powerful that lights shone from his place just like a palace. And his family did so many good works that one of his line was made a *pir* by Allah. But during his life people didn't realise it. After he died, a *mullah* dreamt it and people then realised he was a *pir*, so my brother established that *mazaar*.

If the claims are accepted or at least tolerated by others, such families can identify themselves as of *pir* descent, the most prestigious title possible. Not only does this bring secular status, but also hereditary religious merit, passed down along the line. For in contrast to Islamic ideals of total equality, the notion of succession from the Prophet involves belief in a God-given hierarchy. As is often pointed out, Islam is used to legitimise widely different political arrangements (see, for example, Geertz 1968).

Another way of acquiring special spiritual blessing and status for the lineage is through revelation that a *pir* has been buried on homestead land. Since Sylhet is famous as the land of *pirs* and since not all of Shah Jalal's legendary disciples' remains have been discovered, a great many claims are

possible. Again, revelations are usually made in the dreams of people with Islamic learning, often *madrassa* students given board and lodging by a family. If a burial place is said to lie in the land of a family, and they build a shrine in that place and mark it with special respect, then great fortune, it is said, will fall to them. They will also become the caretakers of the shrine, itself a holy and prestigious function. Obviously only landowners can make such claims.

Sometimes the claim is simply that a *pir* rested at a particular spot or prayed there. This too leads to the place being marked as particularly holy and to the construction of a shrine. Both types of shrine are continually appearing in Sylhet. An educated informant told me that since the 1970s hundreds of new shrines dedicated to a disciple have appeared. The claims are invariably made by the rich or the *mullahs* whom they support.

Conclusion

Ernest Gellner has suggested that Islam is in a state of constant flux between monotheism and pluralism (1981). These modes of faith are associated with different political systems, which, whilst apparently applying only to Middle Eastern tribal systems, Gellner assumes to be definitively 'Muslim'. On a similar tack, Leach (1983) has argued that religions involve radically different features over time. In 'icons of subversion', devotees are directly inspired, and God gives charisma independently of the existing political hierarchy. Over time, however, this changes into an 'icon of orthodoxy', where humans are impotent before deities. Only superior mediators, who usually have a high position on the social hierarchy, can act as intermediaries. Here, religion upholds established political hierarchies and God gives them legitimacy. In both arguments, religious behaviour is holistic; it is assumed that meanings are shared and when change occurs it is spread evenly throughout the religious community.

The evidence presented here admittedly covers only a very short time scale. But Abdul Hossain and the other *pirs* of rich migrants indicate that rather than one mode of faith merging gradually into another, change may also occur *within* cults. Indeed, not only can different modes of faith coexist, but they can also be represented by a single icon: pluralism, in the form of the *pir*, can express the ideal of monotheism. Thus, whilst outward features of faith need not necessarily change, they are transformed internally. They are also used and understood by different people in different ways, as the case of Shah Jalal, with his purist caretakers and intoxicated celebrants, illustrates.

The modes of faith are arranged hierarchically too, for the doctrine of the most powerful is by definition the most dominant (Caplan 1987b: 14). Combined with this, the meanings given to each general type shift according to context. Whilst the general message of international reformism is primarily one of the equality of Muslims united against the pagan, non-

Muslim world, in the local context it is the language of hierarchical difference. And ironically, whilst the cult of the mystical *pir* stresses spiritual hierarchy, its accessibility to followers, and messages which link poverty with holiness, work against secular hierarchy.

Rather than being discrete and bounded, there are numerous cross-over points between the different modes of faith. Both are poles of a continuum towards which different social groups tend to gravitate. Indeed, elements at one end can be reinterpreted and used by those clustering towards the other. This is so for the *pirs* who, rather than being discarded by the rush towards reformism, have been reinvented. The *pirs* of the rich have shifted from being, in Leach's terms, agents of subversion to being those of orthodoxy. Meanwhile the poorer and less powerful villagers, while accepting the dominant discourse and struggling to follow it, also continue to place their faith in local charismatic intermediaries.

We have thus come full circle. *Pirs* have the power to transform, to perform miracles which can change everything. But so too does migration. The transformations of migration are, however, of a different order. With their newly found wealth and social status migrants and their families have been able to aim for the highest degree of religious piety as defined by themselves. Thus, while demonstrating their dynamism, the *pir* cults of the rich can also be manipulated by the powerful in the construction of status. No longer dependent upon the *pir* for his miraculous interventions (which they say they do not need), the prosperous families of migrants reinterpret the *pirs*, and use them to legitimate and build their religious prestige. Miracles, and the granting of holiness by God irrespective of secular hierarchy, become less important than the hereditary ability to be closer to God than others. The religious status of the families is transformed, but not through the miracles of the *pir*. Instead, their transformation results from the migration and the economic and political power which it has engendered. And in turn, the *pirs* of the self-defined purists are also transformed: no longer crossing the boundaries of nature, they are stripped of their charisma and become learned holy men. No longer agents of the supernatural, these *pirs* of the rich are instead agents of a new doctrinalism which, though it may unify Muslims internationally, is increasingly divisive within Talukpur.

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Ethnic Identity, Religious Fundamentalism and Muslim Women In Sri Lanka

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1. Introduction:

An attempt is made in this paper to trace the development of ethnic consciousness and religious fundamentalism among Sri Lankan Muslims and the bearings of this development on Sri Lankan Muslim women. *

At the outset, I should clarify the use of the terms ethnic consciousness and fundamentalism. Both these terms are very popular and controversial in the current socio-political discourse. There are a number of definitions and disagreements about them. However, I use the term ethnic consciousness to refer to the awareness of group identity of a community, whether it be racial, national, tribal or religious aroused by political motivation and confrontation with other communities. I use the term fundamentalism to refer to a politico-religious phenomenon which emerges and exists in a religious community, the existence of which is challenged by some internal or external socio-political forces. The core of fundamentalism, as Dilip Hiro (1989: 1-2) states it, is "the effort to define the fundamentals of a religious system and adhere to them." The form of fundamentalism varies from religious revivalism to extremist political movements.

Islamic fundamentalism has acquired a derogatory meaning in the current Western political discourse mainly because of the fundamentalist political resistance against Western dominance in the Middle East. In this paper, however, I treat fundamentalism as a historically determined political ideology which has its roots in a specific socio-political environment of a religious community.

Ethnic identity and religious fundamentalism are inseparable and the two sides of the same coin as far as Sri Lankan Muslims are concerned. Before we consider the subject, the use of the term Sri Lankan Muslims should be clarified. Because 'Muslims' is a cover term which refers to a people who follow the religion of Islam, there is a confusion as to whether

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the Sri Lankan Muslims are an ethnic community or a religious community. According to Izeth Hussain (1993), since 'Muslim' is a religious categorisation, "it is incorrect to regard the Sri Lankan Muslims as constituting an ethnic group". Quadri Ismail (1995) too has argued that the Sri Lankan Muslim identity has changed from a racial into a religious one over the past few decades.

Traditionally and officially Muslims of Sri Lanka were identified as five different ethnic communities namely, Ceylon/Sri Lankan Moors, Indian/Coast Moors, Malays, Borahs and Memons. The latter two groups are North Indian business communities settled in Sri Lanka during the British rule and constitute less than 0.5% of the total Muslim population. They speak Gujarati and Urdu for their in-group communication and they are exclusively endogamous." Malays who settled in Sri Lanka came from Java and Malay peninsular mostly during the Dutch period. They were brought by the Dutch as either political exiles or to serve in their military establishment (Hussainmiya 1990:38). They constitute 3.83% of the total Muslim population and maintain their separate ethnic identity, though there is a tendency to assimilate with local Muslims through 'inter-marriages.

The term Moors (or its Tamil equivalent Sonakar) is not currently used by the Sri Lankan Muslims (Ceylon/Coast Moors) to refer to themselves. I do not think that the community as a whole ever used the term Moors to refer to themselves. It is a term first used by the colonial rulers, and then by the non-Muslims to refer to these communities. However, some sections of the Muslim elite were persistently using this term to refer to themselves for their own class interest during the colonial period and also after independence. But at present it is used only in some academic discussions or in some official documents and in some already registered bodies like ' the Moors Islamic Cultural Home' or streets names like Moor Street, etc. Otherwise they are referred to as Sri Lankan Muslims. In this paper, therefore, the phrase Sri Lankan Muslims is used in place of the word Moors. If we say Muslims in Sri Lanka it may include the other sub ethnic groups - Malays, Memons and Borahs, but with the adjective 'Sri Lankan' the word 'Muslims' specifically refers to the major Muslim group who had formerly been referred to as Ceylon Moors. The current socio-political situation of the Muslims in Sri Lanka restricts the meaning of the phrase Sri Lankan Muslims. This terminological shift is itself very significant in the development of ethnic consciousness which co-related with religious fundamentalism among Sri Lankan Muslims. Thus, in the Sri Lankan context it is clear that the Muslims constitute not only a religious category but also an ethnic category. Hence, the term Muslim is used to refer to both religion and ethnicity.

The Indian Muslims (the Coast Moors) are no longer a visible ethnic group in Sri Lanka. Most of them returned to India due to citizenship

problems and others gradually assimilated into the Sri Lankan Muslim community.

2. The development of ethnic consciousness:

Sri Lankan Muslims, the third largest ethnic community in Sri Lanka, have been living in this country for many centuries and were treated very well under the Sinhala kings during the pre-colonial period. They were settled in the coastal commercial towns of Sri Lanka (then Ceylon) during this period and engaged mainly in trade and commerce. However, during the colonial period their very existence was challenged by the colonial rulers - by the Portuguese first and then by the Dutch who were bitter competitors of the Muslims in trade and they had to scatter and resettle in the interior country side with the help of the Sinhala kings and engage in other occupations like agriculture, fishing and weaving for their livelihood¹.

Sri Lankan Muslims were merely a silent cultural community until the beginning of the modern era, which is marked by the semi-capitalist transformation of the Sri Lankan society which had been taking place during the 19th century under British rule.

During this period, the traditional feudal system and the self-reliant village social structure were gradually collapsing and a semi-capitalist social system based on a newly introduced colonial economy was emerging, introducing some new social class formations.

The underdeveloped new colonial economy that replaced the older self-reliant social system was not capable of adequately catering to the needs of the newly emerged social classes, and this inevitably led to the different communities competing with each other for their economic prosperity on communal or ethnic lines.

Thus, the history of modern Sri Lanka, beginning with the latter half of the 19th century, is also the history of the development of ethnic consciousness and conflict among the three major communities namely the Sinhalese, the Tamils and the Muslims, who were living in harmony throughout the pre-modern period except for some dynastic or royal conflicts.

Ethnic consciousness seeks a separate ethnic identity for a community, based on its cultural ideology and traditional mythology. The Sinhalese sought their identity in Buddhism and their imaginative historical mythology and the Tamils sought their identity first in Hinduism especially in Saivism and later in their glorious linguistic and cultural heritage. Similarly, Sri Lankan Muslims sought their identity in Islam and their glorious Islamic historical past. Hence, religious revivalism was common

1. For details of early settlement of Sri Lankan Muslims see Lorna Devarajah (1990).

among these communities during the late 19th century and it was also a process of the modernisation of Sri Lankan societies during that period.

Sri Lankan Muslims became an ethnically conscious and politically motivated community during the late 19th century because of the revivalist movements. According to the 1881 census there were 193,000 Muslims in Sri Lanka. They were a closed and traditional society and were comparatively backward in economy and modern education. However, there was a tiny elitist group which included the mercantile class and the emerging educated middle class centred mainly around Colombo and Kandy. It was this elitist group which was ethnically sensitive and politically motivated and led their community into the modern era through their revivalist activities. The Turkish, Egyptian and Indian revivalist and political movements were sources of inspiration to them. This period can be considered the first phase of the development of ethnic identity coupled with religious fundamentalism among Sri Lankan Muslims. Like their Christian, Buddhist and Hindu counterparts, the Muslim elites too used journalism as a powerful instrument to create ethnic awareness among the community. About fifteen journals and newspapers were published by Muslims during the late 19th and early 20th Century in Tamil and English². These journals played a major role in formulating a religiously oriented ethnic ideology of Sri Lankan Muslims.

M.C. Siddi Lebbe (1838 - 1898), a lawyer by profession and a leading figure of the revivalist movement was the articulate representative of this ideology. He started his journal *Muslim Nesan* in 1882 and edited it for several years and was author to several books including the first Sri Lankan Tamil novel "*Asanbey Sarithiram*" (the story of Asanbey) published in 1885 which represents his cultural ideology, He was very conscious of the religion and education of Sri Lankan Muslims and wanted to bring his community into the modern era through secular education provided in English. He realised that without English education, his community would not get its share in public life and would not advance further.

However, the Muslim community was not willing to enter into the modern education system introduced in the 19th century, for several reasons. One was that most of the schools were established and controlled by the Christian missionaries. The traditional and conservative Muslims had the fear that English education may lead their children to Christianity, as

2. Some of the journals and newspapers published by Muslims during this period are as follows : *Putinalankari* (1873), *Muslim Nesan* (1882), *Sarvajana Nesan* (1886), *Kashpurran an Kalpil jan* (1890), *Saiful Islam* (1890), *Gnana Suriyan* (1890), *Islam Mittiran* (1894), *Assavapu* (1900), *Muslim Patukavalan* (1901), *Mispakul Islam* (1906), *Muslim* (1909), *Javahirul Ahlam* (1910), *Hankay Muslim* (1914), *Ceylon Mohammedan* (1901), *Muslim Guardian* (1907) and *Ceylon Muslim Review* (1914).

they witnessed in Sinhalese and Tamil communities³. Hence, Siddi Lebbe wanted to establish separate schools for Muslims as did the Buddhist and Hindu revivalists. His dream was realised in November 1884 with the establishment of the first Muslim English school in this country - 'AL Madurasathul Khairiyyatul Islamiah' in Colombo.

Siddi Lebbe, his friends and followers got moral and intellectual support, and the community feeling was deepened with the arrival of the Egyptian exiles in the late 19th century. Arabi Pasha (1839 - 1911), the Egyptian nationalist rebel leader, Muhmood Samy Baroudi, the revolutionary nationalist poet and some other fellow rebels, most of them in their early forties and their family members arrived in Colombo on 10th of January 1883. They were well received by the local Muslims. A large number of them gathered at the Colombo Jetty to receive the exiles and Siddi Lebbe made the welcome speech. Though the exiles did not participate in the local politics as they expected to be, they intellectually inspired the local Muslims and involved in community development activities. As Vijaya Samaraweera (1979) pointed out the 'inspirational leadership' of Arabi Pasha was one of the contributing factors to the establishment of the first Muslim school in Colombo in 1884, nearly two years after his arrival.

The Egyptian exiles were in Sri Lanka for nearly two decades. Arabi Pasha departed to Egypt on 18th September 1901 at the age of 61 "to die in his dear homeland and that his bones be buried in peace"⁴. But the two decades were a very important period in the development of ethnic consciousness among Sri Lankan Muslims.

In 1891 the Muslim Educational Society was formed in Colombo and 'Al-Madurasathul Zahira', a modern school for Muslims was established in the next year.

In the subsequent years some more schools were established, or attempted to be established, in Colombo, Kandy, Gampola, Kurunegala, Badulla, Galle and Matara for Muslim boys as well as for girls. Though progress in Muslim education in this period was very slow, it was strongly emphasised that "in order to take the proper place among our fellow country men we should educate our children " [Ceylon Mohammedan, 3 January 1901 - quoted in Vijaya Samaraweera 1979].

Ethnic consciousness developed among Muslims also in reaction to the Sinhala and Tamil hostilities towards them during the late 19th and early 20th centuries.

3. Thousands of Sinhala Buddhists and Tamil Hindus were converted to Christianity during this period. According to 1881 census there were 162,270 Sinhala Christians and 82,200 Tamil Christians in Sri Lanka.

4. For more details about Egyptian exiles in Sri Lanka see Arthur C. Dep (1980).

The Sinhala upper class felt that the alien Muslims and some other foreigners were dominating the external and internal trade, and because of this, the Sinhalese - 'the sons of the soil' - were in a disadvantageous position. Kumari Jayawardena (1984, 1990) gives some details about the situation in trade in this period. According to her, by 1880 the Pettah trade was dominated by 86 Chetty and 64 Muslim firms and at the beginning of the twentieth century the external trade (the export and import) was dominated by seven leading Borah firms. The retail trade was also dominated largely by Muslims in the urban as well as in the rural areas.

Thus, the Sinhala bourgeoisie faced severe competition from the minority Muslim community and they agitated against it. Anagarika Dharmapala, a veteran Buddhist revivalist leader was at the forefront of this agitation. He carried out a campaign directly against the Muslims. In 1915 just before the riots against Muslims began, he stated,

" The Mohammeden, an alien people by Shylockian method, became prosperous like the Jews. The Sinhalese sons of the soil, whose ancestors for 2358 years had shed rivers of blood to keep the country free from alien invaders... are in the eyes of the British only vagabonds... The alien South Indian Muhammedan comes to Ceylon sees the neglected villager, without any experience in trade... and the result is that the Mohammedan thrives and the son of the soil goes to the wall"

(Kumari Jayawardena 1990 : 24.)

This ideological agitation burst out into anti-Muslim riots in 1915 in which several hundred people died. Although the immediate reason for the riots was religious provocation near the Gampola Mosque, it was the inevitable reflection of the communal tensions created by the socio-economic development of that time.

Muslims were severely affected by the riots. The British rulers imposed martial law to suppress the riots and arrested several Sinhala Buddhist leaders who had a hand in the riots. The government's reaction to the riots was criticised by Buddhists as well as by Tamil leaders especially by Ponnambalam Ramanathan, a Tamil aristocrat and a long time member of the Legislative Council. Ramanathan persuaded the British rulers to release the Sinhalese leaders and in turn the members of Sinhalese elite celebrated the event and pulled the cart on which Ramanathan was seated through the Colombo streets⁵. Understandably, these events made the Muslim elites feel helpless between the two major competing communities and to rely on themselves for their political future. Thus, the anti-Muslim sentiment of the Sinhalese and the 1915 riots and the behaviour of the Tamil leadership had a lasting impact in consolidating the Muslim identity.

5. A huge oil painting of this incident is still hanging on the wall of the Ramanathan Hall at the University of Jaffna.

Since Muslims were emerging as a politically conscious minority, they had to safeguard their socio-political interests from the Tamils also who were not only numerically the largest, but also socially, a powerful minority in this country. This trend led the Muslims to seek a strong separate identity for themselves which could totally differentiate them from the Tamils apart from the fact that Muslims are also linguistically Tamil. This was evident in the debate on the ethnology of Muslims which was going on in the 1880s and after.

The debate was started by Ponnambalam Ramanathan in 1885. He stated in a legislative council debate on the Muslim Marriage Registration Ordinance, that Muslims were ethnologically Tamils though they follow a different religion. Later, he substantiated his thesis academically in a paper he read at the Royal Asiatic Society (Ceylon Branch) in 1888 on 'the Ethnology of Moors of Ceylon'. His contention was bitterly resented and the Muslim elites reacted to it angrily. They thought that it was a plot to prevent their separate representation in an expanded Legislative Council. They rejected Ramanathan's thesis and tried to establish their own separate ethnological identity tracing their origin from the Arabs, specifically from the glorious Hashimite clan of Prophet Mohamed.

Several Muslim elites, including Siddhi Lebbe, expressed their views in the debate. Siddhi Lebbe wrote a series of articles on the history of Ceylon Muslims in his paper *Muslim Nesan* from September 1885. The Muslim views got a comprehensive form with the publication of "A criticism of Mr. Ramanathan's Ethnology of the Moors of Ceylon" later in 1907 by I.L.M. Abdul Azees, a disciple of Siddhi Lebbe and a Muslim ideologue who formed the Moor Union in 1900 and was also its founder-president.

In modern Sri Lankan history, we observe that each major ethnic group has created its own historiography in accordance with its ethnic ideology disregarding any scientific or objective methodology⁶. The Sri Lankan Muslim elite also did the same thing. Although they had a mixed origin and a close connection with the Tamils linguistically and to some extent culturally, they sought pure Arabic origin and tried to disown their linguistic and cultural affinity with Tamils due to the competition they faced with them in the socio-political domain.

We can see a distinct contrast in this respect between the Tamil speaking Muslims of Tamil Nadu and Sri Lanka. Both these communities speak Tamil as their mother tongue. However, the Tamil Nadu Muslims never hesitated to call themselves Tamils because they are linguistically Tamil. But calling a Tamil speaking Sri Lankan Muslim a Tamil has become a social taboo, because the historical experiences of these communities are different. In Tamil Nadu, unlike in Sri Lanka, the Muslim community did not face any

6. For a theoretical and critical account of this tendency, see Gunawardena. R.A.L.H. (1995).

major challenge from the Tamil majority, economically and politically, since the Muslims were not a competing community in Tamil Nadu.

A Sri Lankan Muslim is provoked when he hears a respectable Tamil Nadu Muslim calling himself a Tamil in a public meeting⁷. Similarly, for Tamil-speaking Hindus and Muslims in Tamil Nadu, it is very difficult to understand the conflict between Tamils and Muslims in Sri Lanka, because they knew only the Hindu - Muslim conflicts. In the Indian context, the contrast is between Hindus and Muslims, which is clearly based on religion. But in the Sri Lankan context, the contrast is between Tamils and Muslims. This contrast is not between the same categories of religion as in Hindus and Muslims or of language as in Sinhala and Tamil but between two different categories of language and religion. This clearly shows that the ethnicity of Sri Lankan Muslims is not defined by language also in the case of the Sinhalese and Tamils, but by religion. That is why Sri Lankan Muslims have been giving more importance to their religion than to their language.

As we have seen so far, a strong foundation was laid for a separate Muslim identity during the pre-independence period in Sri Lanka. The underdeveloped colonial economy, the emergence of new social classes, and the introduction of communal representation in political organisations were the major factors contributing to this development. The identity consciousness deepened and institutionally recognised throughout the post independent period and the whole Sri Lankan society was communalised due to the socio-political crisis the country experienced during this period. Two major Muslim political leaders, Sir Razik Fareed in the 1940s and the 1950s and Dr. Baddiudeen Mahmood in the 1960s and the 1970s made significant contributions to institutionalise the Muslim identity in Sri Lanka.

3. The emergence of a new political leadership:

In this section I would like to focus briefly on a new development of Muslim identity and the emergence of a new Muslim political leadership in Eastern Sri Lanka in the 1980s and after. The Sri Lankan Muslim political leadership had its base in the Western province for a long time because the Muslim mercantile class and the educated elites were centered on that province. Although nearly 30 % of the total Muslim population of this country is concentrated in the East, and they are the economically strong majority in the Ampara district, they did not seek a strong ethnic identity and a political leadership till the late 1930s because their socio-political situation did not demand such a development. They were mostly engaged in agriculture in a feudal setting and in petty trades. They did not enter the

7. I personally observed this when I was attending the Fifth International Islamic Tamil Literary Conference held in Kelakkarai, Tamil Nadu in December 1990 in which several Sri Lankan Muslim scholars also participated.

modern education system and produce an educated middle class elite. They had a cordial relationship with the Tamils, the other major ethnic community of that area and did not face any severe competition in economy and politics from them.

However, with the introduction of universal franchise in 1931 under the Donoughmore constitution the situation had been gradually changing. The Eastern Muslims too were becoming more and more ethnically conscious, and gradually entering into the modern education system and politics. It is evident in the formation of Kalmunai District Muslim Association in 1936 at Kalmunai. It was formed to consolidate the Muslim awareness and to protect their interest in public life.

P.M. Macbool Alim, the president of the Association published a booklet in 1937 entitled 'Muslimkalukkoor vignaapanam' (a call for Muslims) in which he emphasises the following four points⁸). 1) The unity of the Muslims of the region 'for their political victory, 2) their economic advancement, 3) the importance of modern education for Muslim males and females and 4) the employment opportunities for Muslims in the government sector. This obviously shows that they had come of age.

During the post-independence period Eastern province Muslims seriously engaged in political battles for seats in parliament. Political opportunism, coupled with the scarcity of land, and economic competition created a mood of suspicion and hostility between Muslims and Tamils in the region and led even to some violent clashes in the 1950s and 60s. Later developments resulted in ethnic segregation of these communities to a certain extent.

In 1974 the Sri Lankan government introduced a system of standardisation for the University entrance examination (that is G.C.E. A/L) and a special quota for the backward districts by which the Eastern province youths both Tamils and Muslims were greatly benefited while the Jaffna Tamil youths were badly affected. The introduction of this new system paved the way for better opportunities in higher education for Muslims and created a new professional class and an educated elite among them. They are the more ethnically sensitive and opinion making social groups. These groups were the base for the new Muslim political leadership in the East and they formed a Muslim political party the Sri Lanka Muslim Congress (SLMC) in 1980.

The need for a separate Muslim Political party was felt even two decades before in the East, especially in the Ampara District. The All Ceylon Islamic United Front was formed in 1960 by Mr. M.S. Kariappar, a

8. This booklet was published by the Association in order to get the support of the public for the political and social activities of Mudaliyar M.S. Kariyappar, the emerging political leader of that area.

popular Muslim politician of that time for his immediate political benefit, but the party did not succeed because there was no strong social base as such at that time. But in the 1980s the situation was entirely different.

The development of the Tamil militancy in the North and East and their hostile attitudes towards Muslims since 1985 created a strong insecure feeling among Muslims, and intensified their ethnic sentiments. The SLMC under the charismatic leadership of M.H.M. Ashraff sparked off this sentiment by its verbal militancy with some spiritual colouring and became a major political force in the East specially in the Ampara District. After the first provincial council election held in 1987 the SLMC almost monopolised Muslim politics in the East and also emerged as one of the major forces in Sri Lankan national politics too. Thus, the last decade marks the highest stage in the development of Muslim consciousness in Sri Lanka.

4. Religious awareness and the rise of fundamentalism:

As I have mentioned earlier in this paper, the ethnicity and religion of Sri Lankan Muslims are inseparable and they had a reciprocal impact on the development of each other.

It was widely felt in the late 19th century by the Muslim elites that religious awareness and spiritual development were necessary for the social mobility of the Muslim population in Sri Lanka. Till the middle of the 20th century, Sri Lankan Muslims mostly depended on South India for their traditional religious education and they had to go to Kelakkarai or Kayalpattinam to be trained in Islamic scholarship and to become Ulemas. However, the first Arabic college in Sri Lanka to train Sri Lankan Muslims in traditional Islamic scholarship was established in 1884 at Weligama by Seyid Mohamed Ibnu Ahmed Lebbe (1817 - 1898) popularly known as Maahppillai Lebbe Alim, an influential South Indian Muslim scholar who had a far reaching impact on the development of a kind of conservative traditional Islamic scholarship particularly a South Indian variety of it in Sri Lanka. Subsequently several Arabic colleges were established in Galle (1892), Kinniya (1899), Maharagama (1913) and Matara (1915) and hundreds of Alims were produced by these colleges. They were responsible for preaching Islam and to develop religious consciousness among Muslims.

However, the South Indian version of Islam, which can be characterised as more ritualistic, was criticised later by the more fundamentalist Islamic movements during the post-independence period through which the Sri Lankan Muslims underwent a process of what we may call a cultural purification or Islamization.

Most of the revivalist leaders of the late 19th century who were on a double track, that is modernisation and Islamization, were also responsible for the development of religious awareness among Muslims. They thought

that Islam should be the foundation for any modernisation process. Siddi Lebbe was a good example of this. He wrote several articles and books on Islam and spiritualism. His book 'Asrarul Alam' deals entirely with Islamic spiritualism. He also published a journal 'Gnanatheepam' (the light of wisdom) dedicated to religious affairs in 1892. While his 'Muslim Nesan' tried to politicise the Muslim community, 'Gnanatheepam' and his religious writings tried to give it a spiritual foundation.

The beginning of the post-independence period also marks the second phase of the development of Islamic awareness among Sri Lankan Muslims. Two important Islamic organisations were established in Sri Lanka in the mid-50s of this century. They are the Jamaat e Islami and the Tableeq Jamaat movements.

Jamaat e Islami, a fundamentalist organisation founded by Maulana Abulala Maududi in India in 1941 has become a strong religious and political movement in Pakistan during the last two decades. Although Jamaat e Islami had been functioning in Sri Lanka from 1947 it was officially established here in 1954 with the idea of Islamising the Muslim community in all its social aspects. It has attracted a considerable portion of the educated middle class and youths and has a few branches and numerous study circles Islandwide with more than 10,000 sympathisers. Jamaat e Islami as a well organised establishment has its own publication and propaganda machinery.

Unlike the Pakistani 'head quarters', the Jamaat e Islami in Sri Lanka so far has not participated directly in politics, but is deeply involved in religious and other socio-cultural activities.

Tableeq Jamaat, comparatively a more conservative and fundamentalist international organisation which was also founded in India, was established in Sri Lanka in 1953 and has been fast developing here for the last two or three decades. The Tableeq movement unlike Jamaat e Islami concentrates only on religious activities particularly to get people involved in religious rituals like everyday prayers.

Tableeq Jamaat, a very rigid sectarian organisation, has a large membership from the big business community to the wage labour class and from the highly educated intellectuals to uneducated farmers. They have their own code of conduct and wear their own special attire. They are very fanatic in religious affairs and are likely to become an endogamous religious sect in the future.

Another fundamentalist organisation is worth mentioning here. It is Jam iyyathu Ansaris Sunnathul Muhammatiyya (here after Jam iyya) which has its headquarters at Paragahadeniya in the Kurunegala district. The Jam iyya movement was founded in 1947 by Abdul Hameed Al Bakry (1909-1976), popularly known as Dharvesh, the native of Paragahadeniya. Though Jam

iyya is not an islandwide organisation, it has strong holds in several places in this country especially in Kurunegala and Kalmunai⁹.

Abdul Hameed gained his knowledge of Islamic theology at several Arabic colleges in Sri Lanka, South and North India and finally in Saudi Arabia. He spent more than a decade in Mecca learning Arabic, Islamic theology and Sharia. He returned to his native village in 1947 with the reformist spirit and a deep 'knowledge of orthodox Islam which was branded by hostile traditional native Islamic scholars as 'Wahabism', a Saudi Arabian version of fundamentalism.

Abdul Hameed was very intolerant of what he regarded as un-Islamic practices of fellow Muslims in this country. He accepted only the Quran and the Sunna of the Prophet for religious sanctions and rejected all the customary folk religious practices from shrine worship to religious feasts as shirk and fit'at. He and his disciples went to the extent of destroying some shrines in his village and a case was filed against them in the District Court in 1948. He acquired many disciples but also made enemies during his religious campaign in the 1950s. Public religious debates were held in several places and one of the debates ended in violence at Kalmunai in 1951.

Abdul Hameed founded an Arabic college at Paragahadeniya which has become one of the largest Islamic Institutions in this country. He also started a propagandist journal Unmai Udayam (the Dawn of the Truth) in 1955 and was its chief editor for a long period. He was allowed to settle in Mecca with his family by King Abdul Azeez bin Abdul Rahman in 1971 and passed away there in 1976.

The followers of the Jam iyya movement have become a distinct religious sect with in the Sri Lankan Muslim community. They have their own mosque and religious institutions. They differ from the other members of the community basically in their ritualistic religious practices and beliefs like many other fundamentalist groups. '

The impact of these organisations on the process of Islamization of Sri Lankan Muslim community, apart from the socio-political developments that I discussed earlier, is very great. They played a very significant role in the development of religious awareness and in deepening the ethnic consciousness and in almost creating a cultural homogeneity among Sri Lankan Muslims during the past two or three decades, although there is a serious ideological difference between them.

The development of religious awareness among Sri Lankan Muslims is discernible in the extensively increased number of mosque goers during the past few decades and also in the increase of the number of mosques in rural

9. M.M.M. Ibrahim (1996) gives more detailed information about the religious activities of Abdul Hameed Al Bakri in various parts of this country.

as well as in the urban areas. It is also discernible in the renovation and expansion of mosques almost in all cities and in many villages in order to accommodate more people who come to pray, especially for Jumma prayers on Fridays.

5. Towards cultural purification:

The development of religious and ethnic consciousness led the Muslims to seek a separate cultural identity based on the fundamentals of their religion, Islam, to establish themselves as a distinct ethnic community in order to differentiate themselves from the other Sri Lankans especially from Tamils with whom they share the same language, Tamil, and other cultural features.

At first, the Muslims especially the Colombo based Muslim elites wanted to disown their mother tongue, Tamil and to adopt Arabic or some other alien language. They believed, or pretended to believe, that Arabic is or should be their mother tongue, although very few Sri Lankan Muslims could understand Arabic and no one used Arabic for their day to day communication¹⁰.

Siddhi Lebbe wrote in 1884 in his paper 'Muslim Nesan' that "Muslims should try to adopt Arabic as their home language. If Portuguese and Dutch who lived in Ceylon can forget their mother tongue and speak English why we can't forget Tamil and make Arabic our mother tongue" (Ameen, 1990 p. 175).

Siddhi Lebbe forgot the fact that the mother tongue is not a language that is chosen or learned, but is inherited or acquired. However, two years later Siddhi Lebbe changed his mind and put forward a four language policy for Muslims which was later advocated by many of his followers including A.M.A. Azeez after him. Siddhi Lebbe wrote in the same paper in 1886 that "we should learn Arabic since, Quran, our religious scripture is in Arabic, we should learn Tamil because we speak Tamil and who does not know it will become as a blind, we should learn English since it is the official language and we should also learn Sinhala because the majority of the people of this country speak it" (Ameen, 1990 :174).

Here, too, we notice that he has given the first place to Arabic because it is the language of their religion, and Islam is the primary marker of their ethnic identity.

Although Sri Lankan Muslims do not speak Arabic, they consider it to be sacred and also use it as an inalienable cultural symbol. One important use of Arabic by Muslims is to name the members of their community and their social institutions. Sri Lankan Muslims exclusively use Arabic for their

10. For a detailed study of the use of Arabic among Sri Lankan Muslims, see Nuhman M.A. (1988).

personal names. This was not so rigid half a century ago. Then there were three types of Muslim personal names:

- 1) purely Tamil names,
- 2) Tamil Arabic or Arabic - Tamil blend names and
- 3) purely Arabic names.

The first two types of personal names have gradually disappeared and the third type has now become exclusive due to the ethnic and religious consciousness and the process of cultural purification.

In the earlier period Arabic personal names too were mostly nativised; that is the Arabic phonological patterns were assimilated according to the Tamil phonological patterns. For example, the following female personal names Katheesa Umma, Semilattumma, Seyinampu and Mukkulattu are the nativised forms of Katheeja, Jameela, Zainab and Um Kultum respectively. This type of nativisation gradually ceased and at present the Muslim personal names are pronounced and written as closely as to the Arabic originals.

The naming of social institutions in Arabic has also become an increasing cultural phenomenon among Sri Lankan Muslims. There is a tendency noticeable in the last few decades to use Arabic to name their schools, homes, business institutions and journals. For example, in the Amparai District 50 out of 95 Muslim schools have been renamed with an Arabic title within the last two decades as in Kalmunai Zahira college, Maruthamunai Al-Manar Vidyalaya, and Ninthavur Al-Ashrak Vidyalaya. Before this tendency arose, Muslim schools were named as Government Muslim Boys/ Girls/Mixed schools with their place names.

This renaming tendency is more noticeable in the urban areas than in the remote rural areas. For example, in the urban Kalmunai education district 15 out of 18 Muslim schools have been renamed, whereas in the Potuvil area only one out of 8 schools has been renamed¹¹ This is a clear indication of the identity consciousness of the urban middle class elites and the trend of cultural purification or Islamisation among them.

Most of the traditional and folk cultural practices have been gradually eliminated through this process of cultural purification from the early post-independence period. For example, folk theatre was a popular cultural performance among Muslims in the Eastern province and also in the Mannar and Puttalam areas at the eve of independence and also a little after that. This was an influence by the traditional folk plays (Naattukkuuttu) of the Tamils. A number of South Indian Islamic folk plays (Ali Paatusha Naadakam, Appaasi Naadakam and Thaiyaaru Sulthaan Naadakam) were performed on the rural stage. Some artists, all males, who participated in

11. These information were gathered by the author during his field work in that area in 1988.

these plays are still living in the Ampara district. However, these performances were considered un-Islamic by the newly emerged religiously conscious groups and disappeared later. Likewise, the observance of the folk religious practices and marriage customs also disappeared or was reduced or became unpopular since they were considered to be un-Islamic.

The question whether a cultural practice is Islamic or un-Islamic became very important and was seriously discussed and sometimes provoked violence among various religious groups and even individuals throughout this period. Various sects and groups have developed their own interpretation of Islam and they sincerely believe and try to prove that only their interpretation is truly Islamic and try to impose it in practice.

The development of ethnic and religious consciousness among Muslims had its impact especially on Muslim women for the last hundred years in this country positively as well as negatively. It is discussed briefly in the next section.

6. Gender segregation and subordination:

It can be argued from a historical perspective that Islam, the Quran and the Sunna of the Prophet had given more rights and near-equality to the Muslim women than the women in other communities in that historical period. However, it is also true that Muslim women have been deprived of those rights and subordinated by men under the male dominated social system throughout the historical periods like any women who live under patriarchy all over the world. Sri Lankan Muslim women are no exception to this universal phenomenon.

Till the beginning of the revivalist period the existence of the Sri Lankan Muslim women was unknown in public life. They were confined to their homes. Only the revivalists wanted to bring them out of that segregation and challenged the conservative traditional social attitudes and practices. They thought that educating their women was a must for the upward social mobility of the community and tried to open separate schools for Muslim girls to provide modern education to them. Siddhi Lebbe was the main propagandist of female education of that time. This was a positive trend among ethnically motivated, educated Muslim men and political leaders throughout the modern period although there was a strong negative attitude towards female education among the conservative majority till the end of the 1940s.

The last hundred years in the history of Muslim education shows a slow but gradual and steady growth in the education of Muslim girls, although the ethnic ratio is still in a low state. The literacy rate of the Muslim women in 1921 was only 6%, but it has been raised to 75.5% at present. It is a fairly satisfactory development in comparison with the 82.5% of the overall female literacy rate in Sri Lanka. In 1942 only one Muslim female student entered the University of Ceylon. However, for the last ten years more than

a hundred Muslim girls have been entering from many parts of Sri Lanka to the universities for several fields of study including medicine and engineering. It is noteworthy in this context that, according to the Universities Grants Commission Report, 32% of the total Muslim students who got admission to the universities for the academic year 1990/1991 were female students.

This is evidence that the rise of fundamentalism has never been an obstacle to Muslim female education. Instead it has become an incentive, since the education of Muslim women is not against the fundamentals of Islam. It is now socially accepted that Muslim girls should be educated although, some fundamentalist individuals are against sending Muslim girls for higher studies. However, there are certain socio-cultural factors which retarded the progress of Muslim female education¹².

The employment of educated Muslim women was not socially accepted until the beginning of the post-independence period and even today it is not favourably considered by the conservative sections of the community and certain fundamentalist groups especially the Tabliq Movement. However, religion has not been a strong preventive factor of female employment since socio-economic factors have been more dynamic than religion in this respect.

Until recently, employment for Muslim women was socially restricted only to the teaching profession. There was only one Muslim female teacher in 1944 in this country. However, with the growth of educational opportunities for Muslim women, the number of Muslim female teachers has been gradually increasing for the last fifty years. According to the 1991 School Census Report there are 5635 Muslim women in the teaching profession at present and 440 of them are graduate teachers. A separate teachers' training college for Muslim women was opened at Aluthgama in 1948. They were also admitted to the Addalachenai Muslim teachers college as co-trainees with males from 1970s. '

Muslim girls in considerable numbers have been willingly seeking various other employment opportunities for the last ten or fifteen years both in the public and private sectors due to the growth of their educational opportunities and the economic condition of the individual families. This is a significant advancement in the progress of Muslim women.

There is another significant development in the opportunities for employment for Muslim women in the Middle East from 1975. Thousands of Muslim women from the low income groups have been migrating to the Middle East as cheap-labour house maids from almost every village and city for the last twenty years¹³. This has nothing to do with the process of

12. These aspects have been studied in detail by Zulfika (1995).

13. See Kiruga Fernando (1990) for some useful information on the migration of female labourers.

Islamization or ethnic awareness. Arab employers prefer Muslim house maids, and the economic conditions of these women compel them to migrate leaving their families in Sri Lanka. None of the fundamentalist movements can prevent this female migration even though they do not approve of it.

Female migration for employment has far-reaching social and cultural implications both positive and negative. On the positive side, it grants freedom of movement and power of decision making and a leading role in the family for Muslim women to a certain extent which are against the fundamentalist doctrine. A recent study by Ameen (1995) reveals that most of the women decide on their own to go abroad as house maids in the hope of earning some money for their future betterment. However, family disorganisation, the increasing divorce rate among them and the rather contemptuous social attitudes towards them are some of the negative aspects, and these have to be seriously considered.

In my opinion, the ideology of ethnic identity and religious fundamentalism does not have any serious negative impact upon Muslim women as far as their education and employment opportunities are concerned. Rather, it has played a positive role in educating Muslim women for the past hundred years which has inevitably led them to seek various employment opportunities. Changing socio-political realities and increasing pressure for finding means of economic survival pushed many women to seek available employment avenues. Here, Muslim women, like women from other communities, coped with the burden of managing household affairs, bringing up children and earning income for family upkeep. The conflicting roles allotted to women need to be highlighted. Although mobility (limited in some sense) was approved of for economic reasons there were restrictions on women's decision making role within the household, for instance, consent to marriage. More and more women start working outside the home as a new form of resistance to family controls and imposed norms.

However, ethnic identity and fundamentalism played an important role in gender segregation and the subordination of Muslim women in various socio-cultural institutions. It is well known that Sri Lankan Muslim women are heavily dominated by male chauvinistic ideology than are the women of the other communities in this country although the degree of domination varies according to the social class of the women.

A great majority of religion-conscious Muslim men believe that they are custodians of their women, and according to their ideology they have religious sanction for their belief. No religiously sensitive Muslim male accepts the concept of the equality of women. To them it is un-Islamic. This ideology, of male supremacy leads to the subordination of women and the suppression of their identity and the development of their individual personality to a considerable extent.

In many ethnically conscious societies, the subordinated women become one of the symbols of ethnic identity, and the male dominated cultural ideology is imposed upon them and they are expected to behave according to this cultural ideology. Sri Lankan Muslim women too represent this situation. They have to accept female segregation and subordination to gain a respectable place in their social system.

Islamic attire for women, 'purdah' or 'hijab' popularly known as 'fardah', is a manifestation of the ideology of female segregation and subordination which is an inherent feature of fundamentalism. There is no compulsorily prescribed Islamic dress for Muslim men. However, most of the religiously sensitive men wear a white lace cap as their ethnic symbol. The red Turkish fez was an identity symbol for many of the upper class Muslim men from the late 19th century to the middle of this century. Wearing the fez even became a big social issue in 1905 when the Chief Justice denied M.C. Abdul Cader, the first Muslim Advocate the right to wear his fez in the High Courts. The Muslim community protested and won their case. However, wearing a cap is not religiously obligatory for Muslim men. They are only required compulsorily to cover only the middle part of their body; that is between the navel and the knees.

For Muslim women it is obligatory to cover their whole body except the face, hands and feet because of their gender and sexuality. However, there is no prescribed Islamic dress for women.

Nevertheless, Sri Lankan Muslim women did not observe purdah, the fundamentalist Islamic dress for women, until very recently. Traditionally they covered their heads with the head piece of their sari like the North Indian Hindu women who came under the influence of the Mogul culture and it was considered satisfactory for Muslim women to cover their heads with their sari when they appeared in public places. The educated and employed Muslim women did not observe even this practice. However, the situation has changed after 1985 because of the mounting ethnic tension and the rise of fundamentalism into a higher stage due to the spread of the ethnic conflict into the Muslim community and the oppression of Muslims by the Tamil militancy in the North and East on the one hand and the international Islamic resurgence motivated by the Iranian Islamic revolution on the other.

Due to this new development, after 1985 Sri Lankan Muslim women were compelled to wear hijab and it has become the school uniform for Muslim girls in all the Muslim schools except in the primary classes. The Muslim girls who attend non-Muslim schools also have to observe this. Anonymous letters were sent to certain schools in the Ampara district by some fundamentalist militant organisations threatening female teachers who are not observing hijab to expect severe punishment for their un-Islamic behaviour, and all employed Muslim women were psychologically compelled to wear hijab. In the universities only a few Muslim girls were

covering their heads in the 1970s. But during the last ten years it has become obligatory to observe hijab and at present almost all the female Muslim students are observing it. Most of the male students and some fundamentalist organisations are vigilant about this.

Even though most of these women suffer from headaches and have other health problems due to hijab, especially during the peak of the summer season, it has become an obligatory social practice for both upper and middle class Muslim women. It has even become a status symbol for the upper class women in the urban areas. Hence, the imposition of hijab can be considered a fundamentalist victory over Sri Lankan Muslim women. However, a few highly educated westernised Muslim women who live in cosmopolitan cities like Colombo can afford not to observe hijab. Women from lower income groups who are outside the domination of fundamentalism can also behave in this way.

Another area under the influence of fundamentalism is that of performing arts like music, dance, drama and the film. According to the Sri Lankan version of fundamentalism these are un-Islamic and the fundamentalists are particularly against the women's participation in any performing arts and Sri Lankan Muslim women are denied the opportunity to develop their talents in the field of fine arts, through which the human personality and perception can be developed. Only girls under the age of ten are allowed to participate in cultural performances on the school or public stage.

In the mid-1970s when aesthetic education was introduced in the school curriculum Badiuddin Mahmood, the then Education minister and widely accepted Muslim political leader who contributed much to the development of Muslim education in this country, introduced the concept of Islamic music and dance and appointed Muslim women to teach these aesthetic subjects in Muslim schools. However, he had to face strong protests from fundamentalist circles for his initiative and it was abandoned immediately.

In this context Muslim women's participation in film and drama is ruled out. A few years ago some tele-dramas were produced with Muslim female characters and telecast over the Rupavahini, the national television station. They were stopped later due to fundamentalist pressure. However, the fundamentalists are not against women's participation in radio broadcasting since it is a non-visual medium; and as a result we have a few talented Muslim female radio artists.

Sri Lankan fundamentalists are not willing to take into consideration the cultural practices in the Islamic world even in Iran. It is well known that the Islamic fundamentalist Iran has become one of the finest film producing countries in the world and has produced several talented actresses, female singers, painters and even film directors. However, the Sri Lankan

fundamentalists, who have their own interpretation of Islam and who are suffering from a minority complex have the fear that if they allow their women to get out of their control Muslim society as a whole will collapse.

The fundamentalist interpretation of Islam is always in favour of male domination and beneficial to the male. The interpretation of polygamy is a good example of this. Polygamy is a pre-Islamic practice in the male dominated Arabian society and exists in many patriarchal communities all over the world. According to an anthropological survey 75% of the world communities, small and large, practise polygamy (Murdock, 1957). It is a form of social institution, favourable to men, and allows a man to have many wives at a time. It came into practice at a particular historical period of social evolution.

Although Islam did not abolish this pre-Islamic practice of polygamy, it imposed a severe restriction on it. It prevents a man irrespective of his wealth and social position to have not more than four wives at a time, and also imposes a condition that he should treat his wives equally. Islam also advises a man not to marry a woman if he cannot give her both material and physical satisfaction. This was obviously a progressive step at a time when men were enjoying supreme power over women. This clearly shows that the spirit of Islam is not in favour of polygamy, though it allows it with restrictions.

However, fundamentalists interpret Islam in favour of polygamy and defends polygamous practises as inherent nature and the inalienable right of human male and even go to the extent to say that it is necessary for the advancement of human civilisation. The fundamentalists who follow the Shia doctrine not only defend polygamy but also practice Mut'a, the temporary marriage which is also a pre-Islamic practice that can be considered as legitimised prostitution in the modern sense.

However, in Sri Lanka although it is religiously admitted and there are some isolated cases, polygamy is not a socially acceptable practice among Muslims and the indigenous cultural tradition of Sri Lankan Muslims is non in favour of the fundamentalist attitude in respect of polygamy. It is interesting that Sri Lankan fundamentalists, though they defend polygamy on principle, are also monogamous in practice due to the local tradition with a few exceptions. However, some fundamentalists propagate polygamy for their own benefit.

Another area of fundamentalist interpretation in favour of male domination is the Islamic personal law which covers marriage, divorce and inheritance. Fundamentalists all over the Islamic world consider this to be an inalienable part of Shariah which is divine in nature and oppose any modern rational interpretations and change in order to give equal status to women.

Maulana Abdul Kalam Azad (1980: 351-4), a rational interpreter of the Quran usefully differentiates Deen from Sharia in his book *Dharjumanul Quran*. According to him, Deen represents the basic principles and value system of Islam which are universal and Sharia represents the laws and code of conducts of Islamic communities which are not universal and vary time to time and place to place according to the historical and social conditions of the Muslim communities. This is evident in the existence of different schools (Madhhabs) and interpretations of Sharia.

For example, according to the Hanafi school a woman can divorce her husband only on the ground of sexual impotency. But Shafi and other schools permit her to ask for divorce on several other grounds also. According to the Shafi school which is practised in Sri Lanka, a woman cannot be appointed as a judge to a Quazi Court, and this is strictly followed here. However, in Pakistan where the Hanafi school is practised a woman can be appointed as Quazi and also in Indonesia, where the Shafi school is in practice. However, Sri Lankan fundamentalists are rigid and are not in favour of any significant change in Muslim personal law. It is a paradoxical situation that the fundamentalists do not allow Muslim women to be appointed as Quazis in their Sharia Courts while there are some Muslim women already working as judges and lawyers in Sri Lankan civil courts.

7. Conclusion:

In conclusion, I would say that the ideology of ethnic identity and fundamentalism has its roots in particular socio-political conditions which are local and global that activate and intensify ethnic tension and religious awareness in a plural society, and they have adverse effects not only on women who are passive and inarticulate under male domination but also on women who are assertive and independent. Ethnic and fundamentalist tension can be neutralised only through some political process which would grant equal and democratic rights to each community in that society to enable them to develop independently with mutual interaction. This is a precondition for the gender equality. These can be achieved only in an ethnically neutralised society, allowing full and equal participation of women in the socio-political arena and in economic production.

However, women who live in Islamic societies face some specific problems pertaining to these societies. In an Islamic society, religion has a major role to play not only in one's personal and spiritual life but also in the whole range of social affairs and there is a strong tradition of male-dominated interpretation of Islam which legitimises gender inequalities and the subordination of women.

However, it should be insisted that Islam, the Quran and the Sunna, can be interpreted in favour of gender equality and women's participation in public life. Only a modern interpretation of Islam in favour of gender

equality can give an ideological and religious foundation for the emancipation of Muslim women from male domination in under-developed Muslim societies. Feminists in the Islamic world are now engaged in this ideological discourse which has shed new light on Islamic thinking. However, Muslim women have a long way to go before they achieve emancipation.

The history of ethnic identity and religious fundamentalism of Sri Lankan Muslims described briefly in this paper shows the progressive advancements and setbacks of Sri Lankan Muslim women under male domination and I think that the setbacks are temporary and politically conditioned. A proper political solution to the on-going ethnic conflict, which we all eagerly expect, is a pre-condition for the development and liberation of all communities including women in this country.

Let us hope for a favourable positive change in the future.

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Muslim Women on the Threshold of the Twenty-First Century

Homa Hoodfar

In the West, Islam has come to epitomize the worse kind of oppression of women, usually symbolized by the veil, polygyny, and more recently, by stoning. Muslim women are assumed to have passively accepted their bleak lives, either because they know of no alternative or because they have no means to fight this faith prescribed by God and administered by their male masters¹. Images which characterize Muslim women as oppressed victims with no rights are tenacious: even the reality that women have been elected as leaders of the most populous Muslim states, that is Turkey, Pakistan, and Bangladesh, has not shaken this universal assumption². Women's political participation at the highest ranks coupled with the deterioration of women's status in some Muslim societies - including those who have elected a woman leader illustrates the complexity and diversity of the situation of women in the Muslim world. The contradictory trends and developments in these societies, and the diversity in practices and beliefs among Muslim societies and communities, urge observers to question the simplistic assumption that Islam is the source of oppression of Muslim women.³

1. See, for instance, Mahmoody, Betty. (1987). "Not Without My Daughter." New York: St. Martin's Press.

Minces, Juliette. (1982). "The House of Obedience: Women in Arab Society," trans. by Michael Pallis. London: Zed Press.

Sasson, Jean P (1992). "Princess: A True Story of Life Behind the Veil in Saudi Arabia". New York: Morrow.

Jeffery, Patricia (1979). "Frogs in a Well: Indian women in Purdah". London: Zed Press.

2. Benazir Bhutto was elected Prime Minister of Pakistan (population 120 million) in 1988 and again in 1993; Begum Khaleda Zia has been Prime Minister of Bangladesh (population 102 million) since 1991; Tansu Ciller has been Prime Minister of Turkey (population 50 million) since 1993.

3. It is the author's point of view that Islam, like Christianity and Judaism, is a male-dominated religion and has been used as a tool to exert male dominance. However, this does not preclude, as I shall discuss in the paper, the possibility that women can also use the same tool to advance their own interests.

Despite its ubiquity, the category of Muslim women implies a false homogeneity. As a classification, it is vague and ahistorical. However, due to the frequency of its historical use and misuse, the abstraction "Muslim women" has evolved to be a political rather than analytical concept, now used by diverse factions. In the media which cater to the dominant Western cultures, it is used to imply the many kinds of women's oppression. Conservative male leaders in Muslim societies use the concept to legitimize their efforts to control women and protect their patriarchal and political privileges. On the other hand, Islamist activist women are increasingly using the concept to introduce their envisioned ideals of Muslim women's rights and virtues. As I demonstrate below, these activists subvert the Muslim conservatives' attempts to prolong their political privilege.

As much has been written, though mostly with little impact, on the misuse of the term "Muslim women" in Western societies, my discussion here focuses on the diverse and contradictory uses of the category "Muslim women" within Muslim societies. It is essential to my discussion to briefly establish the diversity of Muslim women's situations. Consequently, by reviewing recent trends, I show how Islam has been used to support contradictory political aims by religious leaders, governments and women's organizations.

The diversity of Muslim communities

There are 500 million women living in Muslim societies and communities; the large majority live in Asia and Africa. In fact, Indonesia, with 200 million people, is the largest Muslim nation in the world, making nonsense of the stereotype that Muslim are primarily Arab, or generally Middle Eastern. Contrary to the modern image of Islam as an unyielding religion, historically it has demonstrated considerable flexibility in adapting to diverse cultures⁴. The diversity found in Islamic schools of thought and practices among different Muslim communities confirms that Islam has absorbed the traditions of these historically, culturally, linguistically, and economically distinct communities. Although Islam, like all major world religions is undoubtedly patriarchal, matriarchal societies such as the Menangkabau of Indonesia have adopted Islam, apparently without viewing it contradictory to their traditional practices⁵. On the other hand many pre-Islamic and traditional patriarchal practices are legitimized in the name of Islam. In Sudan, genital mutilation, a pharaonic practice exercised on both

4. This flexibility is often considered an important reason why Islam is the fastest growing religion in the world. See Michael Gilson. (1982). "Recognizing Islam Religion and society in the Modern Arab World. New York: Pantheon Books.

5. The Menangkabau were among the first Indonesian societies to be Islamicized, beginning in the eleventh century. See also FM. Denny. (1983). "Another Islam: Contemporary Indonesia" in "Mormons and Muslims: Spiritual Foundations and Modern Manifestations. Spencer Palmer, (ed). Salt Lake City, Utah: Publishers Press.

Muslim and Christian women, is enforced in the name of Islam. Similarly, in the Middle East and increasingly in other parts of the Muslim world, the pre-Islamic Semitic and Persian practice of veiling is now presumed by Muslims and non-Muslims alike to be Islamic. In India, Muslim communities have adopted the caste system, although it goes against the very principle of Islam, which calls for equality among Muslims of all races and classes. As a further example of how extra-Islamic customs have been incorporated into local tradition, in many Muslim cultures women are deprived of their inheritance (particularly land) in contradiction to Quranic norms. These cases illustrate that the use of religion and culture to justify subordination of a social group, most commonly women, is political, and that the significance attributed to religion and culture is often a move aimed at suppressing women's demand for their human rights.

The realities of Muslim women's lives range from being powerless, segregated, deprived of basic human and religious rights and given forcibly in marriage as children, to enjoying equal and sometimes more freedom and legal protection than their non-Muslim sisters in the "developed" world. The situation of women as a social group in any society is defined by a complex web of economy, political structure, and culture of which religion is only one element. The representation of Islam as a black box which is the source of oppression, particularly by secular feminists from both North and South, has retarded the development of an analytical approach to the workings of patriarchy in Muslim societies. Moreover, such an approach to Islam does not encourage dialogue and solidarity between Muslim and secular women from Muslim societies and other feminists, but creates distance and divisions which ultimately serve the interests of the patriarchy⁶. Although Islam does not prohibit women from studying and interpreting Islamic texts, throughout the history of the Muslim world men have been the primary interpreters of God's will, telling women what God, in his encompassing wisdom and justice, designed women for. Many Muslim women are now questioning this monopoly, not on the grounds of the secular and international rally for women's equality but based on a right Islam has given to all sexes and races.

6. Canadian Muslim women often feel torn between wanting to question some of the patriarchal practices in their community and facing the prejudiced approach shown by dominant Canadian culture toward Islam and Muslims. See Hoodfar, H. (1994). "The Veil in their Minds and on Our Heads: Persistence of Colonial Images of Muslim Women" "Resources for Feminist Research" Vol. 22 (1 & 2). For more general discussion on the feminist writings on Third World women see Mohanty, C.T. (1991). "Under Western Eyes: Feminist Scholarship and Colonial Discourses". In C.T. Mohanty, A. Russo and L. Torres (eds.), "Third World Women and the Politics of Feminism" (pp. 51-80). Bloomington: Indiana University. Nader, Laura. (1989). "Orientalism, Occidentalism and the Control of Women". "Cultural Dynamics" 2:3, 323-355.

Muslim women in the socio-political turmoil of the twentieth century

The advent of modern technology as a consequence of direct and indirect colonialism and integration of Muslim society in the world system has had various effects on women in different parts of the Muslim world. On one hand, the imposition of colonial laws and morality transposed European prejudices against women, and added them to the existing burden of women in these areas. On the other hand, close contact between Muslim and European cultures also intensified contact between Muslims of different cultures. These contacts engendered alternative views on the social organization of society and the position of women in it. Lively intellectual debates took place between Islamic scholars of all tendencies - conservative, modernist, secular, and nationalist⁷.

During the first half of the twentieth century, powerful women's organizations emerged in India and Egypt; from these centers of activism, close ties developed with women's organizations and women activists in Palestine, Syria, and Lebanon. Women, individually and through formal organizations, took an active role in the anti-colonial struggle⁸. The success of liberation movements under the leadership of modernist forces and the establishment of independent states led to a great improvement in women's social and legal position, though it always fell short of women's expectations. The 1960s and 1970s brought more improvement for women, and with the exception of some of the Gulf countries (including Saudi Arabia and Kuwait) women received full political rights. Women became ministers, members of parliament, and high officials, despite the disapproval of conservative religious leaders. The percentage of women with formal education increased and the economic participation of women extended from involvement in subsistence farming and the informal economy to the formal and modern sector. In many states there were major revisions of personal status laws which particularly affected women in the domain of marriage and divorce, where historically women did not enjoy equal rights with men.

However, these legal changes were rarely accompanied by campaigns to change societal attitudes or familiarize women with their legal rights. A fundamental shift in the process of legal and social change occurred in the late nineteenth century and first half of the twentieth century; legal reform began to occur as an outcome of public debates. Discussions taking place between policy makers on one hand, and intellectuals and activists on the other expanded to incorporate religious leaders and the public (though

7. It is important to recognize that both modernist and conservative trends existed within the Islamic framework. There were few who argued for secularism.

8. See for instance Hoodfar, H. (1989). "Background to the feminist Movement in Egypt", in "Le Bulletin" 9:2. Montreal: Simone de Beauvoir. Jayawardena, K. (1986) "Feminism and Nationalism in the Third World." London: Zed Books.

primarily in urban areas). In this process, religious discourse on social issues, particularly the "Woman Question", was forced to confront modern challenges. In the second half of the twentieth century development and legal changes were mostly mechanical top-bottom processes, from which the general public was excluded. Similarly, religious leaders, who were increasingly denied political power, adopted the role of critics and adversaries of the government, but were rarely challenged to provide answers to modern issues.

During the same period, many conservative religious leaders, distressed by their increasing exclusion from the formal political arena, developed an unprecedented agenda for creating a single universal Muslim law and moral code - an agenda which was now practicable via mass media. They did not talk of a village but of an 'Islamic community', whose morals and laws were dictated and controlled by elite religious leaders and theocrats⁹. The process has given voice to many conservative circles of male leaders who wish to limit women to the domestic sphere, and impose their vision of "Islamic" gender roles on all Muslims. This new vision, somewhat disingenuously called an "Islamic" vision, takes little account of cultural, economical and ecological diversities and has severe and disparate repercussions for women, as witnessed in many Muslim countries during the last decade.

By the end of the 1970s, the economic recession and the increasingly undemocratic and unpopular regimes (which had embarked on plans of westernization rather than modernization), engendered growing negative attitudes toward the governments and their policies - including policies affecting women. In the wake of dictatorial regimes which eliminated all political channels for public expression, conservative forces shielding themselves behind the legitimacy of religion emerged as a major opposition force in many Muslim societies. As a result of the pressure exerted on governments in the 1980s, women's position worsened in many Muslim countries: under the banner of thwarting Western cultural imperialism, governments canceled some of women's legal achievements.

In 1979 in Iran, the revolution resulted in the establishment of an Islamic regime whose mandate was to halt the process of westernization and to curtail cultural imperialism. Ironically, as a means to achieve this, the family protection law which had given women limited protection against unilateral divorce and polygyny was canceled. Temporary marriage, a Shiite Muslim practice which had been illegal for more than fifty years due to its

9. This was a novel idea, since despite the existence of many religious leaders at different local levels, Muslim rituals take place on the personal level and do not require the specialized services of a mediator between the believer and God.

negative consequences for women was pronounced legal once again¹⁰. Women also lost the right to be judges and to undertake studies in such fields as veterinary medicine and many of the technical engineering which were considered suitable for male students only". In 1981, after two years of struggle against it, veiling was made compulsory. Those who do not observe it risk public flogging or jail, even though there is no historical precedent for punishing women who do not veil. Nonetheless, the use of force to regulate women's dress is not a new phenomenon. In the 1930s, the veil was outlawed and forcibly removed from women's heads; many women remained in their homes rather than risk being victims of police attacks. Ironically, until the downfall of the Shah, the day on which the veil was made illegal was celebrated as women's Liberation Day.

Post-revolutionary developments in Iran encouraged similar demands from Islamic conservative forces elsewhere. In 1984, as a compromise to conservative Muslim factions, the Egyptian family status law was rewritten and women lost the right to remain in the matrimonial home after divorce. In the same year Algerian women lost the right to marry without consent of their wali (guardian, usually the father or brother) regardless of the woman's age; by the same stroke, men also regained the right to polygyny and oral divorce. In 1989, Algerians passed a law allowing the male head of household to vote for the entire family; this, of course, means that many women will be deprived of their voting rights. In 1986, in India after a campaign by conservative Muslim leaders, women in the Muslim community lost their right to maintenance after divorce. This law excludes only Muslim women and is ironically called "Muslim women's protection of the right of divorce".

Iran, Pakistan, and more recently, Sudan have passed hudud or qisas laws which establish separate spheres of justice for women and men.

In these separate spheres, women are of much lesser value; according to these laws women's testimony (when it counts at all) is worth only half as much as a man's and their bail money is half as much as a man's. Ironically, as these countries are celebrating the end of racial prejudices in South Africa as a victory of the oppressed, they are themselves installing a social and legal system that treats women as the lesser and inferior sex. While women have not been the only group targeted, conservative forces have had considerably more success in changing laws which affect women. Their success stems from the lack of effective and independent women's

10. Temporary marriage is a limited-term marriage practiced by Shiite Muslims. Whatever its merit in the old days, today it is frequently used to the disadvantage of women, particularly poor women. For a full discussion See Harei, Shahla. (1989). "Law of Desire: Temporary Marriage in Shi'i Iran". Syracuse: Syracuse University Press.

11. Although men also lost rights (to be gynecologists, for instance), in comparison to the setbacks suffered by women their losses were negligible.

organizations which could have provided counter-pressure on governments. Since many governments, as part of their modernization efforts, introduced some reforms concerning women's legal status which tended to support feminist demands, independent women's organizations in many Muslim countries either by law or co-option - were effectively dismantled. Even Egypt, which had one of the world's most impressive women's organizations in the first half of the twentieth century, lacked any effective front to fight the conservative backlash.

Women's responses at the national level: the case of Iran.

The shock of the overnight cancellation of family protection law reforms, re-introduction of polygyny and temporary marriage, harsh enforcement of compulsory hijab and introduction of early retirement programs for women employed in the formal sector had a sobering impact on Iranian women. The shock was particularly severe because a large number of women, including many educated middle-class women who were most adversely affected by these changes, had fought against the previous regime in hopes of democratizing their society. Women responded with spontaneous demonstrations against these undemocratic developments and women from all walks of life scrambled to organize and form their own independent organizations. Although many of these groups were dismantled during the severe repression following the Iran-Iraq war, individuals and informal groups continued their struggle to improve women's position.

One strategy adopted by activists was to expose the injustices suffered by women in the name of creating a "Just Islamic Society". Women's magazines, including those sponsored by the government, included stories of young poor women who were given in temporary marriage and became pregnant, but could not find the child's father, who had disappeared in the huge cities after the marriage had expired. The magazines also documented the lives of women who were married at a very young age, struggled against poverty, and through hard work and penny-pinching eventually improved their material condition until, middle aged, they were divorced without any financial compensation or alimony because their husbands wanted to marry younger women. Many other similar stories documented the unfair treatment of women. Women's magazines including those sponsored by the government carried open letters to religious leaders and transcriptions of public talks, asking them if this was the way to achieve Islamic justice. Religious leaders were asked to explain how the regime intended to restore the respect Islam and the Islamic Republic had promised for women. The regime was obliged to react to these demands since, very early on, the religious leaders of Iran had realized that women as a social group were a very important constituency whose political support was necessary.

Opposition to legal change did not come only from the secular and westernized classes of Iranian women. Many Islamist women activists who

have had religious education and are well versed in religious matters - a considerable number of them are in fact daughters, wives, and relatives of political leaders - disagree strongly with the state vision of women's role and its attempt to return to what the religious leaders call "old Muslim ways". They point out that much of what is presented to women as Islamic is but patriarchy in Islamic costume. The last decades of Iranian debate and discussion on the question of women, which is a highly politicized subject, has been colored by a sharp contrast between patriarchal and women centered interpretations of women's rights in Islam. The image of a pragmatic feminism in Islamic costume can perhaps best capture the gist of much of these debates.

The first success of this campaign was Khomeini's introduction of a new family law. Although this law did not go as far as many Muslim women activists had hoped, it was nevertheless one of most advanced marriage laws in the Middle East (after Tunisia and Turkey), yet it did not deviate from any of the major conventional assumptions of "Islamic" law. Under this new law there are many conditions stipulated in the official marriage contract which give women a stronger position within marriage, and both bride and groom can add or remove clauses. This set form removes much of the burden on individual brides trying to secure a fairer marriage deal for themselves. It also provides some degree of protection for those given in marriage too young to be able to effectively negotiate more equitable marriage conditions for themselves; women continue to agitate for more fundamental change and in so doing they have adopted some unique and ingenious strategies. For instance, Iranian women campaigned for a "wages for housework" law which was passed in December 1991. Islamist women activists argued that women, like all other Muslims, are entitled to the fruits of their labor; as well, in Islamic tradition, a woman is not required to work in her husband's home, to the extent that if she breastfeeds her child she is entitled to payment from her husband. Therefore, since in reality all women work in their husbands' homes, they are entitled to a salary. The argument, though novel and unconventional, was based on Islamic texts supported by the Quran. The bill was initially resisted by the Islamic parliament and conservative religious leaders because it was an unconventional interpretation of the "Islamic law". However, they were forced to agree that it is an Islamic right and eventually passed the law. Now men who intend to divorce their wives must first pay them housework wages. Many women feel that despite its problematic applications, this law has given them a better bargaining position than ever before¹². Although the new wave of Islamist women activists may appear to be diametrically opposed to secular feminists and derives part of this current political legitimacy from its critique

12. For a discussion of recent developments on the situation of women in the Islamic Republic see Nesta Ramazani. (1993). "Women in Iran: The Revolutionary Ebb and Flow." *"The Middle East Journal"* Vol. 47: 3 (409428).

of secular groups, in practical terms the two camps are close allies and their demands are generally analogous as both groups fight to improve women's social and legal situation.

The new wave of Islamist feminists, with their unconventional and women-centered interpretations of Islam, is challenging and reforming Islamic doctrine from within, rather than imposing or advocating a Western model of gender relations. This irreversible shift has already changed women's consciousness and encouraged them to distinguish between patriarchal tradition and "Islam". Similar movements are also becoming widespread in other Muslim countries including Bangladesh, Malaysia, Indonesia, Algeria, and Pakistan where the conservative forces, under the pretext of returning to Islamic ways, are trying to ensure the persistence of the patriarchy¹³.

Women's responses at the international level

Historically, in much of the Muslim world women were not only denied their right to Islamic education but, outside the family, they were also kept in isolation from one another. Moreover, little contact existed between women of different Muslim societies. Even the performance of religious duties which would bring women of different societies together, such as the pilgrimage to Mecca which is incumbent on all Muslims whose health and finances allow, was made difficult for women. Thus even though many Muslim women were independently wealthy and eligible for the pilgrimage, societal pressure meant that comparatively few fulfilled this requirement of their religion. The result of this isolation was that women often accepted that Islam as practiced in their society was the only one and that it was what God had prescribed for them. Consequently, open resistance to locally accepted practices was seen as heresy. However, mass media, wider education, and modern technology have to some extent undercut this imposed isolation. The diversity of views and practices has become apparent and, by comparing their situations, Muslim women today more than at any other time in history, are learning to distinguish between patriarchy and religion.

Realizing the importance of international networking, Muslim women have established several international and regional organizations whose mandates are to provide support, solidarity, and exchange of experiences and information between different Muslim societies. The availability of information and solidarity from other Muslim countries are significant

13. Many organizations which are actively concerned with women's issues work under the banner of different non-governmental organizations such as legal literacy and women's self-empowerment organizations. In part, this is because it is impossible to separate women's problems from economic and other social problems. Furthermore, in many Muslim societies, independent political organizations and lobbying groups cannot operate openly.

political tools since they cannot be easily dismissed as contrary to Islam. These organizations also facilitate, extend, and strengthen the contacts between women's organizations in Muslim societies and women's organizations worldwide.

Women Living Under Muslim Laws (WLUML) is an example of one such effort to link women in different Muslim communities¹⁴. Its impetus came from three successful campaigns in 1984. In Algeria, three feminists were jailed for having discussed the implication of the family code with other women. In India, a woman challenged the constitutionality of oral repudiation, which was allowed under India's Muslim Personal Law. In Abu Dhabi, a Sri Lankan worker who became pregnant after being raped was sentenced to death by stoning because she could not prove she was raped. The positive reaction of women activists in different Muslim countries and the effective use of their solidarity and support convinced the organizers of the necessity of a permanent organization, despite financial and political problems. The network at the moment has four official offices, three of which are based in different Muslim countries, as well as many informal centers carrying out the tasks of the network¹⁵. Although its initial mandate was to focus on women in Muslim societies, increasingly it deals with the problems of women of Muslim descent living in Europe and North America and non Muslim women married to Muslims and affected by Muslim personal laws.

The WLUML network has managed, to a large extent, to provide a democratic platform for all those who are interested in promoting women's interests and fighting patriarchy presented in the name of Islam¹⁶. It is one of the few platforms which brings together women of diverse political and ideological tendencies, including Islamist women activists, those who consider themselves cultural Muslims, socialists, and secular feminists. Through this platform women are learning to share their experiences, respect each other's views, and work together for common goals. Although the organization started with only a handful of women, at the moment there are more than two thousand women as well as various organizations in contact with the network and there are many women who devote much of

14. The name of the network bears significant subtleties. It indicates that its concern includes all women who are effected by Muslim laws and not just Muslim women. Secondly it indicates that Muslim laws are based on Muslim interpretation of what they understand as Islam. Thirdly the word law is used in plural form because as the extremely diverse laws of the Muslim countries and communities indicate there are very many different schools of interpretation of Islamic text.

15. For a detail history of the network see Marie Aimée Hélie-Lucas, Farida Shaheed and Faizun Zackarya. (1991). "Background and History of WLUML." Montpellier, France.

16. For more detail about the position of the network on the democratic front see Farida Shaheed (1994). "Controlled or Autonomous: Identity and the Experience of the Network Women Living Under Muslim Laws" in "Signs" 19(4), Summer.

their time and lives to promote women's interests through the organization. The active members and core organizers are primarily (but not exclusively) women lawyers, sociologists, anthropologists, journalists, and other social scientists.

Broadly speaking, the network has two interdependent wings. The activists wing deals with mobilizing support for women's initiatives at local and international levels, linking and familiarizing women of different Muslim societies with each other's situations, and airing the voices and concerns of women in Muslim countries in international circles, including the United Nations and Human Rights Watch. The research wing designs and carries out collective projects in critical areas. The results of its research are made available for the use of women activists, development organizations, and interested members of the public. The network also publishes *Dossier*, a journal which contains research reports and articles on current issues as they relate to the lives of Muslim women worldwide¹⁷. The network's current major research project is the organization of a global study on Women and Law in more than twenty-five Muslim countries and societies. The need for the research program was identified during an earlier project, a Quranic interpretation meeting in Pakistan which had brought fifty women of different Muslim communities and ideological tendencies together.

The Women and Law program examines different areas of codified, customary, and religious laws and their application to women's lives. The results of this study will be made available for women activists, who will use this knowledge to lobby and demand the laws which best protect their interests. As Marie Aimée Hélie-Lucas, the international coordinator of the network, has put it, "By pooling our knowledge and resources together we can avoid the worst scenario and at the same time promote a more just environment". She then sums up the worse scenario imposed on women and justified in the name of Islam: oral divorce would become legal (as in India); women's right to vote would be delegated to men (as in Algeria); adultery would be punishable by stoning (as in Iran, Pakistan and a number of other Muslim countries); rape would require eye witnesses (as in Pakistan); women would lose the right to drive (as in Saudi Arabia); women would be circumcised (as in Somalia and Sudan); women would be forcibly given in marriage as in communities governed by the Malaki and Shafi schools of law. The best scenario, which has also been possible using Islamic justifications gives women: the right to choose their own husbands (as in countries governed by the Hanafi school of law); the right to share material property upon divorce (as in Iran and Malaysia); the right to

17. In addition to a long list of publications concerning issues of importance to women in Muslim societies, thirteen issues of "Dossier", have been published. A complete listing can be obtained through the author.

custody and guardianship of their children after divorce (as in Tunisia); the right to remain in the matrimonial home after divorce, at least until children are adult (as in Libya); and the ban of polygamy (as in Tunisia)¹⁸.

Let me conclude by adding that Muslim women are entering the 21st century with a valuable lesson learned from their many unpleasant experiences during the second half of the twentieth century. They have learnt that unless they remain organized and alert in the political arena, the forces of patriarchy are ready to claim back every inch of success that women have managed to gain through their hard and long struggle.

18. See Marie Aimée Hélie-Lucas. (1993). *Women Living Under Muslim Laws*, in "Ours by Right Women's Rights as Human Rights". Joanna Kerr (ed.) London: Zed Books in association with the North-South Institute.

Source: This paper was presented by Homa Hoodfar in May 1994, who teaches at the Department of Sociology and Anthropology, at Concordia University, Montreal.

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Afghanistan / US: **Women's Fury Toward Taliban** **Stalls Pipeline** **Afghan Plan Snagged In U.S. Political** **Issues**

By Dan Morgan and David B. Ottaway
Washington Post Staff Writers

Sunday, January 11, 1998; Page A01

In early December, four bearded and turbaned Afghan clerics dressed in traditional baggy pants stepped from a helicopter onto an oil rig in the Gulf of Mexico operated by Unocal Corp., a huge, California-based global energy company.

Representing the ultra-conservative Taliban Islamic militia that controls most of Afghanistan, the mullahs inspected the latest deep-water drilling technology, ate a meal prepared according to Islamic rules -- a gesture arranged by their corporate hosts -- and headed back to the mainland for further meetings with their new business associates from Unocal.

This improbable partnership between a modern American corporation and a militant religious group with social views often described as medieval has become entangled in U.S. strategic policy and domestic politics.

The Taliban and Unocal want to build a \$4.5 billion pipeline network carrying Caspian Sea oil and gas across Afghanistan to the Indian subcontinent.

The Clinton administration supports the route, which would help free the new nations of Central Asia from dependence on Russia, avoid alternate routes across Iran and bring needed energy to Pakistan and India.

Yet in a vivid illustration of the new political complexities of the global economy, that foreign policy vision has butted up against a domestic obstacle: the

outrage of women's organizations over what they call "gender apartheid," the Taliban's barring of women and girls from schools, hospitals and public places.

Such groups as the Feminist Majority and the National Organization for Women have mobilized to prevent the Clinton administration from recognizing the Taliban government unless it radically changes its treatment of women.

Without that recognition, international lending institutions are unlikely to finance the project and Unocal's plans will be stymied, according to State Department and company officials.

The impasse also reflects an emerging pattern in which U.S. policy toward Central Asia, site of the world's largest untapped oil and gas reserves outside the Middle East, must heed powerful grass-roots constituencies at home.

Armenian American organizations, for example, oppose U.S. assistance to Armenia's oil-rich enemy, Azerbaijan. Pro-Israeli groups lobby in Washington to prevent Central Asian oil and gas from passing through Iran, viewed by Israel as its most dangerous enemy. And human rights advocates in the United States have begun questioning U.S. support for autocratic regimes around the Caspian Sea.

But in the case of the lucrative trans-Afghan pipeline, it is activist American women repelled by the Taliban who may hold the key.

"I don't remember us organizing on an international issue like this before," said Eleanor Smeal, who heads the Feminist Majority, a nonprofit political action group with 30,000 members.

The efforts include organizing protests outside the embassies of Afghanistan and Pakistan, mobilizing women's groups across the United States to pass resolutions condemning the Taliban, lobbying

Congress and the United Nations and meeting with State Department and White House officials.

U.S., Afghan and European women's groups also are working to make the Taliban treatment of Afghan females the focus of International Women's Day on March 8. And Unocal has been pressed to make room for Afghan women in pipeline construction training programs.

The passions aroused have created a political dilemma for the Clinton administration as it balances foreign policy interests against political considerations. Clinton and Vice President Gore campaigned aggressively on the issue of violence against women in 1996, and women have voted far more heavily than men for Democratic candidates in recent national and local elections.

Some conservative Republicans also have begun criticizing the Taliban in what some political analysts believe is an effort to polish the GOP's image with women alienated by the party's antiabortion position.

Both Secretary of State Madeleine K. Albright and first lady Hillary Rodham Clinton have condemned the Taliban's policies toward women. In November, Albright deplored "their despicable treatment of women and children and their lack of respect for human dignity, in a way more reminiscent of the past than the future."

But administration officials have left the door open to working with the Taliban if certain conditions are met, including reconciliation with opposition factions still controlling the northern third of Afghanistan. "The Taliban will not change their spots, but we do believe they can modify their behavior and take into account certain international standards with respect to women's rights to education and employment," Karl F. Inderfurth, assistant secretary of state for South Asian affairs, said in an interview.

Officials said a settlement does not appear near but added that the United States, Iran, Russia and Pakistan have been working together in recent months to end the stalemate, with some signs of progress.

Against this uncertainty, Unocal, a company with worldwide operations, has pressed ahead on several fronts. In late October it announced the formation of an international consortium to build a 790-mile gas line from

Turkmenistan to Pakistan, which would cross Taliban-controlled territory in Afghanistan. Turkmenistan has approved Unocal's plan, and Pakistan wants to buy the gas.

In November, Unocal began training Afghans to build the line.

The Taliban stands to collect \$50 million to \$100 million a year in transit fees if the pipeline is built, according to Marty F. Miller, a Unocal vice president. The project also would provide thousands of jobs.

Unocal and its main partner, the private Saudi-owned oil company Delta, also have been involved in behind-the-scenes diplomatic efforts to make peace between the Taliban and its remaining opponents in northern Afghanistan, according to congressional and other sources. The goal, these sources say, is to create conditions for a broad-based government that could win formal recognition from the United States.

Saudi Arabia is one of only three countries to recognize the Taliban government, giving Delta some political access to the Taliban. Delta's American vice president, Charles Santos, who until recently was a U.N. peace negotiator in Afghanistan, has promoted reconciliation among the Afghan factions. Santos recently hired Paul Behrends, a former House legislative assistant, to lobby for Delta in Washington on the pipeline issue.

The Taliban's military takeover of the Afghan capital of Kabul in September 1996 initially was welcomed cautiously by the administration.

A senior Unocal executive pronounced the takeover a "very positive" development that would provide the fractured country with "a single government." The company subsequently stressed its intent to remain neutral in Afghan internal affairs.

Washington failed to follow Pakistan, Saudi Arabia and the United Arab Emirates in extending recognition because warfare continued, the Taliban failed to unify the country and mistreatment of Afghan women quickly became an international issue. Both the House and Senate passed resolutions last year denouncing Taliban gender policies.

The chief Taliban representative in this country, Abdul Hakim Mujahid, dismissed the furor in a recent interview. "Ninety-nine percent of Afghan women are supporting the Taliban policy toward women," he said, with resistance to that policy stemming from "only one percent of Afghan women tied to a communist style of liberation."

Unocal officials initially resisted requests last year from women's and human rights groups to discuss Afghan issues. "They were less than enthusiastic at first about meeting with us. It took them a little while to understand the constituency we represent," said Lea Browning, an official with The Working Group on the Human Rights of Women.

At a subsequent meeting in Washington with Unocal officials, delegates from the Working Group advocated including Afghan women in the company's training program. A Unocal official declined to comment on the meeting.

In mid-November, Unocal launched a \$900,000 training program run by the University of Nebraska at Omaha to train 137 Afghan men in pipeline-building skills. The program managers hope to begin training women for clerical jobs and support services this year, according to Thomas E. Gouttierre, head of the university's Afghan studies center. Unocal also is financing several projects to train women as teachers in Taliban-controlled areas; the company said it intends to

provide jobs to Afghan women as well as men.

While Unocal maneuvers through the domestic political and foreign policy shoals, the company faces competition in Afghanistan from another consortium led by the Argentine oil company Bidas, sources said.

Bidas, which had signed a deal to build a trans-Afghan pipeline with the previous government in Kabul, has indicated readiness to finance the project and start construction without formal Western or U.N. recognition of the Taliban government, according to oil industry analysts.

Bidas's main partner is a Saudi company associated with Prince Turki Faisal Saud, head of the Saudi intelligence service, a connection that reportedly gives Bidas impressive access to financing.

The Argentine company has filed a lawsuit in Houston charging that Unocal, in pursuing its proposed pipeline, disrupted agreements that Bidas had reached with the Turkmen and Afghan governments. Unocal has denied the charges.

"We will do the project with the company that starts the work earliest," Mawlawi Ahmad Jan, the Taliban's acting minister of mines and energy, said in an interview.

US / Afghanistan: US women fight taliban oil deal

by Ed Vulliamy in Washington

The Guardian, London
Monday, 12 January 1998, p. G2

The outraged leaders of the United States women's movement vowed yesterday to fight the Clinton administration's backing for a \$4.5 billion (£2.8 billion) oil pipeline deal between a California energy giant and the Taliban regime in Afghanistan.

The latest chapter in the deal was revealed in yesterday's Washington Post: the arrival

by helicopter of four Afghan clerics on an oil rig in the Gulf of Mexico to meet directors of the Unocal Corp last month. This meeting followed one in Texas, where the Taliban had been tempted by VIP treatment and a shopping spree for luxury goods.

On the oil platform the mullahs ate a specially prepared meal and examined Unocal's latest deep-water drilling technology with a view to building a pipeline to carry Caspian Sea oil to the Indian subcontinent.

The 790-mile pipeline would carry oil south from northern Turkmenistan, through Afghanistan and Pakistan and out into the Persian Gulf, with a possible extension to New Delhi.

Sources say President Bill Clinton is eager to clinch the deal. He reportedly believes the Taliban-built pipeline would free the new states of central Asia from dependency on Russia, which demands huge transport fees, and bypass Iran and Iraq.

But the Taliban's treatment of women which includes banning girls and women from schools, hospitals, and public places has led the US women's movement to launch one of its biggest international campaigns to try to prevent White House approval for the pipeline.

State department officials are privately wary of giving the president's blessing to the scheme. The women's campaign could "stall if not scupper" presidential approval and "certainly stir up trouble in Congress," one official said yesterday.

The feminists will lobby their old adversaries in the rightwing Republican majority, among which the Taliban counts few admirers, who will be only too happy to challenge the president about cosyng up to a militant Islamic regime.

The campaign is spearheaded by the mainstreaming National Organization of Women, which accuses the Taliban of "gender apartheid;" the Feminist Majority group; and the Working Group on Human

Rights of Women, whose organisers have met Unocal.

Lea Browning, an official with the Working Group, said she has asked the company to ensure women were trained in the engineering and construction of the pipeline.

"They were less that enthusiastic at first about meeting us," she said, "It took them a while to understand the constituency we represent."

The campaign will involve demonstrations outside the Afghan and Pakistani embassy and lobbying at the United Nations and Congress.

Unocal has been pressing ahead with the project while diplomats from the US, Russia, Iran and Pakistan have failed to reach a settlement on oil pipelines. The company has already sponsored a \$900,000 training programme for 137 Afghans at the University of Nebraska, all of them men.

The debate will be embarrassing for President Clinton, who in large part owes his reelection to women voters. Hillary Clinton and the secretary of state, Madeleine Albright, have criticised the Taliban's treatment of women. Mrs. Albright called the regime "despicable."

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Middle East / North Africa: Cry of Muslim Women for Equal Rights Is Rising

New York Times, March 9, 1998

By MARLISE SIMONS

It took just minutes for the judge to approve. He ruled that the petitioner, who was a senior government official, earned enough to maintain two families. Rashida's

unexplained summons to court was the first she had heard of the matter.

Since her husband's second wedding, two years ago, Rashida has begged him in vain for a divorce and child support. She dares not think of remarrying. If she did, under Morocco's Islamic law, she would be likely to lose her children. That is also why she did not want her full name used.

"This case is cruel, but it's mild compared to many others," said Fatima al-Maghnaoui, a counselor at a legal-aid center for women where Rashida had gone to seek help.

Before Rashida, two women went to the center who had been repudiated by their husbands -- effectively relieving the husbands of any further responsibility toward them -- and left in the street with their children.

A 14-year-old girl had been raped, which left her pregnant and with nowhere to go. She could not return home. "Her oldest brother said he would kill her for dishonoring the family," Mrs. Maghnaoui said.

Such cases are common -- and not just in Morocco, which likes to see itself as one of the more cultured and humane Muslim nations. They occur throughout the Islamic world, where texts of the Koran and a range of appendages attached in the Middle Ages are invoked to deny equal rights to women.

Protests against the humiliation of women in Islamic societies are hardly new. But more Islamic women's groups are speaking out against what they call the Muslim system of apartheid.

The status of Muslim women varies widely. While some have gained rights, others have recently lost them. But like a deep fault line, the issue of how women are viewed socially and legally runs through most of the Islamic world.

Women and what they are forbidden to do or wear are at the heart of the fundamentalist policies in Afghanistan and Iran and even of the divisions that have led

to the political violence in Algeria. Whether women should wear head scarves as a sign of religious modesty has been revived as an issue in Turkey. And demands to abolish discrimination in Muslim family laws are testing official promises for greater democracy in Morocco, Tunisia and Malaysia.

But even if these issues are ubiquitous, there has been little motion.

"Islamic countries have modernized many laws -- in the economy, education, commerce, politics, you name it," said Wassyla Tamzali, an Algerian lawyer and a specialist in Muslim women's rights at UNESCO. "But there is practically no movement in the status of women. When it comes to women's rights, religion and theology are invoked.

"Change is so difficult because in Islam, women symbolize tradition and cultural identity. It is as if the whole burden of the Islamic tradition rests on their shoulders."

But a public, if relatively quiet, rebellion is under way. The activists do not get much limelight: They usually do not march in protest, either because it is forbidden or because they fear a backlash. But as International Women's Day, on March 8, approached this year, there was a multitude of debates, conferences and television programs about the issues across North Africa, from Morocco to Egypt.

Because the movement is informal and ad hoc, statistics about participation or impact are hard to come by. Almost by definition, it revolves around educated women.

In Morocco, Tunisia and Algeria, where women rank among the more emancipated of the Islamic world, activists say the U.N. international women's conference in Beijing in 1995 was an important catalyst for defining the issues and planning action.

But most important, they say, support has grown because women are caught in the growing contradictions and shifts within Islamic societies.

One such shift, in the countries around the Mediterranean, has been the enormous migration from the countryside to the cities in recent years. As a result, more women now go to universities and work as doctors and lawyers as well as in factories and offices. But the archaic laws linger.

"Legally we are still as helpless as the illiterate girls on the farms," said Nouzha Skali, a Casablanca pharmacist. "We are all legal minors, and we depend on permission of our fathers, brothers or husbands."

Educated or not, a Moroccan women needs the permission of a male relative to marry, name her children or work. She inherits half as much as her male siblings. She can be forced into marriage or polygamy and can be beaten or repudiated without recourse.

In conversations with Moroccan women -- social workers in Rabat, artists in Marrakesh -- and with female lawyers from several Arab countries who recently gathered in Paris, all agreed that the rise of Islamic fundamentalism in recent years had slowed down and complicated their fight. But some believe that it has clarified the need to anchor any new rights in civil rather than religious law.

"Muslim feminists have long argued that it is not the religion but the male interpretation of the Koran that keeps women oppressed, along with the texts that were added on in the Middle Ages," said Mrs. Tamzali. "So the way to reform had seemed to be to re-examine and reinterpret the religious texts. But efforts to reform Islam from within keep failing."

In Algeria, Islamic fundamentalists have been conducting a violent campaign against the government for five years. In Afghanistan, they have captured most of the country and have barred women from virtually all public activities. In both countries they have shown how easy it is to turn back the clock by invoking religion.

Many women now feel that they must fight to expand and change secular law, rather

than reform the Sharia, the Islamic legal code, Mrs. Tamzali said.

It is a subject that means little to Zoubida Mhider, 48, who lives in poverty in Rabat. She is illiterate, like almost 70 percent of Moroccan women. In the waiting room of Annajda, a legal-aid office in Rabat, she whispered that she had been beaten by her husband for so long that she finally left with her 11 children.

For almost four years, Mrs. Mhider said, she has been going to court to beg for help with getting a divorce and seeking child support. Her husband usually fails to show up for court appointments, and the court has not pressed him.

Two of the children have married, and she and the younger children have been getting by on money her married daughter sometimes sends from the Netherlands.

Fumbling with her veil, she said she was very religious but did not care if Moroccan law was Islamic or secular. "I just want this settled," she said, sighing.

Fatima Zahra Tamouh, a professor of African history at the University of Rabat, said that in Morocco and a number of countries, migration to the cities had brought more education for women but also more violence, repudiation and divorce.

"In the countryside, couples rarely lived alone," she said. "A husband was accountable to the woman's family -- to her father, her brothers. But there is more abuse and more divorce and repudiation now that couples live alone. The problem is we got a society more based on individuals without the laws to go with it."

In Rabat, Morocco's spacious and sunlit capital, women's groups are mobilizing to get divorce and child-custody rules moved from the Mudawana, the Muslim family law, into the civil code. In 1993 women collected a million signatures in this nation of 28 million people to support such reform. King Hassan II agreed.

But the reforms, made by men, have made little difference. This time, women say, they want a role in drafting the changes.

Equal rights in divorce and abolishing the one-sided act of repudiation are only one aspect of Muslim women's concerns, but in the big cities they affect almost 50 percent of couples, said Mrs. Skali, the pharmacist, who also is chairman of the Association of Democratic Women.

"We want to ring the alarm bell, because divorce is affecting our whole society," she said. "The women are left on their own, with no support. It's one reason why we are seeing more and more street children."

Lea Browning W.E. A.R.E. for Human Rights The 1998 Global Campaign for Women's Human Rights

Egypt: Mufti savaged by his soft targets

Cairo's top Islamic theologian has reopened old wounds by suggesting that women cannot do a job that requires them to be stern and unaffected by emotion. Female Egyptians have long struggled to improve their lot, reports Gemini News Service, and do not seem eager to give up the fight.

By Dale Gavlak,

2 May 1997, Cairo

When Egypt's senior Islamic cleric was quoted as saying that women were too soft and sensitive to hold positions of responsibility, he received a withering response.

Educated Egyptian women say the Grand Mufti's remarks are sensational, and that a discussion of what they are and are not able to achieve, based on their sex, is ridiculous - especially when a quarter of the country's households are headed by women.

Amina Shafiq, a journalist with Egypt's leading daily Al Ahram, says the remarks have re-opened past battles against discrimination.

"There isn't a single legislation that bars women from being judges, for example, but we just never are [appointed]," she says. "It makes you wonder whether men in Egypt think they are doing such a wonderful job that they don't need us."

But while there may not yet be female judges, Egypt does boast three female cabinet members, one of whom, Nawal el-Tatawy, heads the key Economy Ministry.

These women emerge out of a strong feminist movement that originated several decades ago. Their mothers were the activists who inspired the genesis of social services and educational organisations.

Nevertheless, remarks such as those by Sheikh Nasr Farid Wassel, the guardian of Egypt's Muslim heritage, highlight some of the obstacles they continue to face.

With fundamentalist pressures pushing for a stricter Islamic state, and the religious establishment appearing to support male domination, many fear losing some of their hard-won freedoms.

To mark International Women's Day in early March, the Centre for Human Rights Legal Aid issued a statement criticising the Government for not standing firmly against fundamentalist ideas which seek to "limit women's role to the home instead of helping them obtain a fair share of the country's economy".

Following the outcry about his remarks, Sheikh Nasr Wassel says he was misquoted. But the explanation he gives for his comments further clouds his position on the issue of women's abilities.

A distinguished-looking man with piercing blue eyes, Wassel told me in an interview: "What I have said is that women are honoured in Islam, They have all the rights exactly as men in terms of civil, political, commercial and senior posts, except when it comes to the position of the President of the State - what is called in Islam, the Grand Sheikh."

But, later in the interview, he said: "I can't specify certain posts that woman can't

hold. But any position that requires being stern and not affected by emotion is not suitable for women. Women in certain situations are more affected by emotions than men, which may cause them to judge differently than men."

Dr Hoda Guindi, an English literature professor at Cairo University, finds such ideas silly.

"I just can't understand what he means," she retorts.

"Does it mean bursting into tears at any sign of opposition, or are we going to give in once a man says no? It just seems too ridiculous to discuss."

Guindi says that women are playing a major role in the country's drive to modernise its economy. "Yes, we have three cabinet members - one of economics, which is surely one of the toughest jobs going. Is she too soft and sensitive?"

Outside, on the campus of Egypt's largest institution of higher learning, young men and women mingle freely, chatting and exchanging information about their classes. Women comprise almost half of the student population.

Some are wearing tight blue jeans and fashionable wire-rimmed sunglasses, while others are shrouded by the Islamic veil. One student is covered in black from head to toe with only a narrow slit across the eyes.

Among the female students who wear the veil, some say that they do so, not out of faith, but rather to avoid being bothered by men or hassled by devout religious women who will judge them as "immoral" if their head is not covered.

Rasha Halim is a second-year business student at the university. She wants a home, family and a career. Wearing jeans and a scarf tightly tied round her head, this young Muslim woman shares her dreams for the future: "I'll tell you the truth. I want to be a politician one day. I hope I can do this through business - maybe to be one of the people helping the economy here."

She believes she is well positioned to achieve her aims precisely because other Egyptian women have paved the way for greater female opportunities.

"I think it's come true now, although it wasn't like this in the past. I hope that it's going to be much better in the future. I'm going to be part of it."

For Halim and others like her, an education and a career seem the best path to take. They say they will follow that path regardless of whether Islamic traditionalists believe women can achieve their aims or not. - Gemini News.

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Malawi: Volatile mix of religion and politics

Rumours and allegations based on religious rivalry, including tales of a Middle Eastern plot to Islamicise the whole country, have been troubling Malawi.

By Angels Mtukulo

2 September 1997, Lilongwe

Religious tensions are fuelling political controversy for the first time in Malawi's history, despite attempts to talk down differences.

Religion has never been an issue in the country, apart from former dictator Hastings Banda's ban on Jehova's Witnesses, a fundamentalist Christian sect, because of their refusal to deify him by buying party cards bearing his portrait.

Now there are two separate controversies - one between two Islamic sects, the other between Christians and Muslims.

No official figures are available for the numbers of followers of the various religions, because of what a National Statistics Office spokesman calls "political connotations." Catholics are the single largest group, with an estimated 35 per cent

of the country's 10 million people. The Muslim Association of Malawi (MAM) claims there are 4.8 million Muslims, but this is disputed by the Statistics Office.

An attempt to spark political controversy was made by the Democrat newspaper in the run-up to the 1994 presidential and parliamentary elections, which were won by the United Democratic Front (UDF) led by Bakili Muluzi, a Muslim.

"We have all been sold" screamed its headline on a story which claimed the UDF had received an \$89 million campaign money from an Arab nation. The newspaper alleged the party had agreed that, if victorious, it would force all Malawians to become Muslims.

Muluzi's religion was not an issue in the election: all the electorate wanted was a replacement for Banda.

The following year, however, The Malawi Times ran another version of the story, though this time the figure rose to \$384 million.

Both reports were denied.

"How can a single person (President Bakili Muluzi) influence the whole Cabinet to make this country Islamic?", a Minister asked a news conference convened to dispel the rumour.

But the story would not lie down.

In December 1996 the pro-opposition Daily Times, quoting a "highly placed official", claimed the Government was receiving "funds from Kuwait and other countries in the Middle East" to Islamicise Malawi.

The "source" was also quoted as saying that Middle East business tycoons had warned the Government that they would not invest in Malawi unless Islam was made the dominant religion.

Some of the funds, it was claimed, were being used to buy Bibles from bookshops so that Christians were deprived of the Gospel, a move said to be aimed at weakening Christianity in the country.

Muluzi said that rumours of Muslims buying and burning Bibles were being spread deliberately in order to provoke a Christian uprising against Muslims and mosques. He accused two politicians - one of them a former Minister - of complicity in the plot, and said they had been holding secret meetings with members of the Bible Society of Malawi. The politicians denied his charge.

Some of the credence given to this heady brew of accusation and counter-accusation stems from the fact that allegations about foreign money have also been made by Muslims.

Sheikh Abdul Hamid El Bahna of the Kadaliya sect accused MAM of "seeking financial support from Iraq and Saudi Arabia to form an Islamic Party in Malawi." He said MAM supported the rival Sukuti sect, to which President Muluzi belongs.

Another Kadaliya spokesman also accused the President of monopolising funds donated for the advancement of Islam: "Muluzi got a lot of money from Kuwait to support Islam but it is only the Muslim Association which has so far benefited."

Retorted Justice Minister and Attorney-General Cassim Chilumpha, also a Muslim: "Where is the evidence? Just because this country is being led by a Muslim, some people are making statements without substance. We should not allow religious fanaticism to get into our politics."

It may be too late. Doctrinal differences between the Kadaliya and the Sukuti over funeral rites has already led to a brawl in a mosque in which four people were injured, a war of words over animal slaughtering procedures and the closure of an Islamic school following a row over control. In June, two Kadaliya brothers were charged with assault and property damage after a rampage which they said was in revenge for the death of their father, allegedly by Sukuti leaders.

MAM's response to this mounting catalogue of confusion has been to mount a nationwide education campaign to tell

people that the alleged differences between sects are a result of "total ignorance of Islam."

Abdulrahman Gama, a regional MAM chairman, agrees. Islam, he says, is one - "there is no such thing as Kadaliya or Sukuti." - GEMINI NEWS.

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Sudan: Women's Take Their Place in the Driver's Seat

By Nhial Bol

Khartoum, Nov (IPS) -- Senior women in the Sudanese public service are now allowed to drive cars following the scrapping of decrees prohibiting them from doing so.

A source in the state-sponsored Sudanese Women General Union, told IPS that senior women in the public services, army and police are now legally allowed to drive their own or state cars.

Several of them have already been spotted driving in the streets of Khartoum. Prominent among them, Dr Ishan Gabshawi, who is the Minister of Health, has been cruising in a government vehicle here.

Women were banned from driving when the strict Islamic Sharia codes were imposed in the Sudan by the country's ousted dictator Gaafar Mohamed Nimeiri in September 1983.

It has taken 14 years for women and human rights groups, backed by the Ministry of Manpower, to unite and mount a concerted campaign to persuade the current government, which is also dominated by hardline Islamic leaders, to allow women to drive.

Sources at the Union said women from various sectors had pressed for the lifting of restrictions on them because they had more

responsibilities than before and needed to be mobile.

The first decree to restore the rights of working women to drive was issued by the Minister of Justice and Attorney General Abdel Basit Sabdarat in September, followed by a more recent decree allowing women to drive private cars. "This is a great victory to us," said Ahaf Abdalla of the Sudanese Women General Union.

Abdalla also applauded a decision by government last year to lift restrictions on women travelling abroad.

Married Sudanese women can now travel freely without permission from their husbands or elder brothers. However, young girls are still required by law to seek the permission of their fathers or elder brothers when travelling abroad or to rural areas in the Sudan.

Despite government's decisions to dismantle anti-women laws in a piece-meal fashion, women here have complained that they still face a set of barriers erected by male officials.

"It took me over one month to get a driver's licence and wherever I drive, traffic police still stop me on the road even if I did not commit any traffic offence," said Sana Ahmed, a freelance journalist here.

She accused the police of harassing and discriminating against women, especially when it comes to traffic laws.

"They (the traffic police) told me last week that it was humiliating to them (men) to see women driving. It happened when a truck driver bashed my car which I parked on the shoulder of the road. Immediately the police said I was guilty and let off the truck driver without fines or punishments," she recalled.

"I think the traffic police refused to pay any attention to me because I'm a woman," she told IPS. Despite the humiliations, she ruled out giving up driving because, she said, her job is demanding.

Commenting on the women's complaints, Colonel Omer Wahaballa, who is in charge

of issuing driver's licence in Khartoum State, told journalists here that the lifting of restrictions only allow women to drive at daytime. They are not allowed to drive after midnight for their own safety and also to avoid harassment by male drivers on the road, he said.

Despite the lifting of the restrictions, Col Wahaballa said only 5,000 female compared to 700,000 male drivers have been registered in his department since 1996.

The issue of restricting women from driving began soon after independence in 1956, when women were not allowed to drive government cars, including female ministers who served in the past regimes. To go about their work, male drivers were appointed for them.

Women only enjoyed a brief honeymoon between 1969 and 1982 before the Nimeiri regime imposed the Sharia, effectively relegating them to the position of second class citizens in their own country.

The present government, led by Lt-Gen. Omar Hassan al Bashir, seems selective in dismantling anti-women laws in Sudan.

Turkey: Women Unite Against Sexual Assault In Custody

By Nadire Mater

ISTANBUL, Nov (IPS) - When the founders of Turkey's first group to offer legal assistance to victims of sexual assault in custody began their work, there was no way of knowing if the victims would come forward for help.

"For us, it was an established fact that a great number of women are faced with sexual harassment and rape during custody," says lawyer Eren Keskin of the Istanbul Bar Association, one of the founders. "For women to give testimony against their attackers is not usual here."

"In general, women (victims of rape) fear the reaction of their husbands, fathers and their families in general," adds Keskin's colleague Mercan Polat. "They fear being isolated from their immediate communities."

But in four months of work 31 women have braved the difficulties and dangers to seek assistance from the group.

Keskin was jailed in 1993 on charges of 'separatism', the catch-all charge widely used to silence critics of the conflict with Kurdish forces in its south-eastern territories. Though she had represented rape victims in court before, in jail she was meeting women coming straight from their ordeal.

"Almost every woman transferred to prison from detention centres repeated similar sexual harassment and rape stories," she recalled.

After her release, she joined fellow lawyers Polat and Nurcan Okcuoglu, and in cooperation with German human rights activist Jutta Hermans and the German charity Women's World Day of Prayer, set up the group.

"Our aim is to increase the judiciary's awareness of sexual harassment and further force specific legislation against sexual harassment and rape," Keskin said. "We aim to break the silence on sexual harassment during custody and publicly expose this open secret."

The problem is widespread and far greater than the group's own case load indicates. According to Turkey's Human Rights Association, in Istanbul in October alone, six out of the 394 women and 52 children detained in the city that month later reported sexual assault and one said she had been raped.

Turkish law does include provisions against rape and sexual harassment in custody, but they are hard to apply against police and prison officers. Some abuses have become routine. "It is already an established fact that it is already normal to strip search

detained women, a bizarre situation that is harassment in itself," she says.

"Harassed women face additional pressure when it comes to testify against their aggressors," says Polat. "Public discussion of sexual issues as they apply to women is still a widespread taboo." And, she adds, in the areas of the south-east now under 'emergency case' paramilitary law, the women are especially at risk when the accused are security forces and government-backed 'village guard' militiamen.

Of the 31 women who have sought help, four are ordinary criminals and the rest political prisoners. The group distributes printed forms to prisoners and their local lawyers.

Keskin cites the ordeal of a cleaner from Istanbul, detained in Istanbul's Bakirkoy district under suspicion of theft: "Blindfolded and handcuffed she was taken to an unknown place. She was subjected to electric shocks, her breasts were squeezed, a club was forced into her vagina."

The woman had recently given birth and was bleeding, but when she appealed for help the guards urinated on her. The victim is still in jail awaiting trial, her five-month-old baby jailed with her.

The group does not charge for their legal aid, but the problems make the process long and drawn out. The major problem involves gathering evidence. Charges generally rest on the victim and witnesses' testimony, as it is often all but impossible to get to a doctor who can confirm the assault.

"The victims' transfer to the forensic department is deliberately delayed by the police to obstruct the collection of evidence, says Keskin. Effective forensic tests for rape, especially tests for semen, need to be conducted within 24 hours to be reliable enough to be used as court evidence.

Other delays come in the courts. "Though we have laid charges in all 31 cases the prosecutors' office has yet to bring charges against a single one of the accused."

However, the group has been inspired by a recent verdict by the European Human Rights Court, which fined the Turkish government more than 38,000 dollars after a rape case in a gendarme station in the south-east province of Mardin four years ago.

In June 1993, a 17 year-old Kurdish girl, Sukran Aydin, was raped by paramilitary gendarmes after she was detained in Derik gendarme station as a suspected supporter of Kurdish guerrillas.

The local prosecutor refused to bring charges against the accused, then gendarme captain Musa Cital, so Aydin's lawyers sent the case to the European court in Strasbourg. The court assumed jurisdiction after deciding Aydin had no recourse to justice in Turkey in contravention of the European Convention on Human Rights.

Since the ruling, the local prosecutor has been forced to reopen charges against Cital, though proceedings are suspended while he is on active duty in Ankara. He did not appear before the court. The Strasbourg court also demanded prosecution of a second gendarme, Ali Kocan, who has not yet been put on trial.

"So far none of the attackers in our 31 separate cases have been prosecuted," says Keskin. "But we are optimistic. Sooner or later, they are going to be tried. Here or in the European Court."

The group also directs victims to psychological help. "In addition to the difficulties facing women who try to seek justice after rape, it also leaves other consequences," says psychiatrist Sahika Yuksel from Istanbul University, an expert on the issues of sexual harassment.

"The active prosecution of attackers and the state's admission of its own responsibilities, in addition to their deterrent effects, would also play a positive role in treating the victims," she told IPS.

"The example is Argentina. The state's admission of its own responsibility and willingness to offer compensation produced

a positive atmosphere for both patients and doctors. Unfortunately, here we lack this advantage."

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Pakistan: Veiling Women in Punjab

By Zafar Malik

ISLAMABAD, 22-Dec-97 (IPS) - The veil has once again come between Muslim fundamentalists and groups fighting for women's rights in Pakistan.

A recent ban on cultural activities in schools and colleges in the Punjab province demands that all girl students and their lady teachers wear the burqa (black shroud) or face punishment. "Teachers who did not observe veil would face official inquiry while students will face punishment," a notification said.

But simmering opposition is evident in a 'Letter to the Editor' of an English-language daily in which a teacher writes that she prefers losing her job to wearing the burqa.

The writer said she was prepared to wear a veil if Punjabi Chief Minister Shabaz Sharif first put the burqa on the wife of his brother and Prime Minister, Nawaz Sharif. "Bhabi Sahiba," charged the writer, "was recently seen roaming unveiled among the infidels of Edinburgh."

Another edict in Punjab last month, banned the entry of males in schools and colleges run exclusively for females and checks the playing of popular Indian film tunes at fairs arranged in school premises.

Opposition to the veil has come from the Human Rights Society of Pakistan whose Secretary General, prominent lady lawyer Naheeda Mahboob Elahi, told IPS "I am surprised that our government is behaving like the Taliban."

Elahi thought the order ran against constitutional provisions and opined that orders of this nature needed the concurrence of the federal government. "It seems that in the eyes of the provincial government, women are not equal citizens. Are we heading towards the Stone Age?"

The author of two books on women's rights in Islamic society, Anees Ahmed placed it nearer than that. "Islamic culture means life as lived in the 15th century. Different sects and schools of thought in Islam are hundred per cent agreed on this issue."

Ahmed who is also director-general of the Dahwa Academy, International Islamic University, Islamabad, defended the order as one meant "only to instruct female teachers and students to abide by the principles of 'Hijab'. As far as I understand, Hijab (veil) does not mean that you cover your face but it is only to cover the body carefully except face and hands."

Women's rights groups, however, see the issue as one concerning gender rather than religion. In a statement, the Joint Action Committee for Women's Rights said the ban went against the spirit of a nation celebrating the 50th anniversary of its creation on the basis of liberty, justice and equality for all.

Pakistan, the statement said, was bound by international human rights commitments. Moreover, the present government was not elected to power on a "theocratic platform", it said. The Committee also invoked the Koran to say that "there is no compulsion in religion."

But former Member of Parliament and functionary of the Tehreek-e-Islami (Islamic Movement) Aamera Ehsan thinks that the Joint Action Committee has no authority to explain the Koran and they are "ill-informed" on educational matters.

According to her, the veil is a symbol of a woman's faith (eeman) in Islam. Moreover, the veil, she said, would help check rising crime against women which is result of exposure of women in society. Ehsan was confident that, should the issue be put to a referendum, the majority of women in the

country would favour the veil because "it symbolised a woman's 'eeman'."

Besides, according to her the veil would help check rising crime against women which, she said, resulted from "the exposure of women in society."

The Joint Action Committee is not buying. There has been no consensus for over 14 centuries of debate among scholars of Islam on concepts such as Islamic culture, vulgarity, obscenity and immorality and they remain subjective value judgements, it said.

In fact, the Committee wanted to know whose definition of Islam is being sought to be imposed. "Ambiguity has always been used by the orthodoxy to curb women's rights rather than enhance them."

Ahmed, however, denied that there was any ambiguity. Condemning the Committee's attitude he said, "mini skirts are not our culture."

Pakistan's Constitution while emphasising that it is a religious rather than a secular state makes it clear that "all citizens are equal before law and are entitled to equal protection of law." During a period of Martial Law imposed by the late president Zia-ul-Haq orders were issued that women appearing on Pakistan television must veiled, prompting one popular comperere to quit.

The present federal government has preferred to sit this one out. Asked for her comments on the Punjab notification, Federal Minister for Women Development and Social Welfare, Begum Tahmeena Daultana said "I think we should discuss this issue some other time." (End/IPS/aphr/zm/rdr/an/97)

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Pakistan: Will no one ever learn from history?"

Dawn, August 30, 1998

The formula is a tried and tested one: when in grave trouble, mount the rooftops and in

front of a disbelieving world raise the banner of Islam. By tabling the Fifteenth Constitutional Amendment which seeks to make the Quran and Sunnah the supreme law of the country, Prime Minister Nawaz Sharif has set out on the same slippery road, oblivious of the fact that other Pakistani rulers, when beset by troubles which they could not handle, did the same but without obtaining what they had hoped to achieve. Are there not enough provisions in the Constitution which expressly forbid the passage of any law not in conformity with the Quran and Sunnah? Is not the stated aim of the Objectives Resolution, which has been made a substantive part of the Constitution, the establishment of a society based on the immortal principles of Islam? If this is so, why the need in this grave hour of crisis to push through another amendment which reiterates an intention which no one in Pakistan will deny or oppose? Who does not want a society based on the Islamic principles of justice and fair play? But how is such a society to be achieved? Through good governance and honest leadership, not through the mouthing of frothy slogans.

Speaking on the subject in the National Assembly, Mr Nawaz Sharif said: "The main purpose of the constitutional amendment is to ensure that the state performs its duties and roots out all social and legal ills." What prevents the state from performing its rightful duties and working for the welfare of the people? Not any legal lacunae but rather the short-sightedness and incapacity of its successive rulers. How will this amendment bestow capacity and competence where none exist? If wishes and commands alone could make a state just and prosperous, Pakistan today would be the envy of the world. It beats common understanding how, everything else remaining the same, another set of lofty wishes as enshrined in the Fifteenth Amendment will root out corruption and malpractices and overnight transform our administrative institutions, our police stations and our courts into shining temples of justice. Even before the dust settles on

this amendment, it is not too far-fetched to suppose that it will be seen for the diversionary move that it is.

But does the prime minister really think that at a time when doubts are mounting on all sides about the ability of his government to fully understand, let alone solve, the problems engulfing the country, the majority of the people will be gulled into believing that with the passage of the Fifteenth Amendment a golden era of justice and prosperity is round the corner? What the people are looking for is leadership and a sense of direction. They want to be told whether the economic hard times which are upon them will soon end or grow worse. They are sick and tired of maladministration and of the corruption and ostentatious ways of the governing and political classes. They are not looking for miracles because after fifty years they know from tearful experience that miracles are more easily promised than delivered. They just want a little improvement in their daily lives and they want to be freed from the tyranny and callousness of Pakistani officialdom. What they have been given instead is this amendment with its burden of yet more good and noble intentions.

But worse, the proposed law contains a highly negative and potentially harmful element. For enforcing what in the government's opinion is Shariah, it will give the government the authority to issue directives whose scope has been left undefined. Since it is rare to find the leaders of any two denominations or schools of thought agreeing on the provisions of the Shariah, what codified law will the government be enforcing and implementing? To add to the confusion, the proposed law states that its provisions will take effect "notwithstanding anything contained in the Constitution, any law or judgment of any court." With the government empowered to decide what is allowed in Islam and what is forbidden, and with the courts not allowed to interfere with the enforcement of the government's interpretation of Islam, is not the way opened for making the higher judiciary

largely irrelevant? Furthermore, the proposed law stipulates that future constitutional amendments aimed at removing impediments in the way of enforcing Islamic law may be passed by a simple rather than a two-thirds majority of both houses of parliament. What is the purpose of thus mangling the Constitution?

Gimmicks never saved a Pakistani government before and they are not going to come to Mr Nawaz Sharif's rescue either. He should concentrate on putting his own house in order, on getting a grip on events and setting a direction for his government. It cannot be stressed enough that the people of Pakistan are yearning for clear, honest and decisive leadership. There can be no greater injustice with them than to suppose that, as so often in the past, they can be fobbed off with another blatant attempt at insulting their intelligence.

Pakistan: Law Commission declares 'Haq Mehr' enforceable

Islamabad: The Pakistan Law Commission (PLC) on Saturday declared that under country's family laws, the courts in Pakistan were bound to enforce the right of a Muslim bride to the property, mentioned in the marriage certificate as her haq mehr (dower money).

The PLC released an eight-page document on country's Muslim family laws, 1961, launching its nationwide public awareness campaign at the grassroots level to educate people about their legal rights. This is to implement a decision of the commission taken in a meeting, in February last, which was chaired by Chief Justice Ajmal Mian. The document, besides clarifying apprehensions about the rights of Muslim women in an Islamic society, would help them know and assert their basic rights, and contribute as an active member of Pakistani society.

"The conditions mentioned in the marriage certificate (property and other rights granted

to bride) enjoy legal protection and in case of reluctance (of the in-laws of bride) to fulfill these conditions, agreed in the marriage certificate, the same can be enforced through the courts of law," said the document. The PLC will disseminate this document throughout the country with the help of national print and electronic media. The document further made it clear that besides the right to property, a Pakistani Muslim woman could also exercise her right to divorce, if her husband, in the marriage certificate, gave the same to her. This was in addition to her right to maintenance allowance, haq mehr in cash, etc. "The 'nikkah nama'-[marriage certificate] is an extremely important document", the PLC said.

Another aspect of the family laws in Pakistan, stated in the document is that while a husband could divorce his wife under certain conditions, the wife could also divorce her husband, if she was expressly delegated such a right at the time of marriage in the marriage certificate. Normally in Pakistan, most of the columns in the marriage certificates are left unfilled and even struck off, depriving the women of their right to divorce.

According to the document a wife, who has not been given a right to divorce her husband, could always approach the court for dissolution of marriage. The wife is not bound to state a reason for seeking dissolution of marriage. But if she had been delegated the right to divorce at the time of marriage, then she could divorce her husband even without going to the court of law, at any time.

According to the document, the wife could seek dissolution of marriage on the grounds: (1) The whereabouts of the husband could not be known for more than four years. (2) The husband fails to give monthly maintenance allowance for more than two years. (3) The husband has married to another woman without consent of the first wife. (4) The husband has been sentenced to jail for more than seven years. (5) The husband is impotent and continues to be so. (6) He is insane, suffering from

leprosy or other contagious disease. (7) He forces her wife to un-social or unnatural behavior. (8) He uses wife's property without her consent.

Source: September 06, 1998, *The News International Pakistan*

Sri Lanka: Demand for amendment of marriage laws [...]

*by Sugeeswara Senadhira
India Abroad News Service*

Colombo, Jan. 13 [1998] - A Sri Lankan Supreme Court verdict declaring unlawful second marriages of men embracing Islam just to gain religious sanction for bigamy has rekindled a demand for amendment of existing marriage laws.

In what has been hailed as a historic judgement last month, the apex court said a married non-Muslim could not convert to Islam and marry another woman unless he had divorced his first wife. The court ruled that the petitioner, Neville Abeysondera, a Christian, had committed bigamy by marrying for the second time under Muslim marriage laws when his first wife was living. The court sentenced him to a jail term.

"It is a landmark judgement which will halt conversions of convenience to Islam by non-Muslims who wish to marry a second time without obtaining a divorce from their first wives," Dr. Gamini Iriyagolla, a leading Sinhala Buddhist activist and attorney, said.

Abeysondera had converted to Islam after he failed to get a divorce from his first wife Manel Abeysondera, whom he had married in a church in 1958. Manel had refused to grant Abeysondera a divorce as she wanted to prevent him from marrying his girlfriend Chitra Edirisinghe. When the divorce was refused, both Abeysondera and Chitra, also a non-Muslim, converted to Islam and married in 1985.

"We have to amend the marriage laws now," a leading attorney, Jayatissa de Costa,

said. "If Muslim countries like Turkey can adopt a 'one-man, one marriage at a time' law, why can't we adopt a similar system for Muslims too?" he asked.

"In the light of the judgement on the second marriage of those who converted to Islam, the society and the government should think of far reaching amendments," Attorney Costa said.

Conversions like Abeysondera's were common in Sri Lanka and many Buddhists and Christians had converted to Islam to legally wed for the second time. A former minister, a leading figure in the current Parliament, a High Commissioner in a neighbouring country and a governor of a provincial council - all originally non-Muslims - are among the thousands who have married for the second time under Islamic laws.

In fact, in 1964, before Sri Lanka became a republic, the Privy Council decided a second marriage of a non-Muslim under Islam law was valid. In the opinion of the Privy Council judges in connection with a case that came up before them, in a country of many races, creeds and marriage laws such as Ceylon (Sri Lanka), its inhabitants had the right to change their religion and personal law and practise polygamy if such an institution was recognised by the laws of the country notwithstanding an earlier marriage under a different law.

However, the Privy Council had in that case proceeded on the basis of an express admission by the Attorney General that the petitioner's conversion to the Muslim faith was genuine. In Abeysondera's case, the genuineness of his conversion had been successfully challenged from the outset.

The recent verdict will have no effect on the existing Muslim marriage laws and Kandyan marriage laws. Under the traditional Sinhala marriage law, which is incorporated in the Marriage Registration Ordinance as the Kandyan Marriage and Divorce Act, one ground for divorce is "inability to live happily together, of which

one year's separation from bed and board is the test."

Attorney de Costa said every citizen must abide by a law which specifies that a marriage is legal until the death of a spouse or a divorce after seven years' separation.

In 1995, the government had proposed amending the Marriage Registration Ordinance (the general law) and the Kandyan Marriage and Divorce Act. The bill sought to introduce the concept of "irretrievable breakdown" of marriage which would allow either spouse to sue for divorce irrespective of "fault" where the marriage has broken down beyond repair.

Although the proposed amendment bill was gazetted in Parliament, the government did not proceed with it because of criticism levelled against it from various quarters including women's organisations. -

India Abroad News Service

Ivory Coast: Girls Forced Into A Bond of Tyranny

Stephen Buckley in Korhogo, Ivory Coast, reports on the plight of children made brides against their will

The griots are wailing. They howl into a squealing microphone as fellow storytellers, in a storm of sunflower golds and indigos and teals and cornflower blues, dip, leap, shake, stomp, twirl and shudder in fierce, ecstatic dancing. It is just after noon, and inside, in a steamy square room no larger than a prison cell, Aisha Camara is covered in a pink-and-white striped blanket. She briefly lifts a veil that hides her angular features. The griots and her neighbors are celebrating her wedding day, but she is not smiling. She is 14 years old, and in this town in northern Ivory Coast, and throughout sub-Saharan Africa, such ceremonies are common. It does not matter that in numerous countries on this continent, such early marriages have been illegal for years. Aisha's family will not

publicly discuss this tradition, but people in her community eagerly defend it. People such as Boubacar Maiga, a neighbor, say forcing girls to marry at such ages protects them from immorality, strengthens clan relationships and honors Islam. "If a girl doesn't marry at an early age, she'll sleep with many men. Nobody would want to marry her later," said Maiga, 55. Such marriages, he said, keep girls from "adventures". He married his first wife when she was 11. He forced his oldest daughter to marry last year when she was 12. His next daughter, age 7, is scheduled to wed this year. Constance Yai, a prominent women's rights activist in this West African country, sees only tyranny in the tradition. Her battle to eradicate childhood marriage is, for her, a struggle between an oppressive Africa tied blindly to traditions, and one urgently seeking to embrace the modern world. "Pedophilia is a phrase that's only recently become popular in the developed world," she said in her office in Abidjan, Ivory Coast's capital. "But in Africa, it's been around a long time." The practice of forcing girls into marriage took hold decades ago throughout sub-Saharan Africa and is especially widespread in countries there with large Muslim populations. The marriages typically occur within clans, the girl compelled to wed a distant relative -- often two or three times her age -- who sometimes has chosen her long before puberty. Experts on Islamic law say the Koran teaches that a girl can be married as soon as she can conceive, but they say the religion does not condone forcing girls into wedlock. Sociologists and teachers of Islamic law say that West African Muslims have accepted the tradition because it ostensibly promotes social stability, cementing ties between clans and preventing promiscuity. Activists and medical professionals say pre-adolescent marriage is partly responsible for Africa's maternal mortality rates, among the highest in the world. Yai says it is not unusual for both mother and child to die during birth. "Often the girls are pulled from school and forced to drop their education and become a wife overnight. These young women

cannot turn to anyone to say no or to seek help," Yai said. The real reason the practice has prevailed is that families often receive hundreds, even thousands of dollars as dowry, she said. But the practice has come under increasing assault since 1996, when Fanta Keita, then 12, killed her 30-year-old husband. Fanta has a heart-shaped face, a simple, sweet smile, bright, almond-shaped eyes and a tiny voice. You cannot imagine her slitting someone's throat. But that is what she did. She killed her husband of three weeks, was arrested the next day and, largely because of Yai's Ivorian Association for the Defense of Women, almost immediately became a cause. Fanta's parents had forced her to marry a distant cousin she had never heard of. Fanta and her husband lived together in Abidjan. Every night, she said, he raped and beat her. Finally, on one night, she slipped into the kitchen and -- she put her head on the table, covering up with her arms as she said this -- "I took the knife and I cut him." The police held her in the Abidjan prison for nearly a year before women's rights groups prevailed on President Henri Konan Bedie to free her, at least until her trial. Fanta's case has galvanized women's rights activists to press the government to publicize a 30-year-old law that outlaws early and forced marriage. "We have to let these young girls know they have the right to refuse this type of practice," said Yai. Recently another campaign was staged to let police know that "when a young girl comes to the police, they must help her instead of saying, 'That's a family problem.'" Maiga had not heard of Fanta Keita until recently. He does not hold much sympathy for her. "In Islam, when the girl is married, her husband is just under God," he said. "You should obey him, no matter what." Maiga defends early marriage without shame or self-consciousness. In an ideal world, a woman would not be married until 18, he says, but we do not live in an ideal world. It is a world in which girls chase boys, have sex, produce babies, shame families, he said. "Your neighbors won't respect you," he said. "They will say I failed to fulfill my duties as a father." He said

Azara, his daughter who married last year at age 12, frequently would leave the house and return hours later, and he would not know where she had been. Once he tied her up, burned her back with a piece of iron, then locked her in a room for three days without food. He laughed as he told this story; so did the men nearby. He never sent Azara to school because if girls went to "modern" school, they might meet people who would drive them from their traditions. Educated girls "argue with their parents. They start asking questions. They want to have a say in everything in their life", he said. And educated girls do not want to marry until they are "19 or 20". As soon as he married off Azara, "I got peace of mind," Maiga said. "She was no longer my problem." She became Ibrahim Haidara's "problem". Haidara, 41, has known Maiga for years, and he first saw Azara at Maiga's house. He says he picked her to be his bride when she was 6 years old. Haidara, a fisherman and farmer, is an educated man who speaks fluent French and gives instruction in the Koran. Asked about the case of Fanta Keita, he said her husband "deserved what he got". Yet he defended the tradition that Fanta struck out against. He said marrying a 12-year-old is fine because "it's the parents" -- both the man's and the girl's -- who make the decision. Back in Maiga's neighborhood, the dancing and singing have stopped. About 50 men sit in the Camara family compound shortly after 4pm, ready to seal the marriage officially. There will be no exchange of vows; the husband, 36, is not even there. He is waiting for Aisha at his house a half-mile away. The husband's family has brought dresses, fabric, shoes and other things, wrapped in royal blue cloth. His family offers a symbolic bride price (less than \$100). Then, the ceremony over, the families exchange cola nuts and candies. Dozens of women march into and out of the house, as Aisha remains wrapped in her pink-and-white blanket and veil. Teenage friends and young women sit on the floor around her in the tiny dim room. Darkness envelops the sky, and hundreds of women are crushed into the Camaras' courtyard.

An elderly woman escorts Aisha out of the room, down stairs and outside. A blue-and-white covering and the veil hide the girl's face. Aisha, barefoot, sits on a stool, and the older woman dips a cloth into a gourd and wipes Aisha's face. Then the woman meticulously scrubs the girl's arms and legs. Women sing and chant and clap. The crowd closes in until the circle around Aisha is suffocatingly tight. Heat rises off skin. A few minutes later, the older woman lifts Aisha off the stool, and a knot of a half-dozen women shuffle the girl back into the house. The wedding is over. Thirty minutes later, as guests begin to leave, everyone is told that Aisha is still inside when she is actually sitting down in front of the Camaras' home, head stooped and still covered, waiting to be taken to her husband's house. She is there 10, 15 minutes. No one seems to notice. Then a white Peugeot arrives, scoops her up and drives her into the darkness.

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Bangladesh: Growing cases of women repression: PM urged to intervene

By Staff Correspondent

[The Daily Star (Dhaka) January 28, 1998]

The Sammilito Nari Samaj, a forum of woman's organisations, has sought the Prime Minister's intervention in arresting the growing incidents of repression on women in the country.

"Today the happiness of Eid fades away with increasing reports of repression on women in the country," said Dr Naila Khan while reading out the forum's appeal to the PM at a press conference at the Jatiya Press Club yesterday.

Nari Samaj, in its statement, expressed anger and concern over the way the cases of repression on women are conducted. "This has become a farce".

The statement said the government has taken initiative to remove discrimination in the Woman and Child Repression Act 1995. "But by adding terrorism related crime to the proposed amendment, the Act has been made complicated." Nari Samaj submitted a 13-point recommendation to the Speaker on January 22 to ensure a proper trial for repression on women.

"We thought the immense public opinion which was created following the Yasmin and Shima murder cases would ensure punishment for the offenders. But we are absolutely frustrated by the judicial verdict on those cases," the statement said.

"The very instance of the doctor who gave false medical report, the SP who tried to suppress facts and the others of the administration being acquitted in Yasmin murder case, does not reflect proper justice," it added.

The forum expressed its fear at the way the government was handling the whole situation. "After the verdict on Yasmin murder case on 30 August, 1997 there should have been an appeal within 90 days. We have tried, on numerous occasions, to see the Attorney General to discuss the matter but he declined to give

us time." Nari Samaj quoted reports compiled by the Ain-o-Salis Kendra, an NGO, and said in 1996 some 262 women were subjected to rape and torture while in 1997 the number rose to 753. Some 262 women were raped and 255 were gang raped. The members of the law enforcing agencies raped nine women and attempted to rape five. Some 62 women were killed in rape-related incidents and three women committed suicide after they were raped. Against the 753 incidents of rape, 460 cases were filed.

The organisation appealed to all the political parties to sink differences and unite to fight repression on women.

"We are directly appealing to the Prime Minister. We want to see the government's political pledge reflect in their work," the statement said.

Present at the press conference, among others, were Shaheen Anam, Shireen Akhtar, Farida Akhtar, Maleka Begum, Dr Naila Khan, Khaleda Khatun, Shima Das and Natasha Ahmed.

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Declarations and Petitions

Pakistan: Citizens groups oppose the 15th Amendment in Pakistan

1.) Women's Action Forum 28/08/98

Women's Action Forum expresses deep dismay at the proposed 15th amendment to the Constitution Bill which erodes the democratic norms that lie at the heart of all civilised societies. Since 1977 Pakistan has witnessed a series of so called Islamisation measures that have intrinsically and seriously eroded the concepts of democracy and human rights. In particular such measures specifically undermine the rights of women, minorities and other marginalised sections of society. The use of religion as a short cut for legitimising political power and agendas has fragmented society and led to intolerance, sectarian divisions, and extreme violence.

If passed the new bill will further destroy the basis of the constitution by making constitutional amendments possible wholly according to a ruling party's concept of what is right and what is wrong under the pretext of Islam. The bill proposes that a constitutional amendment be possible by simple majority instead of the two thirds currently required by the constitution which will weaken the process of democratic checks.

The 15th amendment bill is a recipe for social and political disaster. WAF urges political parties not to let this move succeed. WAF especially calls upon nationalist progressive forces all over Pakistan to play their role to prevent the dishonest Punjabi leadership from injuring the interests of the whole country and to seriously address the severe crises facing the nation.

2.) Joint Action Committee [for Peoples Rights, Lahore]

28/08/98

The organisations of Pakistan's civil society that have signed the present statement express their shock and anger at the Constitution (15th Amendment) bill introduced in parliament on Friday 28th August 1998.

The proposed measure is the most blatant and shameful attempt to date to exploit religion for petty political gain. Proceeding from a subjective and distorted interpretation of Islam the Bill seeks to destroy the Constitutional basis of the state and divert the people from a democratic creed bequeathed by the state's founding fathers and which the people have consistently upheld during repeated struggles against dictatorship and autocracy.

We, the undersigned, are convinced that if the proposed amendment is adopted it will irretrievably harm the interests of the states and society, especially of women, working people and minorities. While it is obvious that the government has adopted the present course to hide its incapacity to address the crisis facing the state, the dangers in buying time by appeasing the obscurantists seem to have been ignored. We have no doubt that this attempt to gloss over the people's frustration with directionless politics and mounting economic pressures will impose on the already greatly undermined federal system, strains it may not be able to bear.

In plain words, the present bill threatens the very existence of the state.

The signatories have no quarrel with people's religious beliefs. Indeed every Pakistan should be free to follow her/his own belief and no state or government has the right to lay down what is right and what is wrong. The present situation demands

what politicians give up the political abuse of religion and belief.

We therefore call upon all patriotic Pakistanis, especially those who claim to sit in assemblies as our representatives, to forge a united front to defeat the proposed measure. Indecision or silence at this moment could prove to be more disastrous than any earlier acquiescence.

Shirkat Gah
SAP
PATTAN
The Labour Party
DCHD
PILER
PIPFPD
WAF
National Commission for Justice
and Peace
ASR/IWSL
AGHS
SAVERA
Working Women's Organisation
CLAAS
ACAAR
HRCP

Statement From Joint Action Committee Islamabad (a Citizen's Group in Pakistan)

We, as representatives of civil society organisations and concerned citizens, express our grave alarm at the recent introduction of the Fifteenth Constitutional Amendment Bill in the National Assembly by the Federal Government. The Bill, despite declarations to the contrary, has nothing to do with making Pakistan an Islamic state, since there are already sufficient existing Islamic provisions in the Constitution. However, it does have very dangerous implications for the citizens of Pakistan.

The Constitution is the basic law of the country, establishing the governance structure of Pakistan and enshrining the fundamental rights and freedoms of its citizens. As the most important document

of state, changes to the Constitution have always been treated with great seriousness, requiring substantial debate and consensus. This is why amendments to the Constitution can currently only be made through a two-thirds majority of the total membership of each House of Parliament, the National Assembly and the Senate, in separate sittings. Moreover, under a system of parliamentary democracy, the power to legislate only lies with Parliament, which is considered sovereign. And the ultimate authority to finally decide on all crucial issues and disputes lies with the superior judiciary.

What, then, is the Fifteenth Amendment Constitutional Amendment Bill trying to do to these Constitutional provisions? Under the Bill:

1. Constitutional amendments will be passed with only a simple majority of the members present in the Houses, rather than two-thirds of the total membership. Since the quorum for these Houses is one-fourth of the total membership, just a simple majority out of one-fourth of the members could make any change in the Constitution.

In the National Assembly, this would merely require the assent of about just 28 members out of a quorum of about 54: in the Senate, just about 12 out of a quorum of 22. This totally undermines the sanctity of the Constitution, which was created through unanimous vote in Parliament, and makes a mockery of the concept of constitutional rule.

2. If an amendment is passed by one House, but rejected by the other, it can be passed by a simple majority of members present in a joint sitting of both Houses. Thus, for example, a government which enjoys substantial strength in the National Assembly, can bulldoze an amendment through a joint sitting, even if it has been rejected by the Senate. Since it is the Senate which is representative of the provinces, this bill totally demolishes the crucial role of the Provinces in constitution-making.
3. The Federal Government will have the final authority to interpret Islam and the total

power to issue directives in this behalf. These Federal directives will override the legislative authority of Parliament and the Provincial Assemblies, as well as existing laws.

This destroys the institution of the legislature and violates the principle of federalism on which Pakistan is based. 4. The Federal directives will override the Constitution, thus making the Federal Government a supra-constitutional body. 5. The Federal directives will also override judgements of any courts in the land, thus destroying the institution of the judiciary. 6. The Federal Government will also have powers to take individual action against any state functionary for non-compliance with its actions. This will ensure that every state functionary will become totally subservient to the Federal Government and unable to ever act according to conscience.

7. There will be different laws and/or directives for different sects, affecting all aspects of life. This will result in increased sectarianism in our society and religious discrimination by the government against Muslims of different sects and non-Muslims. 8. The Federal Government will have the power to enforce Shariah and promote amr bil ma'roof and nahi anil munkar (to prescribe what is right and forbid what is wrong). This will give them the absolute power to interpret Islam according to their own dictates and permit them to further erode the status and rights of women and non-Muslim citizens of Pakistan.

So what is the purpose of the Bill. Is it about Islam or is it about absolute dictatorship? Is it about safe-guarding the rights of the citizens and their Constitution, or is it about destroying our legislature, courts, and institutions? Is this Bill about promoting provincial autonomy or is it about concentrating total power in the centre? Will it eliminate corruption, bribery and maladministration or will it only increase these? Will it promote supremacy of law and justice or the supremacy of individual rule? Is this yet another bid to accumulate power by our politicians in the name of Islam?

Whenever governments become ineffective in the face of severe crises, they try to divert attention from real issues and stifle dissent. In the past such 'Islamisation' moves have led to the erosion of the rights of women and non-Muslims and an increase in sectarianism. We believe that this Bill will destroy our Constitution, our key institutions and the federation of Pakistan. We call upon the people of Pakistan to join us in opposing the 15th Amendment to protect our federation, our institutions, our rights and our freedom. We also call upon everyone to reject any referendum by the Federal Government on this issue.

On behalf of Joint Action Committee Islamabad

Algeria: Petition in solidarity with Algerian women

Wed, 4 Mar 1998

The ongoing conflict in Algeria violates the Human Rights of Algerian women and girls on a daily basis. They are subjected to the same atrocities as the rest of the population (bomb attacks, beheadings,...). Moreover, Algerian women are raped, kidnaped and held in sexual slavery. Their bodies are mutilated, their breasts are cut off and their fetuses torn from their wombs.

We call upon all nations, governments and NGOs to join us:

- Condemning the armed groups which have publically claimed responsibility for these crimes.
- Supporting the resistance of Algerian civil society and the daily struggle of millions of Algerian women for life, democracy, equality and peace.

We commit to carrying out actions of solidarity in our respective countries with Algerian women.

Names
Organizations
Addresses
Signatures

Organisations and Projects

International Network on Women, Health and Work

The creation of Higea, Women's Health and Work Network/Higea, Red de Salud y Trabajo de Mujeres was one of the major accomplishments at the International congress "Women, Work, and Health" organized by the Centro de Analisis y Programas Sanitarios (CAPS, Health Programs and Analysis Center) and held in Barcelona, April 1996. This new network hopes to encourage an exchange of experiences and current research on women, work and health. A membership form is being distributed internationally to create a directory of participating professionals and researchers.

A data base of research presently underway on women, work and health is now being compiled and will shortly be available for consultation. Both Higea and the international database will be located in the Programa Dona, Salut i Qualitat de Vida at CAPS.

Also, the consensus document from the CAPS Congress at Barcelona has recently been published. The preamble presents several proposals, including: 1. Introduce gender perspective in research on men and women's general health problems and, in particular, in the area of occupational health, in the creation of indicators, measuring instruments, and in courses on research methodology, especially in the universities, but also in health workers training; 2. Eliminate all forms of negative discrimination and violence based on gender in hiring practices as well as health service. Value and make visible all work carried out by women and men. Change work conditions and organization of time in response to human needs; 3. Create individual, social and legal resources to strengthen women's personal autonomy and quality of life.

- For more information, contact:

Carme Valls Llobet, Director, Programa Salut i Qualitat de Vida, Paris 150-E, 08036 Barcelona, Spain; tel./fax: (34-3) 322 6554

Bangladesh: Nari Uddug Kendra (NUK) (Centre for Women's Initiative')

Nari Uddug Kendra (Centre for Womens' Initiatives) is a non government womens' development support organization, initiated and directed by a group of young women activists having long working experience in mobilizing rural women in development process.

NUK established in June 1991 with the spirit of Promoting womens' human rights and gender equalities in development through inducting development education, training and operational planning in the specialized area of gender equity in all the development sectors. The focus of the organization is to establish womens' human rights based on an increased awareness and on concerns for womens' suffering from violence and insecurity, dowry, extreme vulnerability to poverty and from all sorts of discrimination and overall marginalization in development process.

The development intervention of NUK concentrates in efforts to ensure genuine integration of women along with men into social leadership, access and control over family and public resources, development objectives and policy formulation. The NUK programmes offer

human rights and gender relations analysis as an essential mechanism to set the ideological goals of integration women as active agents and participants on equal terms with men in development projects and in the society in general.

Aims and objectives

The mission statement of NUK is to promote women's human rights and personal empowerment of rural women in particular and of women in all walks in Bangladesh. To attain its goals NUK has the following sets of objectives :

- to develop and strengthen local womens[NGOs gender and organizational management capacity and to facilitate networking among themselves ;
- to support local development NGOs in order to strengthen their women's programs to effectively deal with women's human rights issues;
- to provide consultancy services to various development partners inorder to develop more gender and human right focused approaches into existing and future policy planning and strategic intervention;
- to coordinate and supplements GOB WID policy in action;
- to adopt gender and human rights intervention in different development consituencies by suggesting appropriate means and facilities to promote womens' empowerment in various levels
- to produce and disseminate informational documents relevant to womens' issues in development;
- to establish linkages and networking with other organizations working on similar issues.

NUK's intervention role

The main contribution that NUK intends to make is to mobilize women as bath beneficiaries and as agents of change and policy advocacy. Lobbying and networking between GO-NGOs and Private Sectors targeted women towards development, is an important part of NUK's intervention role.

To achieve its commitments NUK developed its institutional character as a support institute. As such NUKs Working Strategy is to build up a partnership programme to support rural based organizations targeting women as development clients. NUK acts in developing their conceptual and human skills to address and ensure women's human rights and gender equality in all the spheres of life. Since its inception, NUK started to facilitate network building among grass root development partners concerned and committed to work for women's causes. NUK also includes the formulation of alternative and creative means and models for mainstreaming women in development with the aim of wider replication and policy advocacy.

Programme activities

I. Garment working womens' development project:

- Residential hostel for shelter.
- Night school for Basic Primary Education.
- Training on women's rights and labour laws.
- Legal aids and counselling.
- Day care service for working mother's children.
- Worker's Health Care services within the factories.

II. Female education extension support project:

- Basic data collection on gender disparity in education.
- Conventions, Workshops and Seminars in female education and development.
- Training on Gender and Human Right for school girls.

- Workshops on gender disparity in education for teachers and management committee members.
- Skill training and credit support for school girls self-help employment.
- Scholarships for examination and admission fees.
- Hostels for rural female migrant students in the city.
- Legal Counselling for empowering girls to resist violence.

III. Local women's ngos institutional capacity building & networking :

- Training on :
Development orientation and organizational management Gender and Human Rights.
Credit and Employment Project Management.
Gender and Reproductive Health.
- Women's NGOs Forum building.
- Credit support.
- Sales outlets for women's NOGs products.
- Publication of Women's NGOs Directory.
- Documentation on Women's Organizational Activities.
- Annual Women's NGOs convention.

IV. Training and consultancy - gender and development:

- Briefing session.
- Orientation course.
- TOT.
- Research, Evaluation and Monitoring.
- Programme review and Gender Planning.
- Inventory Study.
- Gender Trainer's Forum.

V. Research, documentation and publication:

- Carrying out issue based research and publication.
- Printing Materials on women's issue.
- Publish books, posters and other information document.

[...]

Contact address:

Ms. Mashuda Khatun Shefali

Executive Director

Nari Uddug Kendra (NUK)

22/18, Khiljee Road, Block-B

Mohammadour, Dhaka-1207

Bangladesh

Tel : 880-2-9110088

Fax : 880-2-813095

Moroccan Women's Democratic Association

M.W.D.A. is an autonomous non-profit NGO, which was created on 1 June 1985 in Casablanca. It is open to all women who share our ideals of equality, democracy and commitment to human rights. M.W.D.A. seeks to be a framework of reflection, action, and education, with a view to promoting the status, condition and image of women. It is present and active in several regions in Morocco. Its headquarters are in Rabat.

Our objectives?

- Eliminate all forms of discrimination against women

- Establish effective equality between men and women in the fields of civil, political, social and economic rights.

Our target population?

Being fully aware that equality is a challenge for all members of society, we however focus our action on women with a view to further engaging them in defending their gains, extending and consolidating their rights. We also seek to sensitize the civil society, decision-makers, educators, media people, men and women of law, artists, etc...

Our areas of intervention?

We try to be committed and implicated in anything that may promote women's rights in the areas of laws, customs and mentalities, such as:

- Reform the legal status of women and any discriminatory law toward equality of rights between men and women.
- Promote full participation of women to responsibilities in public and private sectors and decision-making spheres.
- Fight violence against women and protect them against all forms of violence whatever the place where such violence is perpetrated against them.
- Cancel all reservations raised by the Government on the Copenhagen Convention and seek to implement it as well as other international conventions on women's rights.
- Eliminate all forms of discrimination against young girls.
- Promote a positive image of women's roles within our society.
- Defend women's health and inform them on sexually transmitted diseases and on non-desired pregnancies.
- Train women on how to effectively manage environment.
- Strengthen solidarity among women and encourage the rise of a strong plural women's movement.

Our major activities?

- Fora and conferences:
 - Women in the educational system (1991)
 - The Nairobi strategy in the Maghreb (1991)
 - Moroccan women and politics (1992)
 - Women's Forum for Democracy (1993)
- The couple and money (1993)
- Women and violence (1994)
- Amendment of women's legal status (1994)
- Spring University on Women's rights (1995)
- Information, medical and juridical assistance, eradication of illiteracy, and income-generating activities for women.

Our publications:

- Women's rights in the Maghreb between the specific and the universal (1993)
- Women and education (2 volumes 93-94)
- The couple and money (in progress)
- Spring of Women's rights (in progress)

ADFM

Ensemble, pour l'égalité et la dignité

63 Zankat Cadi Ayyad, Diour Jamaa

Rabat B. P. 3011 Rabat Massira • Maroc

Tél / Fax (212-7) 73 71 65

Pakistan Women Lawyers' Association (PAWLA)

Pakistan Women Lawyer's Association

Head Office: Legal Aid Centre
Room No. 710, 7th floor, Kashif Centre
Shahrah-e-Faisal, Karachi, Pakistan.
Ph: (92-21) 518 796

Purpose:

The Association fulfils the burning need of women in Pakistan, it combats discriminatory and derogatory laws, renders legal aid, creates legal awareness and works as a pressure group for law-reforms.

Forum:

PAWLA is the first nation-wide non-governmental Association which operates throughout the country on non-profit basis to render legal service to needy women. PAWLA is dedicated to the cause of equality, development and justice for women and children.

Membership:

Women in the legal profession, women lawyers, women law graduates and women law students, may become members of the Association.

Projects:

PAWLA legal aid services:

PAWLA provides Legal Aid Services throughout the country to the poor, destitute, battered women as well as to needy women and women under-trial in jails. The modus operandi is that a lady lawyer is available for consultation and advice at the centres. Women who approach the center are required to fill in a form stating the problem and pay Rs. 10/ as registration fees. Where a case is to be filed in Court, it is put before senior members of the Executive Committee for consideration and appropriate legal action is recommended. A case may be taken-up completely free for very poor women or a small legal fee is charged from women who can afford to pay. Expenses are borne by litigants where-ever possible. In cases of destitute women the PAWLA bears the expenses.

The Centre has dealt with several hundred cases of needy women.

Mediation:

PAWLA has done remarkable work for women by mediation and thus saved many homes from breaking. Mediation works out effectively in family and civil matters. A good mediator can get the matter settled by counselling the disputing parties. PAWLA has performed excellent services in this manner.

Expanding legal aid to outreach areas:

The PAWLA has extended the Legal Aid Services to outlying areas of Karachi through a Mobile Unit. Legal Aid Centres have been set-up in co-operation with other organisations. PAWLA provides the services of a woman lawyer once a week, who visits the offices/projects of co-operating women NGO's and jointly Legal Aid Services are extended to several distant places.

Women in jail:

PAWLA has conducted surveys of women in jails. Women are in jail, mostly under Hudood (adultery) Laws. Besides women are in jail who were used as carriers in drug cases and women from neighbouring countries are in jail because they have travelled under fake documents to Pakistan along with their agent and at times used for flesh-trade.

Unfortunately, children are also kept in jail for no-offence committed by them but because of their mother being there.

Women Lawyers from the Legal Aid Center defend cases of under trial women prisoners, often charged under the Zina (adultery/fornication) Ordinance. Where possible bail is arranged. Several cases against accused women have been dismissed with orders in their favour. In one case a woman convicted of murder was acquitted by the Supreme Court on an appeal by the Legal Aid Centre.

Legal awareness:

Literacy rate among women is very low and legal literacy is practically non-existent even among literate women. To combat this and to reach the out reach areas, PAWLA has a Mobile Van which is equipped with T. V. and VCR. The films produced by the Association are shown to groups of women to impart knowledge about legal rights and responsibilities and to create an awareness that women are full and equal human beings.

Seminars follow the film. These successfully bring forth participation. A law officer accompanies the Mobile Van to give legal advice to the women of the areas. Several institutions, associations and the local government co-operate for this purpose. Films are shown to several groups of women every day, even at the public parks on special days reserved for women.

Public interest litigation

The Association along with other women's organisations has filed a petition in the Supreme Court of Pakistan under article 185 of the Constitution of the Islamic Republic of Pakistan 1973. The petition challenges provisions of certain laws including the Hudood Ordinance of 1979, the Qanoon-e-Shahadat (Law of Evidence) Order 1984, the Pakistan Citizenship Act 1951, as being discriminatory against women and liable to be declared void as it violates the fundamental rights of dignity and equality before law and non-discrimination on the basis of sex, which are guaranteed to women under the Pakistan Constitution. The Zina (adultery and fornication) Ordinance was challenged before the Federal Shariat Court as un-Islamic. The contention was that Zina cannot be proved without the requisite Quranic four witnesses. The Shariat Court accepted the contentions but did not give the relief prayed for. Therefore, an appeal has been filed before the Supreme Court Shariat Bench.

PAWLA has met the requests of other NGO's by handling cases for them and for creating Trusts and Foundations. PAWLA has participated in action for Environmental Issues and drafted Petitions for filing before the Supreme Court of Pakistan against pollution, unclean water and bad sewerage systems.

Law reforms

The Association acts as a pressure group for Legal Reforms affecting women. It has studied various laws including family laws, the Zina Ordinance and made recommendations for reforms. A comprehensive research has been conducted of cases filed in courts by deserted women seeking maintenance for themselves and their families. The results show that there is a great need for reforms in laws and procedures to ensure effectively the redress necessary?. The PAWLA worked for changes in the proposed Shariat Bill by canvassing with the members of Parliament and met with limited success.

Seminars

PAWLA members actively participate in seminars, held at National or International levels and co-operate with other women NGOs. Thus PAWLA has achieved fame not only nationally but also internationally. Representation of PAWLA has become incumbent for any Seminar in which law is the focal point to be discussed.

PAWLA has organised several seminars, workshops, brain trusts on Human Right's issues, with participation by experts and judges, politicians, lawyers and the public. Recently a Conference was held on "Delay in Dispensation of Justice". Seminars and workshops have also been held on several topics including "Victim Support", "Alcoholism and Drug Abuse as affecting the Family".

Women Lawyers are constantly waging a war for Legal Reforms and to combat reactionary obscurantist forces denying human rights especially female human rights. The projects for legal assistance to needy women, for creating legal awareness and the active public interest loby for law reforms and female human rights are financed through grants and donations. Your contribution can help wipe a tear, can stop a heart from breaking, can restore dignity and equality to downtrodden women, can ensure healthy living for a child and can move towards ensuring human rights for millions of women in Pakistan.

PAWLA executive council: (Honorary)

Ms. Rashida Mohammad Hussain Patel, President
Ms. Zaib Javed, Vice President
Ms. Shamsa Ali, Vice President (Panjab)
Ms. Zainab Suleman, General Secretary
Ms. Tahera Mussarat, Joint General Secretary
Ms. Walail Gauhar, Treasurer
Ms. Sharmine Usmani, Joint Treasurer

Branches of Pakistan women lawyer's Association Legal Aid Centre

*Legal Aid Centre at Fatima Memorial Hospital
Shadman Road, Lahore*

*Legal Aid Centre
at PAWLA Office
Arbab Road, Peshawar*

*Legal Aid Centre
at Behbood Association
NE-2-D/1, Tipu Road*

*Rawalpindi
Legal Aid Centre
at Razia Nazir Community Centre
Orangi Section n° 10, Karachi*

*Legal Aid Centre
Lyari Urban Community Centre
Near Usman Park, Chakiwara
Lyari Karachi*

**Uzbekistan
Women's Resource Centre**

The Women's Resource Centre was organised as an independent, non-governmental organisation in 1995.

Women's Resource Centre

Our Aims and Objectives are to:

- disseminate information;
- foster enlightenment;
- support the initiatives of individuals, and
- provide a forum for cooperation and mutual support.

Our main areas of activity focus on:

health, ecology and sustainable development, cultural development, human rights and the status of women.

Our activities are designed to be culturally enlightening, and are directed at:

- raising awareness regarding the tremendous problems confronting women;
- broadening women's own consciousness and awareness of current global trends;
- promoting women's identity as a social group.

The WRC seeks to collaborate with other women's groups both locally and abroad. It currently has links with the international network of solidarity and support WLUML and with the Network East-West Women. The WRC is working with both networks in two basic areas: communication and information exchange, and common projects and programmes.

Organisation Structure.

The WRC is a non-governmental, non-profit, a-political, grassroots organisation. Its structure is simple, with members electing Chairperson, and Auditing commission is responsible for documentation, while other members work on various projects. Decisions are made through consensus and funds are raised through membership fees.

Work so far...

Two books about the history and current status of Uzbek and Central Asia women printed in 1995 and 1996;

Articles and papers for a UNESCO, ESCAP conferences, WLUML workshops.

Study of the status of women working in the textile industry and pharmaceuticals for the UN University in Helsinki, Finland.

Projects "Women and Criminal Law" (funding by Eurasia), "Women in mahallah" (funding by Counterpart Consortium).

Holding a meeting with women's groups from Central Asia, Pakistan and from women's NGOs in Tashkent.

Activities planned for 1997.

Organising an information resource centre, including a library for women.

Educational program for promotion of women's rights (funding by Sisterhood is Global Institute).

*Womens Resource Centre
The Republic of Uzbekistan, Tashkent 700011
11 Abdulla Kadiri Prospect, Uzbekistan
Tel: (3712) 418 931; 354 878; 412 949
email: marfua@silk.glas.apc.org*

Audiovisuals

Four Women of Egypt / Quatre femmes d'Égypte

Director: Tahani Rached
Producer: Éric Michel
1997, 89 min 39 sec

Abstract

How do we get along with each other when our views collide? A timely question, and a universal one. Four Women of Egypt takes on this challenge, and their confrontation redefines tolerance. These four friends have the same goals--human dignity and social justice. They are inspired by love of country, but each adopts an approach radically different from the others'.

Muslim, Christian, or non-religious, their visions of society range from wanting a secular or socialist state to an Islamic one. But these four women won't demonize one another or treat one another with disdain. They listen to one another's views and argue openly, without ever breaking the bond that unites them--and they laugh through it all. Deeply committed, these four women, together, are the living antithesis of political correctness. Amina, Safynaz, Shahenda and Wedad have not accomplished all their political goals; they are not complacent in their self-assessment. At the stage in life when one tries to make sense of it all, these four Egyptian women are not triumphant--they're joyful. (Award: Odivelas.)

Title Code : 149C 0197 070 MSN : 35448

National Film Board of Canada
Head Office
Constitution Square
360 Albert Street, Suite 1560
Ottawa, Ontario
K1A 0M9 Canada
Phone: (613) 992-3615

I'm Just an Ordinary Woman

Direction: Nandini Bedi
Betacam-SP, 40 minutes
1988, colour
Language: Hindi (English Subtitles)
Production: Action India

In the 1970's, in New Delhi, India's capital city, the Prime Minister decided to shunt the people of the huts to the outskirts of the capital, away from the sight. Here a sort of bargaining took place between, men who wanted to keep their homes, their jobs, instead of having to move and the active proponents of the then govt. policy. If men wanted to stay on and not move they had to get sterilised first. The Prime Ministers slogan "Remove Povert" felt more like "Remove the poor". When the govt. got voted out, the focus shifted from "sterilisation" to the body of women. Most health spending moved on to pumping women's bodies with harmful contraceptives. Progressive shift towards privatisation, hundreds of doctors without recognised degrees began providing "health" services to this class of people. Women are trapped here between a brutal state policy and the highly patriarchal family structure. all connection between herself and her body seems to be severed and she is controlled by others. She is taught that her body is shameful and polluting. Over the last 14 years, a group of feminists have been working with women of these resettlement colonies with a view to look at themselves differently. The health workers who have grown out of this effort have learnt to ask themselves some questions. Who controls our bodies, and why? Why have we been silent? What is the real shame? Is motherhood our only self-expression? Why is it considered shameful to have desire? They have gathered other women around them. There may not be answers to all these questions, but in the asking, and in seeing, touching, feeling and recognising themselves and others, these

"barefoot gynaecologists" have another vision now. One in which their mental, physical and emotional well being is something to be valued, and their knowledge is affecting the people in their communities.

Available from:

Action India
5/24, Jangpura B
New Delhi 110 014, India
Phone: + 91-11 - 464 74 70
Fax: + 91-11 - 464 74 70

Defending Our Daughters: The Rights of Women in the World

A Television Documentary

Produced by Barbara Kopple and Hosted by Meryl Streep

Three short documentaries

March 1998

Life Time Television for Women
U.S.A.
URL: <http://www.lifetimetv.com>

Grahan Kal (Eclipse)

Directed by Shameem Akhtar, Shaheen Akter, Moqbul Cowdhury

Language: Bangla with English and French sub-titles

Duration 39 minutes

Format: Video (VHS, Pal)

Production: Ain O Salish Kendra Dhaka, Bangladesh

Sponsored by: Women Living Under Muslim Laws Network

Synopsis

It began in Chattokchora village in Moulvi Bazar. On January 10, 1993, Maulana Abdul Mannan at a Salish called by local village elders, indicted Nurjehan, of adultery (Zina). Under his orders she was stoned 101 times. After her punishment she went home and reportedly poisoned herself.

Since 1993 the media has reported 23 cases of fatwas in several villages across Bangladesh. In each case the local mosque Imam or Madrassah Maulana has instigated violence against women. Religious leaders have also condemned women's participation in credit, education and health programmes. While women have been the main target of their fatwas, journalists, writers and intellectuals have also been attacked.

These fatwas have no legal validity in Bangladesh. Salish is commonly used in rural Bangladesh to mediate in settlement of disputes, but it cannot authorise the use of violence.

Grahan Kal (Eclipse) examines how local religious leaders and village elders use fatwas as a means of control particularly over women. The film goes beyond investigation of these incidents to explore their political and ideological motivations within the historical context of the country's struggle for liberation. It also shows glimpses of women's resistance to religious extremists.

For Your Copy contact

Ain O Salish Kendra

26/3 Purana Pultan Line
Dhaka 1000, Bangladesh
Phone: 880.2.835851
Fax: 880.2.838561

My Son the Fanatic

Director: Udayan Prasad

Screenplay: Hanif Kureishi

Production co: A Zephyr Films production for BBC Films in association with UGC and the Arts Council of England

Format: 35 mm.

Running time: 97mins

My Son the Fanatic is a contemporary love story set in an industrial city in the North of England amid a comic clash of generations and cultures. Parvez (veteran Indian actor Om Puri) is a taxi-driving man of the world who loves all things English, especially the local prostitute Bettina (Rachel Griffiths)

from Muriel's Wedding). But visiting German businessman Schitz (Stellan Skarsgard, on of the stars of last year's Cannes hit *Breaking the Waves*) also has plans for Bettina. Minoo (Gopi Desai) is Parvez's long-suffering wife, Farid (Akbar Kurtha) is Parvez's confused teenage son.

While Parvez's fellow immigrants have made money from the restaurant trade, he remains a lowly driver, working long hours for little money. Minoo is unsettled and Farid has become ultra religious, rebelling against what he sees as his father's immorality, and inviting a religious elder to share their home. When the fundamentalists rally to try to rid the streets of prostitutes, Parvez is forced to take sides.

Information:

Zephyr Films

24 Colville Road
W11 2BS London
U.K.

E-mail: pippa@zephyr-1.dircon.code.uk

Viya Siduren

Directed by Anoma Rajakurana
Produced by: Women and Media Collective
1995

Duration: 25 min

Language: Sinhala, with English sub-titles

Distribution:

Women and Media Collective

12 1/1, Ascot Ave, Colombo 3, Sri-Lanka
E-mail: womedia@srilanka.net

Books and Papers

Fundamentalism Reborn? Afghanistan under the Taliban

William Maley (ed.)

In late 1994, a new force unexpectedly emerged in Afghan politics - The Taliban. Ostensibly a movement of religious students, inspired by a vision which their leader Mullah Mohammad Omar was said to have received through a dream, they seized the southern city of Kandahar, and subsequently took over the ancient city of Herat in 1995, and finally, in September 1996, the Afghan capital of Kabul - where their demand for the seclusion of women under a strict Islamic regime immediately captures worldwide attention. Yet much about the Taliban remains mysterious. Their leader has never been photographed, and their opponents have depicted them as creatures of the Pakistani military. This book seeks to penetrate popular stereotypes to explore the roots of the Taliban movement, the factors which contributed to its sudden rise to prominence, and the implications of Taliban mobilisation for the stability of Afghanistan and its region. The authors, all well-known specialists on Afghanistan, write with a sensitivity not only to the complexity of Afghan society, but also to the fluidity of Afghan politics in the wake of two decades of devastating destruction.

Contents:

1. Introduction (William Maley)

Part I: The Rise of the Taliban

2. The Rise and Fall of the Rabbani Government 1992-1996 (Amin Saikal)

3. The Social Roots of the Taliban (Ashraf Ghani)

4. How the Taliban became a Military Force (Anthony Davis)

Part II: The Taliban and the World

5. The United States and the Taliban

(Richard Mackenzie)

6. Russia, Central Asia, and the Taliban (Anthony Hyman)

7. Saudi Arabia, Iran, and the Taliban (Anwar ul-haq Ahady)

8. The Taliban and the Future of Pakistan (Ahmed Rashid)

Part III: The Taliban and the Reconstruction of Afghanistan

9. Dilemmas of Humanitarian Assistance in Afghanistan (Michael Keating)

10. Afghan Women under the Taliban (Nancy Hatch Dupree)

Part IV: Paths to the Future

11. Is Afghanistan on the Brink of Ethnic Disintegration? (Bernt Glatzer)

12. The UN in Afghanistan: "Doing its best" or "Failure of a Mission"? (William Maley)

13. Does Islamism have a future in Afghanistan? (Olivier Roy)

14. The Future of the Afghan State (Nazif Shahrani)

Dec. 1997, 288pp.

ISBN1-85065-360-7

*C. Hurst and Co. (Publishers) Ltd.
38 King Street,
London WC2E 8JZ, U.K.*

Arguing Sainthood Modernity, Psychoanalysis, and Islam

Katherine Pratt Ewing

Arguing Sainthood examines Sufi religious meanings and practices in Pakistan and their relation to the Westernizing influences of modernity and the shaping of the postcolonial self. Ewing challenges the notion of a monolithic Islamic modernity in order to explore the lived realities of individuals, particularly those of Pakistani saints and their followers. 328 pages,

Duke University Press
Box 90660
Durham, NC 27708-0660, U.S.A
www.duke.edu/web/dupress

Border and Boundries: Women in India's Partition

Ritu Menon with Kamla Bhasin

An event of shattering consequence, the Partition of India remains significant today. More than eith million people migrated and one million died in the process. In the largest ever peace time mass migration of people, violence against women became the norm. Thousands of women committed suicide or were done to death by their own kinsmen. Their stories - of battles over gender, the body, sexuality, nationalism, and fighting for identity - are told in this book

1998, 276 pp.

Kali for Women
B 1/8 Hanz Khas, 1st floor,
New Delhi - 110 016
India

Documents from Israel Readings for a Critique of Zionism

Uri Davis and Norton Mzevinsky

No. 2; 1975; 228pp

ISBN 0 90372 909 1

Ithaca press
8 Southern Court, South Street
Reading, Berkshire RG1 4QS, U. K.

Voices of Resistance Oral Histories of Moroccan Women

Alison Baker

" The immediacy, spontaneity, and openness of these oral history interviews are a testimony to the intelligence and empathy with which Alison Baker has "listen" to the stories." - Mahnaz Afkhami,

director, Sisterhood is Global Institute, and editor of Faith and Freedom Women's Human Rights in the Muslim World.

341 pages

pb/ISBN 0-7914-3622-5

State University of New York Press
c/o CUP Services
P.O. Box 6525
Ithaca, NY 14851, U.S.A.

The Idrisi State in Asir: Politics, Religion and prestige in Arabia

Anne K. Bang

This study traces the rise and fall of Asir - a state formed in 1906 on the borders of Yemen and the Hijaz - and its attempt to reconcile great power politics and the personal and religious prestige of its founder, Muhammad al-Yamani al-Idrisi

216pp. May 97.

1-85065-306-2

C. Hurst & Co
38 King Street
London WC2E 8JZ
U. K.

Deconstructing images of "The Turkish woman"

Edited by Zehra F. Arat

Essays explore various images attributed to or imposed upon Turkish women, encompassing themes of change and continuity for the late nineteenth century to the present.

March 1998, 352 pp.

ISBN 0-312-17544-2

St. Martin's Press
Scholarly & Reference Division
175 Fifth Avenue - New York, NY 10010, U.S.A

Islam in the Malay-Indonesian World

Transmissions and Responses

Peter Riddell

In *Islam in the Malay-Indonesian World*, Peter Riddell evaluates the development of Islamic religious thought in the Malay-Indonesian world from the earliest times to the present. In support of this primary objective he compares theological trends in other parts of the Muslim world as they relate to developments in Muslim Southeast Asia. He also discusses historical and political developments in order to place the various theological trends in their appropriate historical context.

Contents: Introduction

- Theological Foundations
- Early Malay Islam: Arrival and Consolidation
- Islamic Thought in the Pre-Colonial Malay World
- Malay Islam under Occupation: The Colonial Period
- South East Asian Islam since Independence
- Islamic Thought in Post-Colonial South East Asia

Feb. 98, 256pp.

ISBN:1-85065-336-4

*C. Hurst & Co
38 King Street
London WC2E 8JZ
U. K..*

Turkish and other Muslim Minorities of Bulgaria

Ali Eminov

Bulgaria's Muslim population consists of three groups of people: Turks, Pomaks, and Gypsies. Beginning in the 1960s, and increasingly during the 1970s and 1980s, all three Muslim groups were subjected by the Zivkov regime to a systematic campaign of forced assimilation. In this book Ali

Eminov reviews the political, economic and social experience of Bulgaria's Muslims in the Ottoman and post-Ottoman periods, especially under the Communists, and since 1989. A chapter is devoted to the peculiarities of the Turkish language as spoken in Bulgaria the linguistic effects on Turkish of the Zivkov nationality policy, and the efforts to reverse these effects since 1989. Appendices document the minutiae of the Communist government's treatment of the Muslim minority.

Contents:

- Bulgarian Nationalism and Muslim Minorities
- The Status of Islam and Muslims in Bulgaria
- Major Muslim Minorities in Bulgaria
- The Education of Turkish Speakers in Bulgaria
- Bulgarian Turkish: The Linguistic Effects of Recent Nationality Policy
- Post 1989 Politics and Muslim Minorities.

219pp., May 1997.

1-85065-319-4

*Institute of Muslim Minority Affairs Book Series,
Volume 5
C. Hurst & Co
38 King Street
London WC2E 8JZ
U. K.*

Gender on the Market:

Moroccan Women and the Revoicing of Tradition.

Deborah Kapchan

(New Cultural Studies)

1996, 325 pages,

(Paper) isbn 0-8122-1426-9

*University of Pennsylvania Press
P.O. Box 4836,
Hampden Station,
Baltimore, MD 21211,
USA*

Muslim Women and the Politics of Participation

Implementing the Beijing Platform

Edited by Mahnaz Afkhami and Erika Friedl

Contents

Part One: Assessing Women's Rights Issues in Muslim Societies after Beijing

1. Beyond Beijing: Obstacles and Prospects for the Middle East, Deniz Kandiyoti

2. Fundamentalism and Women's Rights: Lessons from the City of Women, Boutheina Cheriet

3. Women, Islamisms, and State: Dynamics of Power and Contemporary Feminisms in Egypt, Azza M. Karam

4. Aberrant "Islams" and Errant Daughters: The Turbulent Legacy of Beijing in Muslim societies, Ann Elizabeth Mayer

Part Two: Strategies for Change

5. Muslim Women's Islamic Higher Learning as a Human Right: The Action Plan, Nimat Hafez Barazangi

6. Imagination as Subversion: Narrative as a Tool of Civic Awareness, Azar Nafisi

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9. The Women Studies Program in Palestine: Between Criticism and New Vision, Eileen Kuttub

10. Imperiled Pioneer: An assessment of the Institute for Women's Studies in the Arab World, Laurie E. King-Irani

11. Claiming Our Rights: A Manual for Women's Human Rights Education in Muslim Societies, Mahnaz Afkhami

Part Three: International Organizations and the Implementation of the Platform for Action

12. International Human Rights Organizations and Advocacy for Change, Maryam Elahi

13. International Organizations, National Machinery, Islam, and Foreign Policy, Mervat Tallawy

14. Muslim Law and Women Living Under Muslim Laws, Seema Kazi

15. Gender Equality and the World Bank, Roslyn G. Hees

16. UNIFEM and Women's Climb to Equality: No Turning Back, Noeleen Heyzer and Ilana Landesberg-Lewis

Syracuse University Press
1600 Jamesville Avenue
Syracuse, NY 13244-5160
USA

Mystics and Commissars Sufism in the Soviet Union

Bennigsen, A., & S.E. Wimbush

195pp. 1986.

ISBN:1-85065-012-8

C. Hurst & Co
38 King Street
London WC2E 8JZ
U. K.

The Nawal El Saadawi Reader

Nawal El Saadawi

Presents the full range of the extraordinary work of the woman often considered the leading spokeswoman on the status of women in the Arab world.

1997 / 288 pp. 1-85649-514-0

Zed Books
St. Martin's Press
Scholarly & Reference Division
175 Fifth Avenue - New York, NY 10010

The Development of Secularism in the Middle East

Niyazi Berkes

1998, 537 pp. - ISBN: 1-85065-349-6

C. Hurst & Co. (Publishers) Ltd.
38 King Street
London WC2E 8JZ
U.K.

The Bosniak

Adil Zulfikarpasic

With Milovan Djilas and Nadezda Gace

Introduction by Ivo Banac

"The memoirs of Adil Zulfikarpasic matter enormously. They portray a remarkable individual and a contemporary history of Bosnia through the eyes of a man who attempted to prevent the war. It is also a searching enquiry, roving over many centuries, into the social, historical and religious realities which determined the fate of the "Bosniaks" of today. It is gripping and remarkably objective. This book is a unique presentation of almost unknown facts. It deserves to be read closely, digested, debated. It has lessons to teach to those in corridors of power and influence who will decide the future of post-Dayton Bosnia and Hercegovina and, indeed, the Balkans in general. The message is clear and cannot be ignored." (Professor H.T. Norris).

"The Bosniak" in question is Adil Zulfikarpasic. This is his story, as recounted to Milovan Djilas. He has not only been a witness, but is also one of the individuals who embodies the Balkan turmoil of the twentieth century. This book describes how the aristocratic Zulfikarpasic, descended from a Beg, spent his childhood amid a cultured and wealthy clan, the Cengics of Foca, who still looked to Turkey as their motherland; how he fought with the Partisans in the Second World War and how his family suffered; how he prospered in exile, yet longed to return to a Yugoslavia free of communism; and how he founded a moderate, Muslim national party, the MBO. His return to active political life in Bosnia was full of hidden pitfalls: traps were laid for him and he was unable to achieve his ambition - the peaceful transition of Bosnia-Hercegovina from a socialist state into a modern civil society. As Serb, Croat and Muslim notions of a secular Bosnian identity crumbled in the face of nationalist provocations, he tried to broker a peace settlement and avert

bloodshed. In this he failed, but his failure was welcomed by some of his erstwhile allies, notably Alia Izetbegovic, whose sectarian, Islamist nationalism he vigorously opposed.

Sept. 1997, 256 pp.,

ISBN 1-85065-339-9

C. Hurst & Co.
38 King Street
London WC2E 8JZ
U.K.

The Forbidden Woman

Malika Mokeddem

Translated by K. Melissa Marcus

This novel depicts an Algerian woman doctor who, after years spent living in France, returns to her native village. The clash between her origins and the Westernized life she now leads is explored in telling detail against the backdrop of current events in Algeria

University of Nebraska Press
901 North,
17th Street Lincoln,
NE 685-0520
USA

Unbowed: An Algerian Woman Confronts Islamic Fundamentalism

**Khalida Messaoudi, with Elisabeth
Schemla**

Translated by Anne C. Vila

In the 1993, Khalida Messaoudi received word that she had been condemned to death by the Islamic Salvation Front for her role as a leader of the feminist and democratic movements in Algeria as a fierce opponent of Islamic Fundamentalism. Since those days she continues her fight for emancipation and independence from religious extremism.

1998

University of Pennsylvania Press
P.O. Box 4836,
Hampden Station,
Baltimore, MD 21211,
USA

Woman between Two Worlds Portrait of an Ethiopian Rural Leader

Judith Olmstead

This unique anthropological portrait chronicles the uncommon experience of Chimate Chumbalo, serving as a local political leader in Ethiopia's turbulent empire, witnessing its transition to socialist state.

University of Illinois Press
1325 South Oak Street
Champaign, IL 61820, U.S.A

Women in Muslim Societies: Diversity Within Unity,

**edited by Herbert L. Bodman and
Nayereh E. Tohidi.**

Study after study of women in the Muslim world has focused primarily on Middle Eastern Societies, usually emphasizing the sexual ideology of a reified Islam. This book rounds out that view, exploring the status, roles, and contributions of Muslim women not only in the Middle East, but also in Africa and Asia, including post-Soviet Central Asia.

The authors, many of them from the countries they examine, stress the importance of historical context, local customs, and policies in defining the status of Muslim women, the extent of their power, and the opportunities, or constraints they may experience.

Contents:

Introduction - H. L. Bodman.

Africa

Gender and Religion in Hausaland:

Variations in Islamic Practice in Niger and Nigeria - B. Cooper. When Modernity Confronts Traditional Practices: The case of

Female Genital Cutting in Northeast Africa - N. Kasamali. Cultural Diversity Within Islam: Veils and Laws in Tunisia - M. Charrad.

The Middle East

Power, Ideology, and Women's Consciousness in Post-Revolutionary Iran - H. Nakanisi. Persistent Contradictions: Muslim Women in Syria - B. Shaaban. From Two States to One: Women's Lives in the Transformation of Yemen - L. Boxberger.

Central Asia

"Guardians of the Nation": Women, Islam, and the Soviet Legacy of Modernization in Azerbaijan - N.E. Tohidi. Between the Word of Lenin and Allah: Women and Ideology in Tajikistan - S. Tadjbakhsh. Kazak Women: Living the Heritage of a Unique Pass - P.A. Michaels

South and Southeast Asia

Taslma Nasreen and Others: The Contest over Gender in Bangladesh - D.M. Siddiqi. Urban Minangkabau Muslim Women: Modern Choices, Traditional Concerns - L. Whalley. Muslim Women in India: A Minority within a Minority - S. Lateef.

Conclusion

April 1998/ca. 315 pages
ISBN: 1-55587-578-5

Lynne Rienner Publishers
1800 30th Street #314
Boulder, CO 80301 USA

For Women and the Nation:

Funmilayo Ransome-Kuti of Nigeria

Cheryl Johnson-Odim and Nina Emma Mba
This is the story of Funmilayo Ransome-Kuti, a Nigerian feminist who fought for suffrage and equal rights for her countrywomen long before the second wave of the women's movement in the United States.

University of Illinois Press
1325 South Oak Street
Champaign, IL 61820, U.S.A

Periodicals

ARAWOC Bulletin

The Association for Research on Algerian Women and Cultural Change (AWAROC) is a non Profit organisation devoted to the restoration of peace in Algeria

Address all correspondence to:

ARAWOC Bulletin
Women's Studies Program
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