

# Warning Signs



# of Fundamentalisms

Edited by:

Ayesha Imam, Jenny Morgan & Nira Yuval-Davis

## What is WLUML?

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

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

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

## Acknowledgements

Our thanks to Novib, Netherlands for support to the Warning Signs of Fundamentalisms Meeting 2002 and the editorial process, and to WLUML core funders Swiss Development Cooperation, NORAD, the Ford Foundation, Rights & Democracy, and The Sigrid Rausing Trust for supporting this publication.

copyright © Women Living Under Muslim Laws.

The use, reproduction or transmission of any part of this publication in any form or by any means must be acknowledged.

Edited by:  
Ayesha Imam, Jenny Morgan & Nira Yuval-Davis

Published by:  
Women Living Under Muslim Laws

Design & layout by:  
Design@ArissDesign.com

Printed by:  
The Russell Press, Nottingham, UK

# Warning Signs of Fundamentalisms

## Contents

<i>Jenny Morgan</i>	v	<b>Preface</b>
<i>Ayesha Imam and Nira Yuval-Davis</i>	ix	<b>Introduction</b>
		<b>Warning Signs of Fundamentalisms</b>
<i>Ziba Mir-Hosseini</i>	1	The Lesson from Iran: How the 'Warning Signs of Fundamentalism' Were Ignored
<i>Nahda Younis Shehada</i>	5	The Rise of Fundamentalism and the Role of the 'State' in the Specific Political Context of Palestine
<i>Anisa de Jong</i>	15	Attacks Against Lesbian, Gay and Bisexual People: Warning Signs of Fundamentalism?
		<b>How Fundamentalisms Work</b>
<i>Niloufar Pourzand</i>	23	Education in Afghanistan: A Gendered Ideological Terrain
<i>Nira Yuval-Davis</i>	27	Jewish Fundamentalisms and Women
<i>Elfriede Harth</i>	33	America's Mission of Saving the World from Satan: Christian Fundamentalism in the USA
<i>Michaela R Told</i>	39	Catholic Fundamentalism, Right Wing Politics and the Construction of Womanhood the case of Austria
<i>Gita Sahgal</i>	51	Two Cheers for Multiculturalism
<i>Chayanika Shah</i>	61	Hindu Fundamentalism in India: Ideology, Strategies, and the Experience of Gujarat
		<b>Legal Systems and Processes and Fundamentalists</b>
<i>Zainah Anwar</i>	71	Islamisation and its Impact on Laws and the Law Making Process in Malaysia
<i>Sanusi Lamido Sanusi</i>	79	Fundamentalist Groups and the Nigerian Legal System: Some Reflections

*contents continued overleaf...*

*Sara Hossain* 83 'Apostates', Ahmadis and Advocates: Use and Abuse of Offences Against Religion in Bangladesh

### **Fundamentalisms and the Media**

*Tazeen Murshid* 99 The Rise of the Religious Right in Bangladesh: Taslima Nasrin and the Media

*Amie Bojang Sissoho* 107 The Media and Signs of Fundamentalism: A Case in the Gambia

*Gabeba Baderoon* 113 Revelation and Religion: Representations of Gender and Islam

### **Resisting Fundamentalisms**

*Louisa Ait-Hamou* 117 Women's Struggle against Muslim Fundamentalism in Algeria: Strategies or a Lesson for Survival?

*Ayesha Imam* 125 Fighting the Political (Ab)Use of Religion in Nigeria: BAOBAB for Women's Human Rights, Allies and Others

*Nahda Younis Shehada* 135 The Model Parliament for Family Law Reform: a Significant Step towards Linking Women's Issues with National Concerns

*Nora Murat* 141 Sisters in Islam: Advocacy for Change within the Religious Framework

*Nadje Al-Ali* 147 Secular Women's Activism in Contemporary Egypt

*Stasa Zajovic* 155 Religious Fundamentalisms and Repression of Reproductive and Sexual Rights

### **Appendices**

*Harsh Kapoor* 163 The Far Right and the Religious Right on the World Wide Web: Some Snapshots and Notes

177 **References**

*by Jenny Morgan*

As this preface was written, there were reports that some members of the US-sponsored interim administration in Iraq, the Iraqi Governing Council (IGC), support a proposal to replace Iraq's secular Personal Status Law - in force since 1959, and giving women divorce, child custody and inheritance rights, amongst others - with confessional law. In the case of Iraq's majority Muslim population, this would mean *shari'a* law. Even if *shari'a* were to be interpreted liberally, Iraq's women would nonetheless cease to hold the same individual rights as citizens as their brothers, husbands, fathers and adult sons.

This development is shocking evidence for two of the major contentions driving this publication - that women's rights, women's control over their own sexuality and their own freedom of movement, are major areas of irritation and concern for the religious right-wing; and that political forces of all colours - including the secular left, as Ziba Mir-Hosseini describes in **The Lesson from Iran** - readily sacrifice women's rights when it appears strategically useful.

Women Living Under Muslim Laws organised a conference in London from November 11 to 14, 2002, on the theme, 'Warning Signs of Fundamentalisms'. This publication includes many of the papers presented at the conference. Its aim is to draw together experiences and information that will assist women's and other anti-fundamentalist organisations to prevent the religious right and ethnic nationalist movements transforming their societies in ways that are harmful and destructive (principally, but not only, to women).

Much of the discussion at the conference revolved around definitions of 'fundamentalism'. Is the present US administration, for instance, 'fundamentalist' in any respect? Elfriede Harth's paper, **America's Mission of Saving the World from Satan**, carefully details the systematic entry into Republican party politics of the religious right, in the shape of televangelist Pat Robertson's Christian Coalition. There was agreement at the conference that although since 9-11, as Gabeba Baderoon's insightful paper says, 'religion' for the West has become synonymous with Islam, the major threat from religious fundamentalism is embodied in the US Christian right, with its huge financial resources and access to federal power. In **Jewish Fundamentalisms and Women**, Nira Yuval-Davis reports how American Christians are funding Jewish religious seminaries in the Palestinian territories Israel illegally occupies. These Christian Zionists believe the Second Coming of Jesus Christ will only happen once all Jews have congregated in Palestine: for them, as for the Jewish settlers they support, the indigenous Palestinian population is so much chaff in the wind.

This is one of the themes of this book - that religious and ethnic fundamentalisms kill. And women, unfortunately, are sometimes amongst the killers. In Chayanika Shah's account of the terrible slaughter in Gujarat in March 2002, when Hindu mobs attacked their Muslim neighbours, one of the most chilling aspects is the fact that Hindu women watched avidly while Muslim women were raped and killed. Similarly, Urusaro Karekezi from Rwanda described to the conference how in 1994, some women politicians and journalists were amongst the most vigorous inciters to violence of the Hutu militias.

There are contradictions in the aims of what are, by any definition, fundamentalist movements. Not all Islamists, for instance, are opposed to the participation of women in the political process. Nahda Younis Shehada told the conference that *Hamas*, the main Palestinian Islamist organisation, reserves 30% of the seats in its ruling bodies for women. (Nonetheless, during the first Palestinian *Intifada*, *Hamas* ran a huge pro-*hijab* campaign, with wall posters accusing women who didn't wear head-scarves of being collaborators with the Israelis; Shehada reports 'tens of women' were murdered.)

The conference divided over the degree to which it's possible to resist fundamentalisms from within a faith. Elfriede Harth belongs to the Catholics for a Free Choice network, which campaigns against the Vatican's conservative stranglehold on sexuality and women's right to determine their fertility. Zainah Anwar and Nora Murat are active in Sisters in Islam in Malaysia, a country with, as Anwar says, 'the most advanced Personal Law in the Muslim world', under attack from Islamist forces. By stimulating debate through letters in the press and petitions to government and legislators, Sisters in Islam aims to give Muslims information with which to challenge conservative interpretations of the *Qur'an* and the *hadith*, and shame the government into standing by its commitment to women's rights. The Nigerian organisation, BAOBAB for Women's Human Rights, campaigns across Africa for women and NGOs to be better informed about the progressive tradition in Islam. There was much discussion at the conference about whether and how to enable Muslim women who are feminists to see that their feminism isn't a betrayal of their religion, and how to prise notions of morality out of the grip of the fundamentalists.

However, for Louisa Ait-Hamou, from Algeria, all talk of working from within a religious faith was already too much of a concession. She dismissed the notion of a 'Muslim feminist'. Her argument was that anti-fundamentalist movements need to stand up clearly for the rights of the individual. For Urusaro Karekezi from Rwanda, Catholic churches in the country are 'genocide sites', because of the Church's participation in the 1994 slaughter. What emerged from the discussion is that different situations respond to different initiatives. Nahda Younis Shehada argued that the important thing is to make space in the public domain for arguments in favour of women's rights. Shehada herself spent nearly two years in the late 1990s chairing the Palestinian Model Parliament for Family Law Reform, which galvanised what remained of the secular Palestinian liberation movement post-Oslo: 'The same nationalists who were apologetic *vis-à-vis* the Islamists during the first *Intifada* became supporters of women's rights'.

As several of the papers in this publication discuss, some analysts consider neo-liberalism a form of fundamentalism. But the conference offered a more persuasive insight: fundamentalisms appeal to people precisely because they mediate - or appear to mediate - some of the destructive economic and societal effects of neo-liberal policies. Most 'fundamentalist' organisations engage in 'charitable' work in some form or another, as Shah shows to riveting effect in her account of the Hindu right's establishment of schools in the

so-called tribal areas in India, and their appeal to a historical identity different from that of the West - even if this ethnic or religious identity is a fake, as Shah also shows - gives solace to people.

The papers collected in this publication are from very different sources. Some are by academics; some by activists in the field. Amie Bojang Sissoho is a radio journalist using private radio stations in The Gambia to campaign against Female Genital Mutilation (while state radio allows the State House Imam to inveigh against women's rights every Friday live). Stasa Zajovic works with Women in Black in the former Yugoslavia. After wars that killed thousands of people in the name of ethnic or religious 'cleansing', her paper documents a further ironic (and tragic) development: the implicit alliance between supporters of the Serb Orthodox Church and conservative Muslim clerics - former enemies - to close down sex education projects and establish a puritanical, patriarchal, religiously-based social order in the fragments of what was for nearly fifty years a secular state.

Anisa de Jong campaigns for the right of sexual minorities - lesbians, gays, bisexuals and transgender (LGBT) people - to be included in all struggles for human and women's rights against the authoritarianism of religious fundamentalism. Of all the papers in this book, hers is probably the most challenging. If certain organisations won't take part in demonstrations against Muslim, Hindu, or Christian fundamentalist movements because you have gay and lesbian groups on the same march, what do you do? If campaigners against fundamentalisms do, from time to time, as Ziba Mir-Hosseini argued for at the conference, have to make 'expedient alliances', does this mean the visibility of sexual minorities will always and inevitably be sacrificed?

Since the collapse of the Soviet Union, 'fundamentalisms' of every hue are gaining strength. One participant proposed speaking of contemporary totalitarian movements rather than fundamentalism. Women Living Under Muslim Laws has been documenting both the impact of these movements, and resistance to them, for the past 20 years. We hope this publication will be a contribution to the urgent elaboration of strategies of resistance.



*by Ayesha Imam and Nira Yuval-Davis*

### **The political context of the conference**

In 1997, when the idea of convening an international conference on Warning Signs of Fundamentalisms was first mooted in the international coordination group of Women Living Under Muslim Laws (WLUML), religious and ethnic fundamentalist movements were already very powerful in many countries. In some, such as Iran and Serbia, they were in power. The thirty-five members of WLUML's coordination group, who come from eighteen countries, thought that analysing the nature of fundamentalist movements, and the 'warning signs' they give as their political projects rise in intensity, would benefit those of us in situations that have not (yet?) become acute. We thought such a conference would help us to develop effective strategies of resistance.

However, by the time the conference took place, in November 2002, the global political scene had changed quite dramatically. Not only had religious and ethnic 'fundamentalist' politics recognisably gained power in many more countries (including Nigeria and India), but also, under the guise of a 'global war against terrorism', a new leadership in Washington, DC, controlled by a fundamentalist Christian and nationalist movement, was taking social and political licence around the world. Globally the period since 2000 has seen civil and political rights taken away from larger and larger numbers of people, while the popular appeal of fundamentalist leaders everywhere has been growing. (However, the resistance movement against the Iraqi war might prove to be a beginning of some significant change.)

When the conference convened, it could no longer focus only on the warning signs of fundamentalisms. While some of the papers in this publication do analyse such warning signs retroactively, others describe on-going situations in the author's country, the growing power of fundamentalist movements there and the strategies used by such movements to increase that power. Yet other articles focus on specific strategies of resistance - political, legal, and cultural.

At the conclusion of this introduction, we sum up what we consider to be the most important insights concerning warning signs and strategies of resistance that emerged from the conference. What we would like to do at this point, however, is to focus on those questions which the authors did not have space to consider at length but which are much debated among all of us working on these issues, namely:

1. What are fundamentalist movements, and what are the conditions that encourage their growth and durability?
2. Is it useful to speak of 'fundamentalism', or indeed 'fundamentalisms'? Are there alternative terms that would be more appropriate? What are the boundaries of the phenomenon we are discussing in this publication - does it concern only religious movements, or ethnic and national movements? What about neo-liberalism? Is this a form of fundamentalism?
3. What are the ways in which 'fundamentalisms' influence and determine gender relations?

## What are fundamentalist movements?

Fundamentalist movements are political movements with religious, ethnic, and/or nationalist imperatives. They construct a single version of a collective identity as the only true, authentic and valid one, and use it to impose their power and authority over 'their' constituency (which varies from a particular community to most, if not all, of humanity). They usually claim to be the representatives of authentic tradition, and they speak against the corrupting influence of modernity and 'the West' (which non-westerners tend to regard as the same thing). However, fundamentalists are far from being pre-modern. In order to promote their project, they use all modern technological means available, from the media to weaponry. Furthermore, the vision they conjure up is a constructed and selective vision, rather than a revival of something in the past.

Beyond this common ground, which virtually always locates them on the extreme right of the political spectrum, fundamentalist projects can be very different from each other. They can use holy texts or rely upon experiential epiphanies and be linked with specific charismatic leaderships; they can appear as a form of traditional orthodoxy or, on the other hand, as a revivalist radical phenomenon fighting against traditional corrupt leaderships.

The recent rise of fundamentalist movements is linked to different facets of the crisis of modernity (broadly characterised as the attempt to build and maintain social order based on the principles of the Enlightenment - rationalism and progress). After a period of optimism following the Second World War, when the global South gained political independence from the colonial masters, it became clear to people all over the world that neither capitalism, communism nor nationalism were fulfilling their material, emotional and spiritual needs. The accompanying feelings of despair and disorientation sharpened with the demise of the Soviet Union, the end of the Cold War and the growing hegemony of neo-liberal globalisation.

There has been a miserable failure in many parts of the world to prevent a further widening of the yawning gap between rich and poor, to provide jobs for the burgeoning numbers of the unemployed, to stop the corruption that fosters disillusionment throughout society, and to provide the basic social services, such as health and education, that are essential to a decent life. This has been accompanied by the formal abdication, by many states, of their obligation to meet the basic needs of their citizens. At the same time, however, there has been an aggressive assertion of the state's control over society: democratic rights and freedoms have been repressed, not only to ensure the state's grip on power, but also to fulfill obligations outlined in the new trade, finance and re-structuring agreements to which governments have signed up. In some instances there has been a formal liberalisation in the political arena, but without any possibility of restructuring (let alone fulfilling) state obligations. The growing sense of insecurity that results from the locus of decision making shifting further and further away from people, and the deepening poverty that widens divisions between haves and have-nots and fuels competition for limited resources, push people into finding new ways of coping.

Chief amongst these coping mechanisms is the rise of collective identities defined by religion, ethnicity or culture, each projecting itself as the only way to protect its (willing or unwilling) members and gain access for them to power and resources. As Manuel Castells argues,<sup>1</sup> in times where people stop being sure that they will be able to continue to live where they live, with their family, doing the work they do, they turn to what he calls 'defensive identity communities', which are constructed as primordial and unchanging. Religions provide people with a compass and an anchor. Ethnic nationalisms provide them with fixed identities and impermeable community boundaries.

This puts great pressure on people to accept ever more narrow definitions of self; as a result, their multiple, non-antagonistic identities based on gender, citizenship, class, religion or ethnicity are reduced to one single, homogenised identity. Thence there is an intensification and creation of divisiveness within civil society, both between such groups, and against people who refuse to accept the identities imposed by ethnic, nationalistic, sectarian and religiously defined politics. Those groups involved in identity politics who push their agendas through force (including armed violence, acid throwing, anthrax threats, etc.), pose an ominous threat to society.

The religious right is increasingly playing a crucial role in identity politics everywhere – as is evident from the papers in this publication. The linkages that exist amongst politico-religious groups, and between them and various other right-wing forces, from the local to the international levels, both within given countries and communities and outside them, are increasingly clear - for instance, the Vatican, Syria and Iran have voted consistently on the same side in international forums, from the United Nations International Conference on Population and Development in Cairo in 1995, to Beijing+5 in 2000. It is also increasingly clear that there are links between mainstream politico-religious groups of the right and the extremist groups (whether spawned by them or not), which work strategically to reinforce each other in pursuit of their common ends, even when these links are denied.

Fundamentalist movements often stoke each other's fires, either through collaboration or through confrontation. Nira Yuval-Davis' paper, for example, points out how American Christian fundamentalists support fundamentalist Jewish settlers on the West Bank, colluding to serve their separate messianic - and ultimately conflicting - projects. On the other hand, in the context of ethnic or religious conflict, the dominance of fundamentalist movements on one side contributes directly to the strengthening of fundamentalist movements on the other. This we see in situations such as India, where the power of Hindu fundamentalist groups to spark communal violence, described in Chayanika Shah's paper, ultimately fuels fundamentalist positions within the Muslim community as well.

It is important to emphasise that, although in the South and among racialised minorities in the North, the hope is that fundamentalist movements will also solve their economic problems and their growing poverty, the impulse to join fundamentalist movements relates simultaneously to the above existential issues. This is clear when one sees that many of the followers of fundamentalist movements such as *Al-Qaeda* are middle class educated

male youth. Probably even more importantly, the spread of fundamentalist movements is not limited to the South or to southern groupings in the North. The spread of Christian fundamentalist movements in the US and extreme nationalist right-wing political movements throughout the West is also based on the need for defensive identity communities. Benefiting economically from globalisation does not prevent people from feeling deep anxiety and fear about their individual and collective security and morality in what may seem a disintegrating social world.

### **Are 'fundamentalism' and 'fundamentalisms' appropriate terms?**

Much of the discussion concerning fundamentalism has focused on the question of whether to use the term at all, and if one does, what social movements to include under this umbrella.

Some<sup>2</sup> contest the use of the term at all, arguing that in practice it has become a form of racist abuse against Muslims, and is part of the global 'clash of civilizations' discourse.

Others point out that as the term originally emerged in relation to American conservative Protestants at the beginning of the twentieth century, it should be applied exclusively to Christians.<sup>3</sup> As Ayesha Imam has argued elsewhere,<sup>4</sup> applying the term to Muslims may miss the target politically, since many conservative Muslims - who are not politically affiliated with what are known as 'fundamentalist movements' - have no objection to being named as concerned with the 'fundamentals', or 'roots', of their faith.

At the same time, others (like the World Social Forum and DAWN - Development of Alternatives with Women for a New Era<sup>5</sup>) contend that not only religious and ethnic political movements should be included under this umbrella, but also neo-liberal globalisation, which, they argue, is a political-economic movement that represents itself as obeying immutable truths about 'the market' which cannot be challenged or resisted.

We are aware of the problematic nature of the term 'fundamentalism', and for several years have used 'fundamentalisms' instead, to signal our awareness of the heterogeneity of the political movements covered by this umbrella term. Heterogeneity - and this is of vital importance - exists not only between religions and ethnicities but also inside them, emphasising different texts and/or experiential practices, contesting who is a 'true' member of the collectivity. Nonetheless, while flagging the difficulties, we continue to speak of 'fundamentalism' because there has not been an alternative term that covers the same range of political and social phenomena and intuitively conveys the message.

At the same time, we do not include neo-liberalism or other economic movements under the same umbrella. We accept that descriptively there might be a case for doing so, and this has proved to be a useful mobilising tool (as in the video presented at the Porto Alegre World Social Forum). But when we try to deal with the phenomenon analytically, not just descriptively, religious and ethnic fundamentalist movements fall under the same family of defensive identity-politics mass movements (which we described above); the economic movements do not.

## How do 'fundamentalisms' define appropriate gender relations?

As the articles in this collection show,<sup>6</sup> feminists have had particular concerns when it comes to fundamentalist movements. Although many women take part in fundamentalist movements, and some find them empowering, overall, fundamentalist politics tend to constitute a threat to women's freedom and autonomy and often their lives. Gender relations in general, and women in particular, are often used to symbolise the collectivity, its 'culture and tradition', its boundaries and its future reproduction. For this reason, women tend to bear the brunt of identity politics in terms of control of their life choices; they are made to follow 'authentic' notions of identity and behaviour. Definitions of collective identity are increasingly hinged on definitions of gender, so that the construction of a 'Muslim woman', a 'Christian woman' or a 'Hindu woman' is therefore integral to the construction of 'Muslimness', 'Christianity' or 'Hinduism'; this explains in part the emphasis on controlling women's sexuality and other aspects of their lives. Armed groups in many countries specifically target women in situations of conflict, e.g. rape is used as a tool of ethnic or religious 'cleansing'. A general brutalisation of people contributes to increasing violence against women in all spheres of life; this is facilitated by easy access to the means of violence (be it arms, anthrax or acid), and manipulation of the law.

Control over sexuality is a central theme of the social programmes promoted by fundamentalist movements everywhere. It has also been a painfully visible element in recent armed conflicts, where mass rapes and forced pregnancies are deliberately designed to rob women of control over their sexuality and their reproductive capacity. Closely linked with the issue of control over sexuality is the imposition of dress codes. Although frequently justified as either 'religiously correct' or 'traditional', the newly imposed dress code is often in fact alien to the particular context, whether the attempt be to introduce Iran-style chadors in Sudan or increasingly strict body-covering for some groups of Jewish women in New York.

Religious right movements, from the United States to Afghanistan to Austria, tend to have a remarkable consistency of vision regarding gender relations and sexuality. Commonalities include: asceticism; a focus on women's sexuality as a source of immorality (which necessitates the denial to women and girls of knowledge about and access to fertility management, especially abortion); the increase in means for men to satisfy heterosexual desire and strengthen their control over the family; and the reconstruction of patriarchal controls over women and their sexuality, with women constructed primarily as the domestic mother and wife, subordinate to men.<sup>7</sup> A concern to prohibit all non-male-dominant heterosexual forms of sexuality is universally present in fundamentalisms, thus also prohibiting gay, lesbian or trans-gender sexuality. Anisa de Jong's paper documents attacks on gay and lesbian people for their sexuality.

The above is not contradicted by the fact that in recent years, especially in multi-cultural western societies, some fundamentalist leaderships have used the 'women's question' in order to present themselves as liberal forces. As described by Gita Sahgal in this publication, such organisations try to legitimise themselves as representatives of their communities in

their diasporic locations by co-opting feminist demands from members of their religious or ethnic and national groupings. This does not stop them from continuing to support and promote extremely oppressive policies in their countries of origin.

### **Warning signs of fundamentalisms and how fundamentalisms work**

This last point brings us to the primary question which motivated the conference and this publication. As the different contributors to the volume show - especially Louisa Ait Hamou on Algeria, Ziba Mir-Hosseini on Iran, and Nahda Younis Shehada on Palestinian communities - the warning signs are there, to observe and resist. But they are often ignored for the sake of national and religious unity, or dismissed as a passing fad. In each of these cases, flirting by secular political groups with religious right groups - each trying to use the other for political influence - has strengthened the religious right. As has so often been pointed out (and ignored), it is usually women's interests that are sacrificed in this political power play. Sanusi Lamido Sanusi's paper on Nigeria serves as a warning that religiously-inspired legislation is not necessarily the result of a religious right political group, but once initiated, it strengthens both religious conservatism and fundamentalist groups and tendencies.

Chayanika Shah's paper on Hindu fundamentalism in India demonstrates how Hindu nationalist movements have falsified history to represent the Hindu majority - themselves migrants to the region - as indigenous inhabitants victimised over centuries by 'invaders'. Elfriede Harth, looking at a variety of Christian fundamentalist groups in the USA, analyses their success in using religion to occupy political space, thereby undermining the authority of democratic systems which work through public discourse. Zainah Anwar's paper on Muslim fundamentalism in Malaysia shows similar discursive strategies there, and, more specifically, how religious right groups operate to elude and elide the public dialogue over legislation formally required in democratic systems. Stasa Zajovic's paper documents the increasing dominance in public discourses in the former Yugoslavia of clerical nationalism (of both the Serbian Orthodox Church and Muslim leaders) and their increasing influence via the media and in schools, with the de-secularisation of the state and, as in India, the rewriting of history.

A crucial moment tends to come when fundamentalist movements enter the public sphere and gain state and media power through their claims for authenticity and legitimacy as the moral voice of the collectivity. A key target for discrimination and abuse in the name of protecting morality are gay, lesbian and trans-gender people, as de Jong's paper demonstrates.

The chances of success of the fundamentalist project become high when other sectors of the religious, cultural and political spectrum collude with the claims of the fundamentalists. Tazeen Murshid comments that use of the media enabled the Bangladeshi religious right to demonise Taslima Nasrin and others (though the media were also the means by which the cases were internationalised). Also with regards to Bangladesh, Sara Hossain analyses how demands for changes in the judicial system, as well as manipulating public opinion, are crucial tools for the religious right to silence any expression of difference and dissent - and what this means in terms of activist strategies. Amie Bojang Sissoho draws a link between

the increasing prominence of fundamentalist views, especially in the state-owned Gambian media, and the views of the present incumbent of State House. She describes how the State House *Imam*, whose Friday sermons are broadcast, regularly inveighs against contraception and campaigns to stop Female Genital Mutilation.

Another area of combat is education. Given its crucial role in shaping the minds of young people, as well as training them for particular social and economic roles, this is a particular focus of attention for fundamentalist organisations. Struggles over curricula are common, whether fundamentalist Christian campaigns against the teaching of evolution in the USA, or over sex education, from the USA to Algeria and Nigeria. Niloufar Pourzand's paper describes the sexist and militarist nature of textbooks in Afghanistan, even before the advent of the Taliban. Thus it is important to monitor not only school curricula and the nature of textbooks used in schools, but also the ways teachers work with students.

### Women's strategies of resistance

During the conference, the participants discussed strategies of resistance in several different spheres: education, law, the media and obviously, political organisations. Clearly women's strategies of resistance should vary, just as the local situations in which they confront fundamentalist powers vary. A central question in this respect is whether the resistance should always be carried out within secular and pluralist spaces, or whether there can be modes of resistance which operate even when such spaces have already disappeared from the public arena.

Nora Murat describes the strategy of working from within Muslim discourses that is being used to spectacular effect by Sisters in Islam in Malaysia. Ayesha Imam writes about the multi-pronged strategy adopted by BAOBAB for Women's Human Rights in Nigeria: one part focuses primarily on Muslim communities and within Muslim discourses; another aims at bridging the divides between and among Muslim and other communities, and developing mutual solidarity and support through struggling to arrive at shared understandings and critiques, common objectives and strategies. At the same time, BAOBAB insists on the right to participate in the continuous development of international human rights constructions.

At the other end of the spectrum, Louisa Ait Hamou's documentation of resistance to Muslim fundamentalism in Algeria focuses solely on secular forms of resistance. Nadjé Al-Ali, analysing secular women in Egypt, points out that 'secularism only provides a very broad umbrella under which a variety of discourses, practices and concepts may be accommodated, some reiterating old truths, others breaking with rigid paradigms'. As Al-Ali's paper concludes, those women (whether Jewish women in Israel, or Muslim women in Nigeria and Egypt) 'who challenge fundamentalists not only with respect to their conceptualisation of secularism, but also with respect to their reification of "authentic culture" ... are simultaneously positioned at the margin of prevailing political culture and at the centre of the *avant-garde* which is attempting to challenge existing political structures and discourses'.

When we discuss strategies of resisting fundamentalisms, many issues, both local and global, emerge. There is a need to operate on both levels, but also to try and coordinate and link the two. This does not mean imposing a specific global agenda on local struggles - they have to determine their own priorities - but there needs to be a sharing of values and overall goals and a sense of mutual support. Similarly, there is a specific role for anti-fundamentalist women's organisations, but they have to work in the context of, and in co-operation with, wider political forces with similar goals.

One of the difficulties of anti-fundamentalist political work is that often, especially to people from the West, such work seems to go against rights of cultural and religious freedom. There needs to be much more attention to work which highlights both the contested nature of cultures and traditions, and the specific political projects with specific political leaderships that benefit from constructing those 'cultures and traditions' in ways that suit their goals.<sup>8</sup> Chayanika Shah's paper on India exemplifies the Hindu fundamentalists' strategy of creating the leitmotif of a victimised Hinduism, which appeals even to groups that have been excluded or oppressed by dominant Hinduism. Shah also alerts us to what happens when a fundamentalist group gains power - even by democratic means. As she shows, 'democratic power in the hands of fundamentalist groups threatens and oppresses all those it "otherises" in a manner that sounds the death knell, not only for their citizenship rights, but also for the basic tenets of democracy itself'.

Paradoxically, since 9-11 there has been more space to highlight the role of non-state fundamentalist organisations; but it is imperative to be vigilant, and not be co-opted to political agendas that use fundamentalist and terrorist activities as an excuse to racialise, and abuse the human rights of, Muslims and other non-Christians in the West.

This raises the question of how much activists need to invest in working with the United Nations and other international human rights organisations. These are important forums, but it is also important not to fall into the habit of producing documentation for its own sake, as a sort of fetish rather than a guide to action, nor to let such activities suck in all the energies of grass-roots movements. In this light, Nahda Younis Shehada's paper on the Model Parliament in Palestine discusses a creative way of moving women's issues out of the margins and into the mainstream of national concerns.

The media have an even more general impact than education. Fundamentalist organisations often use sophisticated media to spread their word, which have become big business. In addition, there is a large number of websites through which they spread information and co-ordinate activities transnationally. The appendix compiled by Harsh Kapoor illustrates some of the websites run by fundamentalists and the far right. To the extent that it is possible, anti-fundamentalist activists need to develop their own counter media, and create websites in which clarity of message, credibility based on local participating groups and concrete suggestions for action should prevail.

A basic issue is how to structure anti-fundamentalist activities in efficient yet democratic and accountable ways, sensitive to local needs yet supported by global networks which are anti-fundamentalist but also anti-racist, inclusive and yet targeted. In the Warning Signs of Fundamentalisms conference in London, all these issues were raised, but more work needs to be done.

## Conclusion

Obviously, in such a publication we can only raise some of the main issues that relate to the ways fundamentalist projects should be understood and resisted. While networks such as WLUML, Catholics For A Free Choice and Women Against Fundamentalisms have campaigned for a number of years against fundamentalist movements locally and globally, it is only recently that concern about fundamentalisms has come to the top of the agenda for global social movements and organisations like the Global Social Forum and the Association of Women in Development (AWID). Those of us who have campaigned against fundamentalisms for many years have always felt that we were fighting on all fronts at the same time - both against people within, and people hostile to, our own communities - but this pressure has grown considerably since 9-11. The global 'war against terrorism' has legitimised the restriction of liberty everywhere, and is used as cover for the neo-imperial aspirations of the US in a post cold war world driven by notions of the 'clash of civilisations'.

Anti-fundamentalist campaigners have called for many years for the activities of fundamentalist movements to be stopped, detrimental as they are to human rights in general and women's rights in particular (even when these movements are not (yet) in government). This has run against the 'common sense' represented in the jurisprudence of international law, which conflated the political sphere to the state governmental sphere and could not recognise any other political agent than the state as responsible for atrocities that took place in their countries, whether or not governments were willing or able to control them. After 9-11 there has finally been recognition of movements such as the notorious *Al-Qaeda*.

However, while some of the steps taken to control the funding, and the free movement of supporters, of such organisations, are to be welcomed, this gain has been lost in a situation which criminalises all political dissenting voices. The inability of certain states to control fundamentalist movements within their borders has become an excuse for others to invade and occupy the country (as happened in Afghanistan), with some leading human rights 'experts', like Michael Ignatieff,<sup>9</sup> lending active support.

We do not share such a perspective. While most of the papers in this collection deal with fundamentalist movements in the South, we also point out the collusion of the extreme political right with fundamentalist movements in the West as well, particularly in the USA. What we are lacking here - and this should be the task of a future conference and further publications - is research into the ways fundamentalist politics operate in the international and global arena, and the ways women's groups and organisations strategise against them.

## Endnotes

- <sup>1</sup> Manuel Castells (1996-8) *The Information Age: Economy, Society, Culture*, 3 vols, Oxford: Blackwell.
- <sup>2</sup> See Tariq Modood (1992) 'British Asian Muslims and the Rushdie Affair', in *Race, Culture and Difference*, London: Sage Publications; and Jan Nederveen Pieterse (1998) ' "Fundamentalism" and the American Security Discourse', paper presented at a seminar on fundamentalism at the Institute of Social Studies, The Hague.
- <sup>3</sup> Kenneth Leech (2002) 'The Rise of Christian fundamentalism', and Arun Kundnani (2002) 'An unholy alliance? Racism, religion and communalism', in *CARF* No. 67, Summer, special issue, 'Fundamentalisms'.
- <sup>4</sup> Ayesha M. Imam (1997) 'The Muslim Religious Right ("Fundamentalists") and Sexuality', WLUML Dossier; abridged and reprinted in (1997) *Women's Global Network for Reproductive Rights Newsletter*, 60, No.4; reprinted in Pinar Ilkkaracan (ed., 2000) *Women and Sexuality in Muslim Countries*, Istanbul: WWHR/KHIP; revised and reprinted in Patricia Beattie Young, Mary E. Hunt and Rashika Balakrishnan (eds, 2001) *Good Sex: Feminist Perspectives from the World's Religions*, New Brunswick, NJ: Rutgers University Press.
- <sup>5</sup> See, for example, Guacira C. de Oliveira (2003) 'Against Fundamentalisms', on [www.mujaresdelsur.org.uy/libro\\_camp/libro\\_ing7.htm](http://www.mujaresdelsur.org.uy/libro_camp/libro_ing7.htm); and Gita Sen and Bene Madunagu (2001) 'Between Globalisation and Fundamentalism -- Gender Justice in the Cairo+5 and Beijing+5 Reviews', *DAWN Informs*, November.
- <sup>6</sup> See also Gita Sahgal and Nira Yuval-Davis (2001[1992]) *Refusing Holy Orders: Women and Fundamentalism in Britain*, London: WLUML (originally published by Virago); and [www.wluml.org](http://www.wluml.org) and [waf.gn.apc.org](http://waf.gn.apc.org).
- <sup>7</sup> Imam (1997), *ibid*.
- <sup>8</sup> Nira Yuval-Davis (1997) *Gender and Nation*, London: Sage Publications.
- <sup>9</sup> Michael Ignatieff (2001) *Human Rights as Politics and Idolatry*, Princeton: Princeton University Press.

# Ziba Mir-Hosseini The Lesson from Iran: How the 'Warning Signs of Fundamentalism' Were Ignored

## Introductory note

In this paper I examine the engagement of Iranian women with the 'fundamentalist' ideologies and policies that dominated the early Islamic Republic, and I explore the lessons that this engagement has to offer. I ask two questions. First, why and how did Iranian women and the secular forces fail to see the 'warning signs of fundamentalism' in the Revolution which, having succeeded, treated them as second-class citizens? Secondly, was the dominance of a 'fundamentalist' agenda inevitable, or could it have been prevented?

To explore both questions we need to go back to the early revolutionary period. I limit my discussion to this period, not only because it was then that 'warning signs' that were ignored might have been identified, but also because what happened during that period enabled the Islamists to succeed through a policy of divide and rule. I begin with the massive participation of women in demonstrations during the 1978 upheavals, and end with the ascendancy of the Islamist forces in summer 1981.

## Unity and ambiguity

Two points must be remembered with respect to women's role during the Revolution. Firstly, the Revolution in Iran was a popular movement and its success was due to the alliance of various political and social forces. What united them was their opposition to the Pahlavi regime and their desire for its removal. If women *en masse* participated in the Revolution and gave their support to its leadership, they did so not with a specific set of objectives and goals as 'women', but 'as members of different political and social forces'.<sup>1</sup>

Secondly, it was only in the final stages of this revolution that Ayatollah Khomeini emerged as its indisputable leader and Islamists started to impose their ideological objective of the creation of an 'Islamic state'. Even then it was not clear what an 'Islamic state' would entail for women. The proclamations of Ayatollah Khomeini and other religious leaders were couched in very general terms and were open to interpretation. The scope of women's rights was among the main concerns of foreign and Iranian journalists who visited Khomeini in Paris in late 1978. Both in Paris and later in Iran, he repeatedly assured women that 'Islam' had the best programme for the advancement of women and protection of their rights. This was in line with the belief of the masses of women from the so-called 'traditional' classes who gave their whole-hearted support to the Revolution. For them, like other Muslim women, Islam had always been associated with justice and human dignity. As Leila Ahmed says, it is the ethical and egalitarian voice in Islam that women choose to hear and adhere to, not its patriarchal legal mandates as defined by *fiqh* (jurisprudence).<sup>2</sup> Iranian women who took part in the Revolution were no exception to this. Moreover, ideologues like Shari'ati and Motahhari had already succeeded in offering an 'Islamic ideal of womanhood' as a liberating alternative to the 'feminism' that they associated with Western decadence and the corruption of the Pahlavi regime. Neither Motahhari nor Shari'ati were explicit as to what this 'Islamic ideal of womanhood' entailed in practice, which left room for women active in Islamist organisations to turn it into a liberating project.<sup>3</sup>

## Division and clarity

It was against this backdrop that the revolutionary forces succeeded in overthrowing the Pahlavi regime, and the provisional government of Mehdi Bazargan came into office on 11 February 1979. Comprising moderate Islamic and Nationalist personalities, Bazargan's government became the target of criticism and attack by both radical Islamists and secular leftist forces for not being 'revolutionary' enough.<sup>4</sup>

As far as women were concerned, Bazargan's government was marked by two concurrent developments. The first was the imposition of patriarchal interpretations of the *shari'a* and morality codes and the dismantling of pre-revolutionary legal reforms. On 26 February, a communiqué issued from the office of Ayatollah Khomeini declared the 1967 Family Protection Law (which had curtailed men's access to divorce and polygamy) non-Islamic. There followed other bans: women could no longer study mining and agriculture, or serve as judges, or appear in public without *hijab*. All these were in the name of 'protecting the Islamic dignity of women'.

The second development was the mushrooming of hundreds of women's groups all over the country, in mosques, government offices, factories, schools and so on. Ranging from small and spontaneous to large and organised, these groups represented the three main ideological tendencies, Islamic, Nationalist, and Marxist, which together brought about the fall of the Pahlavi dynasty. Some of them were affiliated to underground political organisations in the *ancien régime*, others were formed during the Revolution.<sup>5</sup> All these groups saw the issue of women's rights as secondary to wider anti-imperialist goals and interests. Women active in these groups shared the same view; they were concerned to win the struggle for control of the Revolution, and women's rights was a minor issue on their agenda.

These developments eventually brought about a breakdown of the apparent unity of women, their division into two distinct camps, Islamists and secularists, and an open confrontation between the latter and the state. This happened on International Women's Day on 8 March 1979, when thousands of women demonstrated in Tehran and Shiraz to protest against the gradual loss of their rights. Ayatollah Khomeini's statement on the eve of the demonstrations, requiring women working in government offices to observe the 'Islamic code' of dress, also made *hijab* an issue. The authorities ignored the demonstrations, and radical Islamist groups (including women's organisations) and radio and television (now dominated by them) denounced them as agitation by promiscuous women and agents of the previous regime. The demonstrations, planned by a number of secular women's groups, went ahead, and many other women joined in to register their protest against what they saw as violations of their basic rights. They were attacked and harassed by groups of religious zealots and men drawn from the urban poor. The leftist and nationalist political groups kept silent, and their forces - including the nationalists' armed militia - stood by watching, denying women any protection or support.<sup>6</sup>

Yet the scale of the women's protest was such that the Provisional Government had to modify Khomeini's statement on *hijab* and promise to set up new family courts to protect women's rights. But this gain was temporary and was soon lost as the nationalist and leftist forces - both inside and outside the government - denied their support to the women's cause. In so doing, they tacitly endorsed the Islamist gender rhetoric and allowed it to be translated into policy.

We know the rest of the story. The divisions among women and the silencing of the dissenting voices of secular women were the first success of the Islamists and set the scene for what followed. The onset of the war with Iraq in September 1980 provided the radical Islamists the best opportunity for implementing their version of Islamic ideology and eliminating any opposition. With Khomeini's dismissal of moderate president Bani-Sadr in June 1981, the hold of the radical Islamist forces was complete.

On the attitude of the secular leftist groups to women's rights, and the reasons for their tacit alliance with the populist policies of the Islamic Republic, and on the impact of the Islamic Revolution on the women's movement in Iran, there is a vast and eloquent literature produced by Iranian women academics, some of whom were active in these organisations at the time. What emerges from their accounts is that the gender vision of the so-called progressive male activists in these organisations was not so different from that of their Islamist counterparts.<sup>7</sup>

## Conclusion

While concurring with the thrust of their analyses, I want to conclude this paper with two remarks. First, let me draw attention to a neglected aspect of Iranian women's engagement with Islamic fundamentalism. It was not only the women active in socialist organisations who felt betrayed by their male colleagues; women from all walks of life felt a similar sense of betrayal and confusion. This was something that I personally came to experience when I lived in Iran from 1980 to 1984, and documented in my subsequent research in family courts. Women felt that the very men they loved - their fathers, brothers and husbands - had tacitly colluded with the state in depriving them of what they considered their rights. What made the matter more painful for women activists who were believers was that religion gave these men the authority and legitimacy to do this. It was then that the seeds were planted of a new dissent, which contributed to the emergence of a reformist movement over two decades later, after the unexpected victory of Khatami in the 1997 presidential elections. Women's votes played a major part in bringing the reformist government of Khatami into office. Though the expected reforms have failed to materialise, the struggle for them continues.

Secondly, I suggest that the undemocratic and polarised political culture of Iran in the 1970s, together with the populist character of the 1979 Revolution, made the dominance of the 'fundamentalist' agenda espoused by the Islamist revolutionaries inevitable. Two elements that could have contained or moderated the Islamists' notion of gender rights and relations were absent from the revolutionary discourse. There was no indigenous feminist discourse around which women could rally, nor was the defence of women's rights a priority for the

various secularist groups who took part in the Revolution. The fact that both these elements were missing was - in different ways - a legacy of the skewed pattern of modernisation that had been espoused by the Pahlavi regime since the 1930s, and the appropriation of 'feminism' by the state in the 1960s. By the 1970s, in the minds of most political activists - whether Islamic or secular - 'feminism' and 'defence of women's rights' were both seen as part of the bourgeois project of the Pahlavis and as Western imports that should be resisted. When the Revolution happened, there was little in its political discourse and culture that could challenge and contain the populist agenda of the Islamists.

If Iranian women could not prevent the onslaught on their legal rights by the Islamist agenda at first, they later learned not only to resist it but even to turn it on its head. This is, in my view, what the Iranian experience has to offer.

## Endnotes

- <sup>1</sup> Nahid Yeganeh (1982) 'Women's Struggle in the Islamic Republic of Iran', in Azar Tabari and Nahid Yeganeh (eds) *In the Shadow of Islam: The Women's Movement in Iran*, London: Zed Press, p. 35. See also the following for different perspectives: Nayereh Tohidí (1991) 'Gender and Islamic Fundamentalism: Feminist Politics in Iran', in Chandra Mohanty (ed.) *Third World Women and the Politics of Feminism*, Indiana University Press, pp 251-67; Azar Tabari (1982) 'The Enigma of the Veiled Iranian Women', MERIP 103 (February), pp. 22-27.
- <sup>2</sup> Leila Ahmed (1992) *Women and Gender in Islam*, Yale University Press, p. 66.
- <sup>3</sup> See Parvin Paidar (1995) *Women and Political Processes in Twentieth-Century Iran*, Cambridge University Press, pp. 175-82; Ziba Mir-Hosseini (1996) 'Stretching the Limits: A Feminist Reading of the Shari'a in Iran', in Mai Yamani (ed.) *Islam and Feminism: Legal and Literary Perspectives*, London: Ithaca Press, pp. 284-320.
- <sup>4</sup> For an account of the politics of this period, see Shaul Bakhash (1985) *The Reign of Ayatollahs: Iran and the Islamic Revolution*, London: Counterpoint.
- <sup>5</sup> For a partial list, see 'Part Three: Women's Organizations in Iran', in Tabari and Yeganeh (eds) *In the Shadow of Islam*, pp. 203-230.
- <sup>6</sup> See Farah Azari (1983) 'The Post-Revolutionary Women's Movement in Iran', in Farah Azari (ed.) *Women of Iran: Conflict with Fundamentalism*, London: Ithaca Press, pp. 190-225; and Guity Nashat (1983) 'Women in the Ideology of the Islamic Republic', in Guity Nashat (ed.) *Women and the Revolution in Iran*, Boulder, CO: Westview, pp. 195-216.
- <sup>7</sup> See, for instance, Haideh Moghissi (1994) *Populism and Feminism in Iran: Women's Struggles in a Male-Dominated Revolutionary Movement*, New York: St. Martin's Press; Azar Tabari (1986) 'Women's Movement in Iran: A Hopeful Prognosis', *Feminist Studies* 2 (Summer), pp. 342-60; Soraya Afshar, 'The Attitudes of the Iranian Left to the Women's Question', in Farah Azari (ed.) *Women of Iran: The Conflict with Fundamentalism*, pp. 157-69.

### Islamism, an overview

One notable feature of the Islamist discourse is that, despite appearances, it is not monolithic. Within the main discourse, there are multiple discourses that implicitly, if not openly, challenge each other to some degree while adhering to the main lines of their common discourse. Badran<sup>1</sup> believes that we need to adopt a flexible definition of Islamism because such an approach allows us to understand the ambivalences and contradictions within this discourse; it even enables us to 'see the more liberal and progressive' signals in this phenomenon. It helps us to see the 'ways in which Islamism is being challenged and eroded from within and thus bears some seeds of its own destruction'.<sup>2</sup>

Within the category of Islamists there are different strands, ranging from those who 'advocate the establishment of an Islamic state' to those who 'promote the notion of an Islamic society or community within a secular state'. This includes those who 'behave politically to achieve the personal freedom to express their religious identity in public as they see fit'. Another important strand that could be depicted as 'progressive Islamism' is that of the South African model, 'which promote[s] progressive readings of the *Qur'an* and their applications in everyday life'.<sup>3</sup>

Al-Azmeh<sup>4</sup> argues that, despite their seemingly antagonistic relationship, Islamists and nationalists share the same world-view; the call for authenticity is apparent in their discourses, which is a 'central notion in a romantic conception of history'. Authenticity is the idiom by which the historical world is reduced to a particular order of alternating periods of decadence and health.<sup>5</sup> Thus, for authentic Islamists and authentic secular nationalists, the cure for the current illness in the Arab world is a return to the glorious days of the Islamic Empire or, in the words of Malik, 'a transformation from corruption to purity'.<sup>6</sup> Authenticity in this sense is both 'past and future ... [where] [t]he past is the accomplished future and the future is the past reasserted'.<sup>7</sup>

In contrast to the argument by Tibi that the new Islamist movements in the Middle East are a reaction to the secularised and westernised states,<sup>8</sup> Al-Azmeh believes that Islamists and Arab nationalists have much in common; they are each determined by the other's discourse. Islamists invoke the Arabisation of Islam and nationalists invoke the Islamic nature of Arabs. The main bond between the two discourses is the 'discursive construction of a common enemy', enabling them to cooperate under a wide banner: my enemy is yours and your enemy is mine.<sup>9</sup>

In Palestine, an examination of the main nationalist movement, *Fatah* (the ruling party of the Palestine Liberation Organisation [PLO] and consequently of the Palestinian Authority [PA]), and the main Islamist movement, *Hamas*, shows the blurred boundaries between the two. One explanation for their similarities is that the leadership of both movements comes from the same class background. Sharabi writes that the similarity between the two discourses is due to the petty bourgeois origin of the two political movements.<sup>10</sup> Mishal and Sela<sup>11</sup> shed more light on the commonality between *Fatah* and *Hamas* as two political movements deriving their support from a Palestinian majority that does not have a strong political affiliation and

tends to be associated with the Islamic Arab tradition. Thus the public perception of *Hamas* and *Fatah* as being complementary rather than competitive asserts the fact that the social boundaries that are supposed to clarify the differences between the two are rather fluid and flexible.

But what is missing in Mishal and Sela's argument is the fact that political frontiers are conditioned by the specific context of their creation and development: they are subject to time, place and historical circumstance, by the power balance between the two parties as they shift their strategies, by who is in power and who is in opposition.

*Fatah's* discourse is more flexible than that of *Hamas*, despite the fact that it was created by Muslim Brotherhood members (one of whom was Yasser Arafat). The reason for this is that the leadership of the PLO emerged in the 1960s, when Arab nationalism was influential in directing PLO discourse (particularly Nasserism); thus even the most conservative PLO members were affected by the secular inspiration of Marxist PLO members, which acted as a moderating influence. Being away from the daily confrontation with the occupation and thus liberated from having to deal with practical and strategic social questions in the occupied territories, in addition to the experience of being in Lebanon for a long time (1971-1982) and thus inevitably influenced by its relatively open culture, were factors in the moderate discourse of the PLO.

Women are an essential symbol in the discourse of Islamism, and they are co-opted by Islamist movements exactly as they were co-opted by the national movements. In the nationalist discourse, women occupied a central place during the struggle for independence, 'only to be shunted aside after independence was won'.<sup>12</sup> Islamist movements are as oppressive and patriarchal as nationalist ones. In this sense, they are no more than a copy of nationalist movements.

Kandiyoti's reflections are useful to end this section.<sup>13</sup> She prefers to discuss Islamist and nationalist discourses about women in the context of state/civil society friction. The false dichotomy between indigeneity and westernisation, and thus the rigid question of whether Islamism is a challenge or alternative to modernity, become more and more irrelevant. A preferable framework is political, one that poses the question: what type of politics at the levels of state and opposition continues to invoke the false dichotomy of secularisation or traditional, westernisation or authenticity? Framing the question in the terrain of politics allows us to examine the political movements' demands for freedom and democracy, and thus to see how these movements incorporate views about gender that create restrictive practices curtailing women's life options.<sup>14</sup> This is the approach that will be used in this paper.

## The rise of the Islamist movement

This paper situates the debate around the rise and expansion of *Hamas* and other Islamist<sup>15</sup> groups in Palestine in the terrain of *politics*, rather than focusing on their ideological roots as the sole focus of investigation. Any political or social movement, regardless of its nature (religious or secular), works to achieve its goals through realistic and practical decisions.

Therefore, when scrutinising the Islamists' political development, it makes sense to examine their shifting strategies in response to local and regional politics. In other words, instead of encapsulating Islamists within fixed ideological boundaries, a better approach is to concentrate on the dynamics of negotiation between them and their opponents over the shifting boundaries shaped by meaning of political identity and interpretation of social values.<sup>16</sup> The examination of the Islamist movement *Hamas* will be conducted in this light.

### The beginnings

When the Muslim Brotherhood established their institutions in Gaza in the late 1970s, their main aim was to transform Palestinian society from the roots through the 'founding of the Islamic personality'.<sup>17</sup> The Brotherhood's main focus throughout the long Israeli occupation was on education, welfare and community life rather than direct struggle against Israel. This entailed 'an abstention from all forms of anti-occupation activity, prioritizing instead a cultural struggle against the PLO's atheist commitment to secular nationalism'.<sup>18</sup>

In the late 1970s, Gazan students were no longer able to pursue their studies in Egypt,<sup>19</sup> nor were they able to go to the universities in the West Bank due to Israeli restrictions. It was a ripe situation for the Islamists (Muslim Brotherhood at that time) to establish the Islamic University in Gaza, which attracted students from the poor in Gaza, to educate a new generation under Islamist ideology. Simultaneously, in the West Bank, more students from the rural periphery entered the universities.<sup>20</sup>

By the mid 1980s, the Muslim Brotherhood (which declared itself as *Hamas* in the early months of the first *Intifada* in 1987), had been able to build an impressive social infrastructure, financed by Saudi Arabia, the most conservative country in the Arab world. It controlled 40% of Gaza's mosques, and the Islamic university, which, with 7,000 students, was the largest in the occupied territories.<sup>21</sup> Thus when the first *Intifada* erupted, a new generation of university students fuelled it. Coming from rural and poor families, and influenced by Islamist ideology, they brought a perspective to the student movement which was to become the hegemonic ideology of the new vibrant and angry generation.

### The first *Intifada*

A shift in the Islamists' strategy took place in the late 1980s, and specifically in the first days of the *Intifada*. The shift was from the 'reformist' approach, which focused on transforming society from below, towards 'active political engagement', thus challenging the secular nature of the PLO.<sup>22</sup> The objective, especially for *Hamas*, in particular, was to establish an alternative to the PLO project politically and socially. Such an ambition was appreciated, and thus nurtured, by Israel, since it constituted a favourable alternative to the highly popular PLO factions in the occupied territories.

Hasan contends that Israel nurtured and allowed *Hamas* to act without interference for a long time.<sup>23</sup> One indication of this was that until the killings inside Israel increased, the number of *Hamas* prisoners in relation to the size of the organisation was lower than that of prisoners

from other organisations. Usher makes a similar observation, that despite its propaganda against Jews, ' Hamas' relation with the occupation authorities remained essentially quietist, with the [Israeli] army never interfering with Hamas strike days'.<sup>24</sup>

During the first *Intifada*, Hamas' activities focused on controlling women's behaviour through a social offensive against all manifestations of 'un-Islamic behaviour', especially in the Gaza Strip, where women were forced to wear the headscarf as a sign of both modesty and nationalist rectitude. One of the pervasive wall slogans in Gaza at that time was, ' Hamas considers the unveiled to be collaborators with the enemy'.<sup>25</sup> Thus, with a mixture of consent and coercion, Hamas demonstrated its leading-group power, to use Gramsci's terminology.<sup>26</sup>

Hamas' enforcement of the *hijab* in Gaza is not about modesty, respect, or nationalism, nor is it to protect women from lustful male eyes, as their public discourse keeps repeating. A political analysis makes it clear that Hamas used the wearing of the *hijab* to establish a new political reality on the ground, to shift the *Intifada* away from what was a highly democratic process towards a direction considered desirable by the Islamists and by the Israeli authorities.<sup>27</sup> Most importantly, it was a manifestation of the Islamists' power to impose rules by attacking secularist groups and the national movement at their most vulnerable point: over issues of women's liberation.<sup>28</sup> In so doing, the Islamists distorted values, especially those related to women's liberation within the national liberation process. Tens of women were murdered as alleged 'collaborators' just because their personal behaviour was not in conformity with the norms imposed by Hamas. Thus the *Intifada* was tacitly turned into a social counter-revolution.

What is even worse is that the unified leadership of the first *Intifada*, which consisted of all secular and democratic forces, accepted Hamas' social conservative agenda. In 1989-90, under the politically classic banner of 'unity against the enemy', the leadership called for national harmony over divisive and 'marginal' issues such as the *hijab*, and tacitly supported the enforcement measures of the Islamists in the Gaza Strip. Thus the nationalists short-sightedly gave their temporary political interest higher priority than women's rights, not realising that this compromise threatened their very existence.

In addition, the polarisation of political forces, between the 'nationalist secular right' (represented by the biggest movement in the PLO, *Fatah*, allied to a locally based bourgeoisie), and the Islamists, has tended to marginalise the Palestinian left. Thus a considerable sector of Palestinian society (committed to democracy, political, cultural and religious pluralism, equality and social justice) remains without a platform and a unifying organisational framework.<sup>29</sup> The political vacuum in Palestinian politics due to the weakness of the left has been filled by two alternatives. One is the revival of the traditional social structures, encouraged by the secular right, and the other is the increased popularity of the Islamists. In both cases, the losers are Palestinians as a whole, but particularly Palestinian women.

At the end of the first *Intifada*, *Hamas* was able to present itself as the legitimate national alternative to the PLO. When the largest faction in the PLO appeared to abandon the armed struggle in favour of negotiation with the 'enemy', *Hamas* clung to established national values that were encapsulated in the notion of persistent armed struggle until the liberation of historical Palestine. *Hamas* thus confronted the PLO's secular nationalism with an Islamic-national discourse; it needed no amendment of the original PLO slogans, merely their Islamisation.<sup>30</sup>

### The Oslo agreement

Several significant factors prepared the ground for the rise of *Hamas* as an alternative to the exiled PLO in the early 1990s: the PLO's military defeat in Lebanon; the rise of a local national movement inside the occupied territories, especially the *Intifada*; and the collapse of the Soviet Union. The first Gulf war was another watershed because it changed the international and regional balance of power, turning the PLO into nothing more than a disintegrating bureaucracy, without funds, located in Tunis. Its only aim was survival, and its only claim to legitimacy was that it represented Palestinians. However, its support among Palestinians was declining as the *Intifada* gained momentum.

All these factors made it possible for the Israelis to recognise the PLO, and led to the signing of the Oslo agreement on 13 September 1993. The agreement originated a process that sustained Israel's historical position of neither full withdrawal from, nor annexation of, all the occupied territories. It also made the PLO responsible for Israel's security from Palestinian attacks, without allowing Palestinians the right to self-determination.<sup>31</sup>

The Oslo agreement between the PLO and Israel was a landmark in the struggle of the Palestinian people for self-determination and statehood. The agreement was mediated on the basis of a severe imbalance of power between Israel and the PLO; Israel always had the upper hand. The Oslo agreement does not talk about the Palestinians as a nation, or as a people; does not recognise the existence of the refugees; and does not deal with territory, with the land. For most Palestinians, the Oslo agreement was wholly an Israeli formula, for by its terms the PLO became the guardian of Israeli security rather than the security of Palestinians. On the other hand, the agreement has enabled the PA to control the population without reference to sovereignty, specifically to rights over land, resources, and external relations. It has allowed the previous PLO élite to assert and maintain political leadership without the need to legitimate itself through the articulation of a social agenda.<sup>32</sup>

The lack of formal independence, of sovereignty and control over borders and resources, and an almost undemocratic socio-political structure, have enabled the PA to retain its internal policies, which are decided by the space it can negotiate with the Islamists without alienating Israel. It is in this negotiation that women's interests suffer.

The PA's poor performance, particularly with regard to the autocratic and authoritarian style of its head, has opened the door to increased criticism from all sectors of the political spectrum. The rising popularity of the Islamists is one expression of this dissatisfaction. Palestinians are

disappointed that the Authority has brought them neither independence nor social justice.<sup>33</sup> This plays a great role in strengthening their belief that justice can be achieved through Islamic laws. Constructing a mythical past of Islamic justice is one of the mechanisms used by Palestinians to endure current hardships and dream of a better future.

In this context, the Islamists' strategies are best seen as a political response to the Oslo agreement and its leadership. The Islamists constantly emphasise the fact that Palestinian society is locked in daily struggle with a neighbouring country that makes no secret of its enmity. Thus, by relying on the hegemonic power of religion and using interpretations of the *Qur'an* that support their control, their actions constitute - in the eyes of the frustrated and disappointed public - a praiseworthy response to the corrupt PA on the one hand and the ever-present and murderous enemy on the other. After Oslo, the Islamists' aim was to break out of the political boundaries set by the PA and Israel. In an extension of their role as 'defenders of the faith', the Islamists link any attempt to improve the lives of Palestinian women with a perceived international (Western) conspiracy against Islam. The constant Israeli threat acts to their benefit, because *Hamas* is seen as the only force willing to stand up to the enemy.

In the years following the Oslo agreement, *Hamas* became more concerned with laying the social foundation for the eventual defeat of the PA. Relying on its relative political power, *Hamas* adopted another strategy: a shift towards the reformist approach to achieve political objectives. Significant amongst its activities are the many well-established mosques with ideologically influenced *imams*; the reputable Islamic university, with its economic resources available to ideologically committed students; outreach health and education services; the employment opportunities provided to people. All these services carry a clear message to the people of *Hamas*' concern and efficiency: the contrast between the Islamists' high-quality social services and the poor performance of 'governmental institutions' speaks volumes. Thus *Hamas* has not only been able to maintain a high public profile, but it has also been able to win the defection of many of its opponents' supporters.

### **Conceptual underpinnings of the relation between the PA and *Hamas***

The PA came into existence because of the Oslo agreement. Therefore, in order to define the PA conceptually, we have to keep in mind that the relation between Palestine and Israel is one of dominance by Israel. This paper conceptualises and analyses the PA in the framework of power and hegemony as defined by Foucault and Gramsci. One aspect of Gramsci's notion of hegemony involves *resistance* and *negotiation*. In order to change the power relation with Israel, the Palestinians use a combination of resistance and negotiation. The Islamists use the discourse of *resistance*, while the PA enforces the discourse of *negotiation*. The PA's discourse since the Oslo agreement has increasingly focused on negotiation at the expense of resistance, and it has thus attempted to delegitimise the discourse of the Islamists. The negotiation discourse defines Israeli violations of Palestinians' human rights and other anti-Palestinian activities merely as violations of the peace process. Thus the crucial factor in relations between Palestine and Israel becomes the PA's compliance with its role as guardian of Israel's security, not the confrontation between coloniser and colonised.

Power is a crucial element in the process through which the PA and the Islamists define and set rules, and measure their ability to restrict or demarcate each other's limits. In this sense, the PA's heavy dependence on coercive practices to keep the Islamists within their allotted space makes it a dominant group rather than a hegemonic one. Yet, there are some elements of consent in that relation.

To obtain that consent, the PA uses Islamic discourse as well as the liberation discourse that has been built up over thirty years of occupation. It also uses its control over the education system, and media in general. In addition, the PA has the advantage of being in office and therefore having the capability to use disciplinary power to build up its hegemony. The PA's power in this respect is derived from its legitimacy, which enables it to enforce a specific social change or maintain existing social relations, including gender relations, through its ability to pass laws and implement policies. This is a crucial aspect of the PA's disciplinary power, providing it with a capacity not only to govern, but also to guarantee the continuing domination of its discourse. The PA has also appropriated the discourse of the Islamists and is using it for its own advantage.

In the power relation between the PA and the Islamists, the Islamists are subordinated. The intellectual dominance of the PA does not mean that the Islamists accept the PA's dominance. The dialectic of the relation with the Islamists creates daily challenges to the relatively hegemonic power of the PA as the Islamists try to go beyond the boundaries allocated to them. Thus the Islamists, even in their subordinated position, play an active role and are involved in active confrontation. In a Foucauldian sense, power relations do not play a merely repressive role; on the contrary, they are productive wherever they come into play.<sup>34</sup> The PA's repressive practices and *unproductive power* lead to *productive resistance* from the Islamists. This strengthens the Islamist discourse, and women are the losers.

The power relations between these two parties are not stable because they are based on inequalities and the parties are constantly attempting to change. Therefore, we witness the Islamists negotiating with the PA on social aspects such as the full Islamisation of the Family Law. The Islamic discourse is thus a field of negotiation and resistance between the PA and the Islamists.

### The current situation

Another shift has taken place recently in *Hamas'* agenda. Since the eruption of the second *Intifada* in September 2000, *Hamas* has shifted its priorities to more violent activities. At first, it viewed the second *Intifada* as merely an attempt by the PA to improve its position at the negotiating table. However, after a few months, *Hamas* realized the potential of the second *Intifada* for increasing its support at the expense of the PA.

Whenever a political settlement is about to be reached, *Hamas* demonstrates its dissatisfaction in a very violent way: by attacking Israeli civilians. This strengthens the hand in particular of Jewish fundamentalists on the other side of the border, sustaining their discourse and power. Thus *Hamas* can be seen to be a highly pragmatic organisation, which is capable of changing its strategies in response to the changing political environment.

## Conclusion

In the 1970s, the Palestinian Liberation Organisation wanted to build a 'secular' state that would derive its laws from international conventions and human rights standards. In the late 1980s, changes in international and regional politics compelled the PLO to accept the Oslo agreement, even though it left many important issues unresolved.

On the other hand, the objective of the Islamists in the 1980s (of *Hamas*, in particular), and especially during the *Intifada*, was to establish an alternative to the PLO project politically and socially. *Hamas*' political alternative was to build a religious Islamic state in which the main sources of legislation would be the *Qur'an* and *shari'a*, as they interpret and define them.<sup>35</sup> Nine years after Oslo, *Hamas* has been shifting its strategy from reformism to violence, in order to achieve this end. The squeeze on *Hamas* funds following its labelling as a terrorist group by the US has served to provide a further reason for the shift away from reformism. *Hamas*' ultimate goal is not to destroy the peace process *per se*, nor is it to reassert Islamic culture; its aim is to oppose radically the PA's political project and seize power once and for all. In the end, the price of the ascendance of Islamists will be paid not only by women, but also by all the democratic, secular and leftist forces in Palestine.

## Endnotes

<sup>1</sup> M. Badran (2001) 'Understanding Islam, Islamism, and Islamic Feminism', *Journal of Women's History* 13 (1), pp 47-52.

<sup>2</sup> *ibid*.

<sup>3</sup> When Dr. Badran visited Johannesburg, she was astonished to receive an invitation to speak at a mosque during Friday prayers. As Mattock explains, she thought, 'These people must be somewhere where other people are not. She says that their Islamism is very different and so is their feminism. In other parts of the world, a person who is not Muslim would not be allowed to enter a mosque to speak during the Friday prayer. However, it is even more unheard of for a woman who is not of the Islamic faith to be allowed to enter a mosque on Friday during prayer to speak. In South Africa, the movement is very opposed to gender apartheid. It is a different kind of political experience', in J. Mattock (2001) 'Feminist Scholar Lectures on Controversial Islamic Feminist Movement'.

<sup>4</sup> A. Al-Azmeh (1993) *Islams and Modernities*, London: Verso Press.

<sup>5</sup> *ibid*, p. 42.

<sup>6</sup> J. Malik (1998) 'Making sense of Islamic Fundamentalism' <http://www.isim.nl/newsletter/1/research/01AD30.html>

<sup>7</sup> Al-Azmeh, *ibid*, p. 48.

<sup>8</sup> B. Tibi (1992) *Religious Fundamentalism and Ethnicity in the Crisis of the Nation-State in the Middle East: Superordinate Islamic and Pan-Arabic Identities and Subordinate Ethnic and Sectarian Identities*, Berkeley: University of California, Center for German and European Studies, Working Paper.

<sup>9</sup> J. Torfing (1999) *New Theories of Discourse: Laclau, Mouffe and Zizek*, Oxford: Blackwell Publishers.

<sup>10</sup> H. Sharabi (1988) *Neopatriarchy, a Theory of Distorted Change in Arab Society*, New York and Oxford: Oxford University Press.

<sup>11</sup> S. Mishal and A. Sela (2000) *The Palestinian Hamas: Vision, Violence and Coexistence*, New York: Columbia University Press, p. 48.

<sup>12</sup>Badran, *ibid.*, p. 49.

<sup>13</sup>D. Kandiyoti (2001) 'The Politics of Gender and the Conundrum of Citizenship' in S. Joseph and S. Slymowics (eds) *Women and Power in the Middle East*, Philadelphia: University of Pennsylvania Press, pp 52-61.

<sup>14</sup>Kandiyoti, *ibid.*, pp. 56-8.

<sup>15</sup>This paper uses the term 'Islamists' rather than 'fundamentalists' because the latter term is a value-laden concept which tends to be used in the context of political terrorism. There is no intention in this paper to evaluate the military strategies of *Hamas* or any other political actors.

<sup>16</sup>Mishal and Sela *ibid.*; Kandiyoti *ibid.*

<sup>17</sup>G. Usher (1995b) 'What Kind of Nation? The Rise of *Hamas* in the Occupied Territories', *Race and Class* (issue on the theme 'Palestine: Diplomacies of Defeat'), 37(2), pp. 65-80.

<sup>18</sup>Usher, *ibid.*

<sup>19</sup>This was due to the signing of the Camp David agreement between Egypt and Israel (1978) and the subsequent friction in the PLO's relations with the Sadat regime in Egypt.

<sup>20</sup>Mishal and Sela, *ibid.*

<sup>21</sup>Usher, *ibid.*

<sup>22</sup>Mishal and Sela, *ibid.*, p. 46.

<sup>23</sup>M. Hasan (1993) 'On Fundamentalism in Our Land', part of the 'Dossier, Women Living Under Muslim Laws' series, no. 11/12/13, pp. 35-9, Grabels, France: International Solidarity Network of Women Living Under Muslim Laws.

<sup>24</sup>Usher, *ibid.*, p. 67.

<sup>25</sup>Usher, *ibid.*, p. 67.

<sup>26</sup>G. Arrighi (1993) 'The Three Hegemonies of Historical Capitalism', in S. Gill. (ed.) *Gramsci, Historical Materialism and International Relations*, Cambridge: Cambridge University Press, pp. 148-85.

<sup>27</sup>The term 'democratic' is used here to depict the popular makeup of the *Intifada*. Palestinians - as communities and grassroots organisations - formed committees on district and sub-district levels. Sometimes the committees were formed on a professional basis, e.g. committees for students, workers, health-service providers, agricultural workers, women's activists, etc. Such flexibility facilitated the organisation of anti-occupation activities depending on local conditions. There was no hierarchy as such in the first days of the *Intifada*. The process of institutionalisation was rather slow, and it did not take place straightaway. It has also been suggested that the establishment of *Hamas* accelerated the institutionalisation of the *Intifada*, and thus contributed to its hierarchical character; see Hasan, *ibid.*

<sup>28</sup>R. Hammami (1990) 'Women, the Hijab and the Intifada', *Middle East Report* 20 (3&4), pp. 24-8.

<sup>29</sup>J. Hilal (1995) 'The PLO: Crisis in Legitimacy', *Race and Class* (issue on the theme 'Palestine: Diplomacies of Defeat') 37(2), pp. 1-18.

<sup>30</sup>Mishal and Sela, *ibid.*, p. 15.

<sup>31</sup>G. Usher (1995a) 'Bantustanisation or Bi-nationalism? An interview with Azmi Bishara', *Race and Class* (issue on the theme 'Palestine: Diplomacies of Defeat?') 37(2), pp. 43-50.

<sup>32</sup>C. Parker (1999) *Resignation or Revolt? Socio-political Development and the Challenges of Peace in Palestine*, London: I. B. Tauris Publishers, p. xii.

<sup>33</sup>For details of the dramatic impact of the Oslo agreement on the Palestinian economy, see: S. Roy (1996) 'Economic Deterioration in the Gaza Strip', *Middle East Research & Information Project*, 26(2000): pp. 36-9; S. Roy (1998) 'The Palestinian Economy after Oslo', *Current History*, January 1998, pp. 19-25.

<sup>34</sup>J. Sawicki (1991) *Disciplining Foucault*, New York and London: Routledge.

<sup>35</sup>For more details, see: Rafael Yisraeli (1989) 'The Charter of the *Hamas*', in Y. Alexander and H. Foxman (eds) *The 1988-1989 Annual on Terrorism*: Kluwer Academic Publishers; L. Taraki (1989) 'The Islamic Resistance Movement in the Palestinian Uprising', *Middle East Report*, 19(156), pp. 30-2; M. Litvak (1998) 'The Islamization of the Palestinian-Israeli Conflict: The case of *Hamas*', *Middle Eastern Studies*, 34(1), pp. 148-63; and <http://www.womeningreen.org/Hamas.html>.



## Summary

Attacks on the human rights of lesbian, gay and bisexual (LGB) people are often integral to fundamentalist movements. It is possible to identify particular warning signs of emerging fundamentalisms by examining trends in the treatment of LGB people. Homophobia and heterosexism can also be prevalent within non-fundamentalist forces, which puts LGB people in a very vulnerable position. Further inclusion of LGB issues by mainstream and women's human rights organisations is therefore needed.

## Introduction

Despite increased visibility, enhanced legal protection and greater societal acceptance in some countries, lesbian, gay and bisexual people are still being attacked, everywhere in the world and by all types of individuals and groups. Attacks may be physical, emotional, verbal or legal. They consist of discrimination, intimidation, social exclusion, prosecution, or any other form of persecution and oppression. The question central to this paper is whether and how these attacks can be identified as warning signs of fundamentalism.

Fundamentalism has been more or less broadly defined by WLUML as 'the use of religion (and often, ethnicity and culture as well) to gain and mobilise political power'.<sup>1</sup> In this paper I firstly give some examples of attacks against LGB people and identify how these fall within the realm of 'fundamentalism' as defined above. Secondly, I list some of the common methods and strategies used by 'fundamentalists' in their attacks against LGB people so that they may be recognised as 'warning signs'. Thirdly, I argue that these attacks are a constant reminder of the fundamentally heterosexist and patriarchal structure pervading most religions, cultures and societies. I will discuss the vulnerable position this puts LGB people in, and argue that mainstream and women's human rights organisations need to include LGB people explicitly in their agendas.

## Attacks against LGB people as a form of 'fundamentalism'

Amnesty International reports that 'lesbians, gay men and bisexual and transgender people all over the world suffer persecution and violence simply for being who they are'.<sup>2</sup> They are tortured, raped, imprisoned, subjected to forced medical treatment, denied the right to form sexual or familial relationships with their partners, denied access to, or legal bonds with, their children, harassed, discriminated against and ostracised, at school, at work, in places of worship and by their own family.<sup>3</sup>

In some countries, for example Afghanistan, Iran, Pakistan and Saudi Arabia, homosexual relations are officially punishable by execution or by flogging, depending on the circumstances of the case. In others, such as several states in the USA, Morocco, Uganda, Zimbabwe, Turkey, Jamaica and many more, homosexuality or same-sex sexual relations are punishable by prison sentences, fines and/or hard labour.<sup>4</sup> Countries that do not have explicit laws prohibiting homosexuality may still prosecute LGB people under laws prohibiting activities such as 'hooliganism' or behaviour 'against public morality', for example in Egypt and China. Whether these laws are used for prosecutions usually depends on the political climate of the moment.

Public executions or punishments of LGB people, and public statements of politicians, may occasionally catch the headlines, but they do not tell the story of the majority of LGB people, who suffer oppression in silence. It is important to remember that most of the violence, oppression and attacks are actually 'invisible'. The perpetrators may be family members, religious, ethnic or cultural communities or leaders, or simply members of the heterosexist society at large. For example, 'gay-bashing' continues to be widespread in most countries, including in supposedly liberal capital cities. 83 per cent of young gay people in London in the UK claim to have been physically or verbally attacked, and suicide rates amongst gay-identified youths are significantly higher than amongst straight-identified youths.

The aim of fundamentalism is to gain and mobilise political power through the use of religion, ethnicity, culture or nationality. The language, reasoning and methodology used by the perpetrators of attacks on LGB people clearly demonstrate the use of religious, ethnic, cultural and/or national arguments, as well as the aim of gaining or mobilising political power.

One example of ethnic, cultural and/or national fundamentalism is Zimbabwe, where President Mugabe has declared homosexuality to be 'the product of degenerate colonial cultures that contaminated the African indigenous population', and said that gay people are 'worse than dogs and pigs'. Eliminating homosexuality from Zimbabwe is considered merely another form of purging the country of white colonial influences.<sup>5</sup> As a result, the number of LGB people attacked in the community or arrested by the police has significantly increased. President Mugabe called the British Prime Minister, Tony Blair, a 'gay gangster' and blasted him for having 'homosexuals' in his cabinet after Britain and other western nations criticised the latest presidential elections and Zimbabwe's human rights record. Zimbabwean opposition groups quickly reacted to this by stating that Mugabe's own cabinet included gay men. Mugabe's response was to order a witch-hunt to 'flush out gays and lesbians' in his government, and many politicians were thrown in jail.<sup>6</sup>

Another example of cultural fundamentalism is the raid by Indian police in July 2001 on the offices of two organisations working on HIV/AIDS prevention. Members were charged under several articles of the Penal Code, including article 377, which prohibits 'unnatural offences against the order of nature'. There were credible reports that those arrested were ill-treated and beaten in detention. One of the senior police officers involved in this case stated publicly that he would like to 'eradicate homosexuality, which is against Indian culture'.<sup>7</sup>

The interaction between religion, political power and attacks on LGB people is evident from the strong opposition by religious groups and movements in various countries to decriminalisation of homosexuality and the introduction of equality legislation to protect LGB people. For example, the religious lobby in the UK mobilised strongly against the recent withdrawal of Section 28 of the Local Government Act 1988, which refers to homosexuality as 'a pretended family relationship'. The introduction of this legislation, and the accompanying crackdown on homosexuality in the UK in the late 1980s and early 1990s, led to a significant rise in violence against LGB people in the UK, making British police and schools 'probably the most homophobic institutions in the country'.<sup>8</sup>

Another example is the situation in South Africa, where the constitution now guarantees equality for LGB people. However, the South African government and LGB rights groups are afraid to push for implementation of these rights for fear public opinion and the religious lobby might work against them and cause a backlash. Already the African Christian Democratic party seeks to remove the sexual orientation clause from the constitution.<sup>9</sup> Revival of religious consciousness also led to the *renewed* criminalisation of homosexuality by the Nicaraguan president following a visit by Pope John Paul II in 1992.

In 1993, President Fujimori of Peru dismissed 117 foreign diplomats, including ambassadors, because they were 'homosexual' or engaged in 'doubtful sexual practices'. Most of them were neither gay nor lesbian, but were seen as potential threats to the president's rule. In this case, the fight against homosexual 'immorality' was not explicitly linked to one particular religious, cultural or ethnic fundamentalist movement; rather it was generally considered to be an 'affirmation of Peruvian morality'. In 1996 again, a crackdown on LGB people occurred in Peru, and over 600 individuals were detained in a series of raids on gay bars and clubs. Those who approached the police to ask why they were being detained were beaten with clubs. The detained were shoved, insulted, and subjected to demands for bribes. Since then, raids on lesbian and gay bars have continued to occur periodically in Lima.

LGB people often get caught in the middle between so-called 'fundamentalist' opposition movements and supposedly 'non-fundamentalist' governments. LGB people, as well as women in general, are easy targets for governments to assert their morality and commitment to religion, culture and ethnicity in reaction to accusations of being 'traitors', 'westernised' or 'unbelievers' by opposition groups. In these situations, crackdowns in the form of arrests, punishments and executions of LGB people are widely advertised by the perpetrators.

For example, one explanation for the sudden 'morality' crackdown by the Egyptian authorities - after years of quietly tolerating homosexuality - is that the authorities seek to discredit the allegations by Islamist forces and conservatives that the ruling Egyptian government is 'westernised', immoral, and unfit to rule over its Muslim population. The Egyptian authorities launched a major crackdown on gay men, starting with a raid on a disco-boat in May 2001, where 52 men were arrested and subsequently tried. In November 2001, 23 men were given prison terms by an emergency state security court for 'habitual debauchery' (Section 10 of the 1961 Law on the Combat of Prostitution) and/or 'contempt of religion'. However, following international protests, in May 2002 President Mubarak ordered a retrial for 50 of the 52 men, because the case did not fall under the jurisdiction of the emergency court and should have been tried by a regular court. The men were released, and the subsequent retrials were opened and adjourned several times. Since then, LGB people, particularly gay and bisexual men, continue to be specifically targeted by Egyptian police, including via entrapment. Many more men have been harassed, arrested and prosecuted. Several of the accused allege that they were subjected to torture and ill-treatment in pre-trial detention. In addition, the names, photos and addresses of many are made known publicly, causing them and their families severe harassment and humiliation.<sup>10</sup>

Attacks against LGB people may also take the form of targeting anyone who facilitates the political expression of an LGB identity or asserts the rights of LGB people. For example, in April 2000, two employees of a Lebanese company that manages the internet provider hosting the gay website *www.gaylebanon.com* were arrested and questioned by police about the owners of the website. In reaction to protests made by the human rights organisation MIRSAD, a human rights activist was arrested as well. Both the director of MIRSAD and the director of the internet provider were convicted of 'defamation' under the Military Penal Code for publicising the facts of this case nationally and internationally. Lebanon is generally known as one of the most 'gay-friendly' states in the Middle East, but due to the increased visibility of LBT (lesbian, bisexual and transgender) people, arrests and convictions for homosexuality have lately increased.

The link between attacks on LGB people and mobilising political power is evident from the tactics of politicians who seek to discredit their opponents by 'accusing' them of homosexuality while boasting about their own 'heterosexual family life'. For example, the prosecution of the politician Anwar Ibrahim in Malaysia for (alleged) homosexuality was clearly intended to discredit him and sideline him as a political opponent.

### Warning signs

The examples quoted in this paper are only a small selection of the many forms attacks on LGB people can take. The methods and strategies used by 'fundamentalist' forces in their violence against LGB people are diverse and multifaceted. However, the following is a preliminary categorisation of activities that can be recognised as clear 'warning signs':

- The (re-)activation or (re-)introduction of criminal laws prohibiting homosexuality in general, or elements of it, and oppression of groups campaigning for legal change.
- An increase in police arrests, state harassment and/or prosecutions of LGB people under such criminal laws or under other provisions (e.g. 'immorality' or 'contempt of religion'), and widespread publicity for such 'crackdowns'.
- Obstructing the repeal of laws that discriminate against LGB people.
- Public 'allegations' of 'homosexuality' made by politicians to discredit political opponents and other public figures, possibly followed by public prosecutions, as well as public denouncements of and insults to LGB people.
- An increase in state or community-based oppression and violence against LGB visibility and social or political organisation, for example through the prohibition of pride marches and meetings, the censorship of websites and publications, and the restriction or prohibition of teaching on homosexuality in schools.
- An increase of violence in the private sphere against LGB people, including 'gay-bashing' and bullying in schools; a lack of police and state protection against these forms of violence or even (tacit) encouragement of these forms of attack by the state.

## Patriarchy and heterosexism

Attacks against LGB people are usually portrayed as, or appropriated to mean, the reassertion of religious, cultural, ethnic or national 'purity'. This 'purity argument' goes to the core of fundamentalist agendas. A common element in the various forms of 'fundamentalism' is their claim to 'return to the fundamentals', or restore the essence of ethnic, religious or cultural values. This essence is seen as somehow pure and morally superior. Central to this ethnic, religious or cultural 'purity' is a sexual purity that is usually a particular form of heterosexuality. In these fundamentalist agendas, sexuality is only accepted when taking place within strictly defined rules, which include marriage, monogamy, male dominance and female submission, etc. This prescribed form of 'sexual purity' is heterosexual in nature and usually requires male control over female sexuality: the essence of patriarchy. This phenomenon - control over female sexuality - has been demonstrated by many feminists to be essentially a method of male control over women and procreation.

In August 2002, US Reverend Jerry Falwell said in an interview about the 9/11 attack on the Twin Towers:

I really believe that the pagans, and the abortionists, and the feminists, and the gays and the lesbians who are actively trying to make that an alternative lifestyle, the ACLU, People For the American Way, all of them who have tried to secularize America, I point the finger in their face and say 'You helped this happen'.<sup>11</sup>

It is no surprise that Falwell mentions abortionists, feminists, lesbians and gay men in one sentence: they are all perceived as threats to the heterosexist, patriarchal society where dominant (heterosexist) men control women, sexuality and procreation.

WLUML's definition of fundamentalism is 'the use of religion (and often ethnicity and culture as well) to gain and mobilise political power'.<sup>12</sup> The particular interpretation of religion, ethnicity or culture that is being used for this mobilisation of power is usually one that asserts patriarchy and heterosexism. Patriarchy and heterosexism can be methods of fundamentalist control and state control. But they can also be tools to maintain, gain and mobilise political power, for so-called fundamentalists and mainstream political movements alike.

Attacks on LGB people therefore go to the core of a patriarchal and heterosexist agenda - whether strictly defined as fundamentalist or not. The continuous assertion of the moral superiority and normality of a particular form of heterosexuality throughout society is in essence a confirmation of patriarchy and a method to 'preserve and reinforce the social meaning of gender'.<sup>13</sup>

This is why it is extremely important to realise that the perpetuation of LGB invisibility is, *in itself*, a form of attack. Pointing to visible and often 'fundamentalist' attacks on LGB people is obviously much needed. However, it should not be forgotten that underlying the

visible attacks, a much more pervasive, less visible attack takes place - the oppression of LGB people, their invisibility, and the constant affirmation of heterosexism by states and communities at large.

The marginalisation of, disregard for and even condemnation of LGB people's rights in the mainstream human rights movement (and of lesbian and bisexual women's rights in the women's rights movement) are extremely worrying. It can be difficult and dangerous for LGB people to stand up for their rights on their own. When politicians, human rights groups or individuals do not stand up against these attacks because of their own heterosexism, internalised patriarchy or for fear of 'jeopardising' their own agendas, they become complicit in 'fundamentalist' attacks against LGB people. This is not to say that care shouldn't be exercised by activists to achieve the best results while ensuring their own safety. However, caution should not become an excuse not to take *any* initiative. Recognition of LGB people within mainstream human rights and women's movements would be an excellent way to start combating the invisibility of LGB people and stop patriarchy and heterosexism seeping into these structures.

## Conclusion

Attacks on LGB people can and should be recognised as warnings of fundamentalism. Specific attacks can be recognised in: the introduction or increased use of criminal and discriminatory laws against LGB people; public 'allegations' of homosexuality made by politicians to discredit political opponents; and increases in state or community-based oppression and violence against LGB people.

There is a close interrelationship between politics, religion, ethnicity, culture and the control of sexuality. A fundamentally heterosexist and patriarchal structure, seeking to control both men and women in society through control of sexuality and assertion of rigid gender roles, pervades all religions, cultures and societies.

Homophobia and heterosexism are core aspects of patriarchy, and they are used by fundamentalist and non-fundamentalist forces alike to gain political power. This puts LGB people in a very vulnerable position: they often find themselves sidelined by the state, as well as by their communities and mainstream human rights and women's movements, at the very moment that they face a backlash from fundamentalists for having tried to break out of their invisibility.

Therefore, apart for the warning signs mentioned above, I would argue that the most worrying 'warning sign' is the unwillingness to take on LGB issues by the forces that should do so: states, human rights groups and women's rights movements. It is extremely worrying when those who claim to pursue human rights *for all* and those who seek to break down patriarchy are unwilling to include LGB people explicitly. As long as LGB people are specifically and explicitly attacked for who they are, they will also need to be explicitly defended, both inside

and outside the mainstream human rights and women's rights movements. When these movements perpetuate LGB people's invisibility, either actively or through complacency, they perpetuate patriarchy, heterosexism and ultimately homophobic attacks.

## Endnotes

- <sup>1</sup> WLUML (2002) 'The continuing rise of fundamentalism in Muslim contexts'.
- <sup>2</sup> Amnesty International (2001) 'Crimes of hate, conspiracy of silence', [www.amnesty.org.uk](http://www.amnesty.org.uk).
- <sup>3</sup> See e.g. Amnesty International (2001) 'Crimes of hate, conspiracy of silence'; Human Rights Watch (2002) 'Lesbian, Gay, Bisexual and Transgender Rights', *2002 World Report*, [www.hrw.org](http://www.hrw.org); Human Rights Watch (2001) 'Hatred in the Hallways – Violence and Discrimination against Lesbian, Gay, Bisexual and Transgender Students in U.S. Schools', [www.hrw.org](http://www.hrw.org).
- <sup>4</sup> Source: [www.ilga.org](http://www.ilga.org).
- <sup>5</sup> M. Hilson (1996) 'Homophobia and Postcolonialism', [www.emory.edu](http://www.emory.edu).
- <sup>6</sup> *Zimbabwe Standard* (2 July 2002) 'Mugabe to root out gays', [www.africaonline.com](http://www.africaonline.com).
- <sup>7</sup> *The Gully* (12 April 2002) 'India condemned for anti-gay abuses', [www.thegully.com](http://www.thegully.com).
- <sup>8</sup> *The Observer* (27 October 2002) 'A date with hate', [www.observer.co.uk](http://www.observer.co.uk).
- <sup>9</sup> *The Guardian* (31 October 2002) 'I love a man in uniform', [www.guardian.co.uk](http://www.guardian.co.uk).
- <sup>10</sup> See e.g. Datalounge (2003) 'New arrests against gay Egyptians', [www.datalounge.com](http://www.datalounge.com); Human Rights Watch (7 October 2003) 'Egypt: Crackdown on homosexual men continues', <http://hrw.org/press/2003/10/egypt100703.htm>.
- <sup>11</sup> CNN.com (14 September 2002) 'Falwell apologizes to gays, feminists, lesbians', [www.cnn.com](http://www.cnn.com).
- <sup>12</sup> WLUML (1999) 'Dhaka Plan of Action'.
- <sup>13</sup> See, for example, Sylvia A. Law (1988) 'Homosexuality and the social meaning of gender', in *Wisconsin Law Review*, pp. 187-235.



## Introduction

I will begin by outlining some of the general issues regarding education. I will then move into the specific situation of gender and education in Afghanistan in the past decades, with a focus on the Taliban, women's resistance and some lessons learned.

First of all, formal education is not a neutral terrain, even though this is its predominant representation. Education is usually a site of the reproduction of inequalities in society, including those of class, gender, race and ethnicity. It is to a large part through the various processes of education that our children are socialised to fit within the stratification of the society in which they live. This is also linked to nationalism, religion, citizenship and other factors. All of these are, of course, interconnected, though in ever changing ways.

Education is sometimes also used to shape the members of a collectivity, or the citizens of a nation-state, according to the aspirations of its rulers – for example, towards Western-style modernisation and capitalist consumerism, or towards socialism, or, as we see happening in some of our countries now, towards the so-called ideal and authentic Muslim woman or man. These efforts are always also gendered.

On the other hand, the processes, decisions or rules which include or exclude a particular group of children (or adults) from formal education, directly and indirectly reflect unequal and gendered power relations and resource distribution, and the ideologies which sustain them. So too does the response of particular groups in society to the state of education.

Yet education also has the potential to provide its beneficiaries with an opportunity to seek new knowledge, become more analytical and critical, gain confidence, improve their own social status and seek changes in the *status quo*. It is this potential which is often unfulfilled, or only partially fulfilled, in most of our societies and which we would all like to see become available, with all its liberatory capacity, to all people, especially oppressed groups (which includes most women).

The education of girls and women is particularly important, since in patriarchal societies women are seen as symbolic and actual representatives of the 'authenticity' or 'morality' of collectivities, in particular religious collectivities, and, of course, as 'mothers' of the nation'.

## Girls' education in Afghanistan

I would like now to reflect upon the above in the context of Afghanistan – a country many have come to know much better through its Western media representation since 11 September 2001. A country whose girls and women have paid the cost of various ideological and political projects and battles – from Western modernisation to Sovietisation and, more recently, Islamisation.

Girls' education in Afghanistan has been a sensitive political issue for many years. Formal and secular girls' education began as a top-to-bottom process in the 1920s, when a reform-minded monarch (*Amanullah*) and his advisers tried to modernise Afghanistan. The Afghan

reformers of the time, inspired by other Muslim reformers, sought to interpret Islam in a new light and rid it of superstition. From the start, their efforts were resisted by many religious, as well as feudal and tribal, leaders, who saw the education of girls as a threat to their own power. They denounced it as 'un-Islamic' as well as 'un-Afghan'. It was for this reason, amongst others, that the monarch was overthrown in the late 1920s.

However, the process of expanding formal education continued under the same rubric of Western-oriented modernisation for several decades, with girls being gradually sent abroad for higher education and women beginning to work in the public sector. Resistance from conservative and reactionary groups continued, with various ups and downs. Nevertheless, it is important to know that even at the best of times before the war, only 4% of Afghan women were literate, and many of the opportunities were available only to middle-class and elite girls and women. But these albeit limited opportunities did make a difference to an increasing number of girls and women. Many of these same women have become the progressive Afghan women leaders we hear of today.

The Communist regime of Afghanistan, which seized power through a coup in 1978, also stressed girls' and women's education as a critical aspect of socialist ideology and the creation of the 'new' Afghan citizen. However, because of their coercive, top-down approach, as well as the continued religious and traditional beliefs of the majority of Afghans, which were exploited by the *mujahidin* (Islamic fighters), a considerable number of Afghans resisted the new regime's education policies (even more than they had those of the monarchy, which was more familiar to them). In fact, some Afghans decided to leave the country principally for this reason.

Many of the leaders of what were known as the Seven Parties (Islamic political parties who were initially based in Pakistan) portrayed formal secular education, especially girls' education, as one of the root causes of Afghanistan's problems. I deliberately say 'many', because not all the groups were in agreement on this issue.

The *mujahidin* were supported by Western powers, as well as by many Islamic countries in the late 1970s to early 1990s, by and large because they were seen as good fighters against Communist ideology and the Soviet Union. Their frequently reactionary policies regarding women and girls' education were for many years overlooked by the same groups. Moderate, liberal and progressive Afghan voices, on the contrary, were not heeded and were often silenced.

On the other hand, poor refugee Afghan boys, with very few, if any, other options, were encouraged by the same political parties to enter the *madrassas*, or religious schools, that were expanding in Pakistan. The misogyny of many of these schools is now well known. In addition, there were schoolbooks prepared during the *mujahidin* period by a group of their own educators in conjunction with the University of Nebraska, with USAID funds. These books contained militarized and ideological language; for instance, an arithmetic exercise

went as follows: 'If there are six Soviet soldiers and you kill two, how many are left?' This sort of material was later taken out of the books, after lobbying by the UN and NGOs, but the religious content remained.

It was largely from the *madrassas* that the Taliban gradually expanded their power from 1994 onwards. The Taliban were initially supported by Pakistan, and, to say the least, were not seriously questioned by Western governments for some time. They carried their opposition to formal girls' education to the extreme by officially outlawing it throughout the country. In response to international officials, they would say this was a temporary measure until such time as they could ensure security for girls. What it meant in reality was that all Afghan girls were deprived, and the many Afghan women who had been their teachers also suffered.

The Taliban used their reactionary interpretations of both Islam and the Pashtun tribal code of conduct (*Pashtunwali*), backed up by guns and inhumane punishments, to enforce this policy.

By preventing girls' education, the Taliban sought to resist what they saw as 'un-Islamic and un-Afghan behaviour' and 'corrupt westernization'; not surprisingly, their resistance was played out in the lives and on the bodies of women. Clearly they felt threatened by educated women, and women in general (as well as by moderate, liberal men with secular educations). Through enforcing such dramatic and violent restrictions on girls and women, they also sent a message to men: 'You better obey, or you will live to regret it'. This was thus one of a number of policies aimed at the suppression of all Afghans that were not on their side.

The education of boys was also a tragedy under the Taliban: it was of very poor quality and with a great emphasis on dogmatic Islamic lessons (often beyond the level of comprehension of very young boys). Boys were made to wear Talib-like attire, and there was a discriminatory favouring of the Pashtun language over Dari (the *lingua franca* of Afghanistan).

However, progressive Afghan women and men never sat silently accepting the rule of the Taliban or their reactionary policies regarding girls and women. They sought and found various forms of resistance. Some families left Afghanistan for other countries in search of education for their daughters. Others established refugee schools in Pakistan and Iran to educate another generation of Afghans in the diaspora. And perhaps the most brave were the women and men (mostly women) who organised clandestine and semi-clandestine home and community-based schools inside Afghanistan during the time of Taliban. I visited a number of such schools and met the women and men who ran them, and was always impressed and humbled by their courage and commitment. A number of boys also participated in these classes, since they were usually of much better quality than the formal schools of the Taliban.

## Western media and Afghan women

At this point, I want briefly to critique the predominant Western media stereotype of Afghan women as *only* victims, of Afghan men as *only* reactionary and of the West as *the only*

*possible* saviour of Afghan women and men – stereotypes which sadly remind us of colonial depictions of the Orient. This is definitely not the case, since many Afghan women have resisted, and continue to resist, militarisation, patriarchy and religious fundamentalism in small and large ways. Many, though not all, have also been inspired by a more positive and tolerant conception of Islam. So many of them are amazing and brave women with a lot to teach us all.

Similarly, many Afghan women have been supported by progressive Afghan men in their families and communities. Many of these men have also demonstrated commitment and courage in their efforts for the realisation of women's rights in Afghanistan. As for the West, with the exception of some individuals and organisations, its governments in fact ignored rising trends of reactionary and gendered Islamic politics in Afghanistan, and only began to raise women's rights issues forcefully when it was in their own political interest to do so.

### **The lessons from Afghanistan**

I believe that Afghanistan's recent past offers us all many important lessons. I will suggest a few:

1. As activists for human and women's rights in Muslim communities and countries, we need to remain vigilant about the decisions made regarding education policies in our countries, and not leave them only to the state and mainstream education planners (or the religious groups which influence them).
2. We need to be able to recognise the negative repercussions of any decisions which affect girls and women in the education system as early as possible, and challenge these through our individual and collective voices and efforts.
3. We need to develop a vision of more progressive education for our children, and link up with others in civil society to lobby for its implementation in our schools. We have to find ways of integrating our activist work with concrete day-to-day efforts which will have an impact on the education systems of our communities and countries.
4. While accepting responsibility for, and remaining critical of, the growing gendered religious dogmatism in many of our own countries, and its impact on the education of our children, especially girls, we also have to be critical of inequalities at the international level. The mainstream western ideological and cultural apparatus often homogenises and stereotypes all Muslim women and men and their communities, facilitates gendered religious dogma, or remains silent as its influence grows.

As for Afghanistan, I can only hope that, with all the bitter lessons of the past, and the courage of so many of its women and men, the country will witness peace, justice, and respect for human and women's rights in the years to come. I hope international associations and networks will support the Afghan people, learning from them in the process. I hope Afghan girls and women won't ever again have to pay the price for the patriarchal and militarised national, ethnic and religious projects of others, or their own leaders, including in the arena of education.

## Introduction

It is impossible to discuss Jewish fundamentalisms in 2002, let alone their gendered characteristics, without first contextualising them in relation both to Jewish past histories and the contemporary history of Zionism and Israel.

It is important to remember that not only Zionism, but Jewish Orthodoxy itself, emerged as responses to the crisis of the 'classical' Jewish existence in Europe<sup>1</sup>, when, with the rise of modernity, capitalism and nationalism, the Jewish traditional mode of existence could no longer survive. Hassidism and Jewish Orthodoxy on the one hand, and Reform and Liberal Judaism on the other, were the major religious movements that developed as a result. Secularisation and assimilation, both liberal and socialist, were also popular reactions by Jews to the 'Jewish problem' in the modern world, along with individual and communal immigration to various countries in the 'new world' – settler societies developed by European empires in the colonial world.

The Zionist movement was one of the two Jewish political movements which attempted to solve the 'Jewish question' as a national question. The other was the *Bund*, which was the dominant Jewish national movement in Eastern Europe before World War 2.<sup>2</sup> In the *Bund's* view, Jews there constituted an autonomous national collectivity with its own language (Yiddish) and cultural tradition. The *Bund* aspired for a multinational state structure in Eastern Europe, in which Jews, like all other national minorities, would have national and cultural autonomy.

## Zionism and Jewishness

The Zionist movement, on the other hand, aspired for the 'normalisation' of the Jewish people by establishing a Jewish society and state in an independent territory where, ideally, all Jews would eventually settle. Unlike the *Bund*, the boundaries of the Jewish collectivity as constructed by the Zionist movement encompassed not only East European or even European Jews in general (though it was mostly people originating from there who have controlled the Zionist movement and the Israeli state throughout their history). The Zionist boundaries of the Jewish people encompassed Jews from all over the world (although the question of 'who is a Jew' has nonetheless been a major controversy and source of division in Israel since its inception). Of particular significance to the population composition of the Israeli state has been the incorporation, in this definition, of the Jews from the Arab and Muslim world, some of whose communities had existed for thousands of years, since the creation of the Jewish diaspora during the Persian, Greek and Roman empires. Others, concentrated mainly in big cities, had arrived there (as well as in Western European countries) after the expulsion of the Jews from Spain at the end of the fifteenth century. Accordingly, the 'Jewish language' promoted by the Zionists was not the Yiddish used by the *Bund*,<sup>3</sup> but Hebrew, used in the various Jewish communities mostly as a religious language. After long debate, and the proposal of various alternative locations, it was decided that Palestine, which in Jewish tradition was the 'Land of the Fathers' and the 'Promised Land', would be the territorial basis for the state.

Although Zionism generally presented itself as a modern alternative to religious Orthodoxy, the two were never completely separate. The Zionist movement needed the legitimization of Orthodox Judaism for its claim on the country and its settler colonial state project, as well as for its claim to represent the Jewish people as a whole. The Orthodox movements have used the Israeli state, both to gain more resources for their institutions and to impose as many orthodox religious practices on Israeli society as possible. The relationship between religion and the state of Israel was dominated for many years by the agreement reached between David Ben Gurion, the first Prime Minister of Israel, and the religious parties (excluding the small community of *Neturei Karta*, which has continued to be anti-Zionist). According to this agreement, known as 'the *status quo* agreement', the control of Jewish religious law would remain as it had been in the Zionist *yishuv* (as the Jewish settler society in Palestine used to be known before the establishment of the Israeli state in 1948). Thus, for example, there was no public transport on the sabbath in Jerusalem and Tel Aviv but there was in Haifa, the third largest city in Israel; Israeli Jewish so-called secular schools had a heavy content of biblical and other Jewish liturgy in their curriculum, but not the prayers that were part of the curriculum of the national religious schools established by the state. Because the religious parties have always been vital to any Israeli government gaining a large enough majority to establish a ruling coalition, gradually the religious parties have been conceded more and more by consecutive Israeli prime ministers. The *status quo* did not start to be challenged in any serious manner until after the 1967 war and the occupation of the Gaza Strip and especially the West Bank, where most of the traditional Jewish sacred sites are located.

However, before we talk about the post-1967 period, it is important to remember that, central to the relationship between religion and the state in Israel, has always been control of women's position through Israeli personal law.

There are no secular personal laws in Israel. In a continuation of the Ottoman *millet* system, in force before the establishment of the Israeli state (including during the period of the British Mandate), each religious community became the sole legitimate state agent for carrying out marriages and divorces. While in the Jewish case there were parallel religious and secular courts (the latter more equitable in their judgements) which dealt with issues such as child custody and maintenance, for Israeli citizens from the various Muslim and Christian communities, this domain was fully controlled by the religious authorities, at least until recently.

Only two, slightly variant, versions of Orthodox Judaism - Ashkenazi and Sephardi - are recognised by Israeli state laws. Reform and Conservative versions of Judaism, to which millions of Jews outside Israel belong, are not recognised, nor are more ancient forms of Jewish practice, such as those that existed in countries like Ethiopia and India. In order for members of the latter communities to be formally recognised as Jews in Israel, they have to undergo Orthodox conversion. While Reform and Conservative conversions are not recognized in Israel - or at least their ceremonies of marriage and divorce - the members of these communities usually are recognised as Jews, because according to Jewish Orthodox

law, a Jew is either one who has been converted according to Orthodox law, or, as is the most common case, one who is the non-bastard child of a Jewish mother.<sup>4</sup>

This matrilineal genealogical definition of 'who is a Jew'<sup>5</sup> is quite different from the definition of membership in the Jewish collectivity found in the Israeli Law of Return. This law constructs Israel as the post-Holocaust haven for all Jews, and automatically grants Israeli citizenship to any Jew who comes to Israel and wants to live there. Its definition of who is a Jew mirrors, therefore, that of the Nazis, who considered anyone with even one Jewish grandparent, male or female, to be Jewish.

Part of the growing conflict between secular and Orthodox Jews in Israel is the contestation between these two constructions of Jewishness, which became much more important after the mass migration of Jews from the former Soviet Union to Israel. Given the absence of religious marriage and the growing rate of mixed marriage throughout the history of the Soviet Union, some Orthodox religious leaders have claimed that up to a third of the Soviet Jews who received Israeli citizenship under the Law of Return are not 'genuinely' Jewish and should not therefore have been accepted.

It is important to point out that while the majority of Israeli secular Jews object to the Orthodox definition of who is a Jew, they do not question the underlying exclusionary principle of the Israeli Law of Return - the fact that it does not allow right of settlement and citizenship to non-Jews, including the Palestinian refugees exiled from the country in 1948 and 1967. The other major point of contestation between secular and religious Israeli Jews is the issue of military service. Through full time study in a *yeshiva* (Jewish theological seminary), students can postpone, and after a few years be released from, the national draft.<sup>6</sup> Secular Jews accuse religious Jews of not fulfilling their patriotic duty.

For Israeli Jewish girls, as part of the *status quo* agreement, all those who declare themselves religious are not recruited to the military. This is a historical compromise, a concession to the leaders of the religious community, who were worried that girls would be exposed to corrupting sexual practices - in other words, that they would lose control over girls. The secular Israeli Jewish women who do serve in the military fulfil their 'patriotic duty'<sup>7</sup> for as long, at least, as they do not fulfil their other patriotic duty - getting married and becoming pregnant,<sup>8</sup> in which case they are automatically released.

### **The rise of the post-1967 Jewish fundamentalist movements**

After the 1967 war and the occupation of the Palestinian territories not taken over during and after 1948 - especially the West Bank, including East Jerusalem - the balance of power between the various political agents started to change in Israel. During the late 1970s, the right wing *Likud* party led an Israeli government for the first time ever, since the Zionist *yishuv* in pre-state Palestine had been solidified by the Zionist Labour parties and the state remained under their hegemony. The religious parties gained extra powers in this process, as *Likud* needed their support. This provided an economic and political environment favourable to the growth of the two main kinds of Israeli Jewish fundamentalist movements.

The Messianic settlers of *Gush Emunim* (the Bloc of the Faithful) and the Greater Israel movement saw themselves as the new Zionist pioneers, who had taken over the traditional Labour role at the forefront of the *hagshama* (which in Hebrew means both 'realisation' and 'fulfilment') of the Zionist project by settling in the Occupied Territories, especially in militarily strategic places as well as near the Jewish holy sites. The other type of fundamentalist movement emerged from those whose attitude to the Israeli state was much more instrumentalist, who used it mainly to get resources for their own educational and community institutions (although these as well came to be located more and more in the Occupied Territories). Between the two kinds of movements and their educational institutions (attendance at which replaces, partially for men of the first kind, wholly for men of the second kind, service in the military), Israel in the 1980s had more *yeshiva bochers* (full-time students in theological seminaries) than eighteenth century Poland.

The fundamentalist settlers followed the interpretation of Harav Kook (an orthodox rabbi who was a major religious authority during the *yishuv* period); he saw the original Zionist settlers, secular though they mostly were, as instruments in the hands of God. He considered that building the Israeli state, and gathering the Jews in the Land of Israel, were preconditions for the coming of the Messiah. Like the donkey which the Messiah will ride into Jerusalem when he finally arrives, the Zionist settlers are an important part of God's overall plan. Kook's son was the original leader of *Gush Emunim*; he led the way in settling the West Bank, and continued his father's line of thought.

It is important to emphasize that other brands of Jewish fundamentalism, such as the *Lubavitse Hassids*, who concentrate on 'converting' Jews in the West and the rest of the world to Hassidic Orthodoxy, share this Messianic vision. But in a way it has also provided the basis for the opposition to Zionism of many Orthodox Jewish groups, who regard the establishment of a Jewish state before the coming of the Messiah as a blasphemous act. The anti-Zionist *Neturei Karta* continue to support this position, and have appeared in a variety of forums as supporters of the Palestine Liberation Organisation. In other wings of Orthodox Jewish communities, opposition has faded. With the move of Israeli politics to the right, and especially since the collapse of the Oslo agreement and the rise of Sharon - and before him Binyamin Netanyahu - the boundaries between the ethnic, national and religious elements of Jewish fundamentalisms are being progressively blurred.<sup>9</sup>

### **Collusion between Jewish and Christian fundamentalists**

The incorporation of Israel into the global economic and political market, and its growing dependency on the USA, have strengthened secular ideologies and lifestyles in Israel, but paradoxically have also enhanced the power of Jewish fundamentalists. The most important - and bizarre - characteristic of this has been the deepening political and economic alliance between Jewish and Christian fundamentalists, mainly from the US, which is encouraged by the Israeli lobby in the US because Christian fundamentalists are one of the main pillars of political support for George W. Bush.

A few years ago, the Israeli press reported that many Jewish fundamentalist *yeshivas* in the Occupied Territories were being funded by American Christian Zionists, who believe Jews must congregate in Palestine and establish a Jewish state on all its territory before the 'Second Coming' of Jesus Christ can happen.

However, Christian Zionists also believe that before the Messiah can come again, all Jews must convert to Christianity. Those who do not will perish in a gigantic holocaust in the battle of Armageddon.

As Uri Avnery and others have pointed out, the support of the Christian Zionists relies on a basically anti-semitic doctrine. Many of those from the American South are in any case traditionally anti-semitic. Sending all Jews to Palestine fits their social, as well as their religious, sensibilities - but in the meantime their support enhances Jewish fundamentalism in Israel and strengthens collusion between Bush and Sharon. It also lends weight to the 'clash of civilisations' idea encouraged not only by Samuel Huntington and his followers in the west, but also by some Muslim fundamentalists, according to whom it is the Jews who run the US and the world. The old Tsarist forgery, 'Protocols of the Elders of Zion', which describes how the leaders of Jewish communities meet regularly in secret and devise how to run the world, has been revived. The differences between contemporary anti-Zionism and anti-semitism are becoming blurred, something which the Israeli government encourages, as it interprets any criticism of its policies towards the Palestinians as anti-semitism. In the long term, this is very dangerous to Jews. In the short term, however, this whole construction strengthens fundamentalisms on all sides, and constructions of womanhood are strongly affected.

### **Jewish fundamentalism and women**

There are basic inequalities between men and women in Orthodox Judaism: women are not counted as part of the Jewish 'public'; they are not allowed to lead prayers, to become rabbis or judges or occupy any other public religious leadership position; their evidence is not acceptable in religious courts and they cannot - unlike men - obtain a divorce against their spouse's will, even if their case is conceded to be just. In their prayers every morning, Jewish men say, 'Bless Thee that did not make me a woman'. Women pray, 'Bless Thee that made me according to Thy will'.

Orthodox Jews claim, however, that women's position in Judaism is not inferior to that of men, rather different and equally important, since it focuses on the home and the bringing up of children. As the ideal Jewish man is a religious scholar, sitting and studying in the *yeshiva* all day, Jewish women were asked to become 'superwomen' - wives, mothers, and participants in the waged labour market - probably earlier than other women. In my research on Orthodox Jewish women and *khazrot bitshuva* ('born again' Orthodox women, often converted by various fundamentalist movements), I discovered that many women found the Orthodox life style - which includes arranged marriage and tight communities - a source of security and empowerment (although many others were depressed, overworked and ill after bearing many children). Among the settlers, although women could not become

formal leaders, many of them spoke to the media and made bringing up as many children as possible in the frontline conditions of settlements in the Occupied Territories a fulfilling lifestyle. Indeed, in the privileged position of being protected by Israeli soldiers, some of them spoke callously about their children, saying gun fire had no more effect on them than the sound of fireworks. The children killed in cars going to and from the settlements are often seen as a necessary sacrifice, while the women produce more children to settle the land that God gave to the Jews.

There is a growing gap between secular and religious Jews in Israel, and there is a high degree of overlap between positions on religion and the nation. The gender gap in Israeli politics might not be as strong as in the UK or the US, but nevertheless, secular, anti-fundamentalist women are at the forefront of struggles for a just peace, anti-racism and human rights - all anathema to national, ethnic and religious fundamentalists. These women may not be strong enough to divert hegemonic fundamentalist ideologies and policies, but they will definitely be in the forefront of positive change if and when it comes.

## Endnotes

- <sup>1</sup> Israel Shahak (1981) 'The Jewish religion and its attitude to non-Jews', *Khamsin* 9, London: Ithaca Press, pp. 3-49.
- <sup>2</sup> See, for example, A.K. Wildman (1973) *Russian and Jewish Social Democracy*, Bloomington: Indiana University Press; Y. Peled (1989) *Class and Ethnicity in the Pale: The Political Economy of Jewish Workers' Nationalism in Late Imperial Russia*, New York: St. Martin's Press; also N. Yuval-Davis (1987) 'Marxism and Jewish Nationalism', *History Workshop Journal* 24, pp. 82-110.
- <sup>3</sup> Yiddish is based on medieval German, and was used by East European Jews, while Jews originating from Spain speak Ladino, based on medieval Spanish. Other Jewish communities spoke local languages, or adaptations of them.
- <sup>4</sup> According to Jewish law, a bastard is not one born to non-married parents (since the sexual act in itself can be seen as a form of marriage), but one born to a mother who is married to a different man from the father of her child. This includes cases in which divorce has taken place according to civil, not Orthodox, law.
- <sup>5</sup> Such a matrilineal definition of membership in a collectivity, in an otherwise patriarchal society, suits the history of a persecuted community, where pogroms and rapes might make it difficult to ensure the identity of the biological father, but not that of the mother.
- <sup>6</sup> 'National' is the appropriate term here, because although there is supposedly a universal draft law in Israel, only Jewish and Druze men (the Druze are members of a minority Muslim sect traditionally persecuted by other Palestinian communities and therefore historically allies of the Zionist settler movement) are recruited. Bedouin and Christian men are allowed, and sometimes encouraged, to volunteer; no non-Jewish women are ever recruited.
- <sup>7</sup> Mostly in very gender specific ways. For more details, see N. Yuval-Davis (2004) 'Women in the Military: The Israeli Case', in W. Giles et al (eds) *Sites of Violence: Gender and Conflict Zones*, Berkeley: University of California Press.
- <sup>8</sup> On the role of Israeli Jewish women as national reproducers, see N. Yuval-Davis (1989) 'National Reproduction and "the Demographic Race"', in N. Yuval-Davis and F. Anthias (eds) *Woman - Nation - State*, Macmillan, pp. 92-109.
- <sup>9</sup> It is important to emphasize, however, that there is also a small but committed religious peace and anti-occupation movement in Israel, which sees its struggle as following the ethical principles of the biblical prophets.

## Introduction

Religious fundamentalism is the rejection of secular policy making. While a quietist rejection turns away from the evil and godless public scene, active fundamentalism aims to shape politics, in a religious occupation of political space. Both are symptoms of a crisis in democratic communication. Religious language and theological categories and concepts are used to define politics: faith and unfaith, orthodoxy and heresy. Political opponents are marginalised and repressed as dissidents. Active fundamentalism is a modern movement aiming to resolve, at any cost (though not necessarily through violence), the ambivalences of modernity. To do so, fundamentalism uses the methods of modern policy making, namely the shaping of public opinion, and social engineering. Sometimes religious fundamentalism even aims at transforming society in a revolutionary way.

This paper focuses on the active type of fundamentalism, since it is the more spectacular one.

Fundamentalism appeared among Protestants in the USA in the first quarter of the nineteenth century. The very concept of 'fundamentalism' was forged by those who considered themselves to be returning to the roots of the Christian faith, lost to view over time. Society and 'the world' were considered corrupt, evil and godless: a threat to salvation. The Bible became in an extreme way the centre of life, and was taken literally.

## Characteristics of the American Christian right

Fundamentalists aim for de-institutionalisation. They have a critical attitude to all forms of 'establishment', which they consider to be corrupt, and infected by the forces of evil whose ultimate incarnation is 'the cosmopolitan Jew', the symbol of rootless individualism. Fundamentalists have a profound mistrust of, even aversion to, traditional churches and religious denominations, the state, the UN system, the Federal Reserve system, the CIA, the FBI, the military-industrial complex, universities, traditional media, and so on.

US fundamentalists perceive reality in Manichean terms, and have a preference for conspiracy theories. They conceptualise events in terms of good and evil. They interpret structural realities as the result of demonic forces conspiring to combat Christian America and dominate the world. Manichean worldviews have a negative impact on women, since they shape gender relations according to a system of irreconcilable antagonisms, the female one being always negative, valueless and deficient.

American fundamentalists are profoundly convinced that they have been chosen to accomplish a specific historical mission, and that their nation, America, has a special role to play in God's salvation plan. They are super-patriots, and see themselves as incarnating the 'real' American identity. The group is emphasised over the individual, which leads to a denial of human rights. Women's only, or at least main, function is the responsibility to reproduce, both biologically and ideologically, the group.

A fundamentalist is not born as such, but makes a choice to assume his 'prophetic' role. Through conversion, a person is re-born as a 'real' Christian. This is a voluntary act that each individual decides upon and bears the responsibility for.

Christian fundamentalists in the USA are anti-intellectual and anti-rationalist. An emotional and personal experience of God is at the core of their religiosity. Although mostly very keen about using modern technology, they reject scepticism, relativism, and the critical questioning of all views, including their own.

Fundamentalists have a profoundly patriarchal worldview. They believe in the 'One', the only legitimate model for human beings. And this 'One' is white, male, adult, heterosexual, healthy, in the prime of life; has a good job, is economically successful and Protestant. All other forms of the human condition are considered deviations from the One. Those who do not meet the criteria are by definition inferior beings, and their inferiority increases the fewer of the criteria they meet. Racism, sexism and anti-feminism are consequently further characteristics of US Christian fundamentalism.

At present there are two main types of active Christian fundamentalists in the US: the televangelists, and the Christian militias.

### **Pat Robertson and the Christian coalition: co-opting politics**

Pat Robertson is certainly the most popular representative of the American televangelists who, like Jerry Falwell with his 'Moral Majority', have succeeded in transforming a community of auditor-donors into a political organisation that promotes the public proclamation of conservative Christian moral thinking, highly patriarchal and based on a profound hostility to women's rights. In this view, women are inferior to men, born to bear children and to serve.

To a significant extent, Pat Robertson's success is due to his virtuoso use of modern media, in particular TV. It is difficult to know the extent of his audience. He claims to attract seven million auditors for his '700 Club', a mixture of revivalist celebration, talk show and entertainment. In the late 1980s he created the Christian Coalition, and launched the process of co-opting US political structures and the political agenda. In 1994, members of the Christian Coalition gained control of the Republican Party in thirteen out of fifty States, and they claim to have helped fifty-two members of Congress to be elected. They distributed 33 million electoral guidelines in churches throughout the country. Now the Christian Coalition claims to have some 1.6 million members.

Pat Robertson is an ideological pre-millenarian. Millenarianism is the belief that the Messiah will come, install his universal kingdom on Earth and reign for a thousand years before the world comes to an end. Robertson's pre-millenarianism makes him reject any human norm, on the grounds that God's Word and God's salvation plan are the only and absolute authorities. This attitude is incompatible with the concepts of democracy and a legal system. His pre-millenarianism makes him an unconditional supporter of Israel, since he considers it a necessary piece of God's plan: the Jewish people must 'recover' their terrestrial Kingdom

before they will convert to Christianity. He is thus a Zionist, although he also believes that God does not listen to the prayers of Jews, and shares a visceral anti-semitism with most other fundamentalists.

Robertson's success is due to the conservative revolution that took place in the US in the 1970s, when Richard Nixon implemented his 'Southern Strategy'; as a result, the Republican Party recruited many more electors in the South, marginalising the traditional East Coast elites within the party and changing its political culture.

His success is further due to an important re-configuring, at around the same time, of the religious landscape of the US: mega-churches appeared, which assembled people beyond denominational barriers. They are a result of the anti-doctrinarian and anarchic evangelicalism so characteristic of the USA, where the absence of the institutions and traditions that characterise Europe means the ever-growing individualisation and voluntarisation of religion cannot be slowed down.

Robertson's success is finally due to the radical social transformations that have occurred since the 1960s, that have alienated a number of ordinary Americans from the political institutions of the state. The civil rights movement resulted in what some fundamentalists consider to be an attack on the ideal order of social life through the 'pluralisation' of culture and lifestyles. Pat Robertson presents this evolution as the premeditated plan of a worldwide leftist establishment to deprive the individual of political power and propagate 'salvation through society', which tends to multiculturalism, anti-Americanism and anti-capitalism, and opposes attempts at historical revisionism.

Pat Robertson does not hide his aim of dominating the whole world in order to impose an order based on the biblical ethos to prepare for the return of Christ. His theology is pre-millenarian, but his political strategy is post-millenarian, meaning that it moulds itself to the structures of the US Constitution, playing the game of 'human rules and laws'. For electoral purposes he knows how to keep silent on issues like creationism, the return of Christ, and religiously-motivated anti-semitism, and to promote those issues that obtain broad electoral consensus, like tax reduction, school politics, and of course the criminalisation of abortion. Attacks on women's rights are a cheap and productive way to obtain consensus and alliances amongst very diverse conservatives.

Pat Robertson has not been able to gather support as a presidential candidate for the Republican Party, but his agenda and his conspiracy worldview do play a significant role within the party.

### **Five types of fear nurture the conspiracy nation**

The first is the fundamentalist fear of deviating from the path of 'Christian America'. This produces all sorts of *ad hoc* coalitions with Mormons, conservative Catholics and communitarians, all groups who value membership in a community over the rights of the individual. The second fear is the idea that America will stop being the exceptional society,

the 'city upon a hill', and will lose its role as world leader. The third fear is of losing 'republican virtues', which include patriarchal morality and a pre-modern social ethos. This is the communitarian fear, that the rights of the individual could become more important than the survival of the group as a whole. Women will cease to be providers, including of reproduction, and will become victims or (even worse!) agents of moral debauchery. The fourth fear, of central elites, is the expression of anti-state and anti-federalist attitudes. The fifth fear is the racist-biological fear of the 'Other', felt by those who consider themselves 'natives'. This is the anxiety that the 'superior' identity of the group will be 'diluted' through exogamy, and eventually disappear. Here again the threat is that the women of the group will give birth to children from 'inferior' fathers, thus weakening the superior identity of the group.

In a world of growing complexity, the attraction of fundamentalist conspiracy theories is that they reduce complexity and appear to explain what is going on.

### **Austin Ruse and the Catholic Family and Human Rights Institute**

One interesting example of American Christian fundamentalism is Austin Ruse and his Catholic Family and Human Rights Institute. A convert to Roman Catholicism, Ruse has specialised in monitoring the work of the United Nations on matters related to the family and marriage, women's rights, sexuality, and sexual and reproductive health and rights. He collaborates closely with those institutions of the Vatican which specialise on this agenda (in particular the Pontifical Council for the Family, the Pontifical Council for the Laity, the Pontifical Council for Health Workers), and with the whole diplomatic service of the Holy See, coordinated and supervised by the Secretary of State. Although on other issues like the death penalty, war etc., the attitudes and teachings of the Holy See diverge from those of the Christian right in the US, they are in perfect harmony on the issues of disempowering women and combating sexual and reproductive rights. Austin Ruse serves as a civil society representative of the Vatican's positions on these matters, and forms a bridge to the Protestant Christian right in the US. Here again, a post-millenarian political strategy is used to promote pre-millenarian religious agendas.

### **'Christian identity' as an expression of violent Christian fundamentalism**

With the terrorist attack on a Federal building in Oklahoma City, America and the world discovered, to their great perplexity, the existence of a fundamentalist Christian sect called 'Christian Identity'. It has some 50,000 members, most of whom are also members of the militia that carried out the attack.

This sect is based on a pre-millenarian and conspiratorial worldview. They believe that the Anglo-Saxon race is the descendant of the lost tribes of Israel, and their destiny is to play a central role in God's salvation plan. During the 1930s, under the influence of the racial theories of the time, what started as 'Anglo-Israelism' mutated to 'Christian Identity'. Openly-expressed and profound anti-semitism characterises the sect, as well as anti-Black racism.

The militias are composed of men some thirty to fifty years old, who feel themselves threatened by a monolithic state. They tend to isolate themselves from the rest of the world and prepare, in the form of survival training, for the day when Christ will return and they will have to fight 'evil'. The group called 'White Supremacy' has founded a separate community in the northwest. Some militia members do not even register newborn babies, in order to avoid being controlled by the government. The use of violence and of arms is glorified and weapons are hoarded. The members tend to paranoia.

## Conclusion

Whereas these militias want to attack and destroy the American federal state, the Christian Coalition and organisations like that of Austin Ruse seek to co-opt the traditional political system.

Although they operate in very different ways, the existence of these different groups undermines the authority of the democratic system, which operates through public discourse and finding consensus. Women are the first to pay the price.

How can we counterbalance this development?<sup>1</sup>

## Endnotes

<sup>1</sup> For further information, see Heiner Bielefeldt and Wilhelm Heitmeyer (eds, 1998) *Politisierte Religion*, Frankfurt: Suhrkamp, in particular Bernd Ostendorf, 'Conspiracy Nation. Verschwörungstheorien und evangelikaler Fundamentalismus: Marion G (Pat) Robertsons Neue Weltordnung', pp. 157-187, and Susan Zickmund, 'Reliöse Verschwörungstheorien und die Milizen in den USA', pp. 301-319. Also Catholics For a Free Choice (2001) *Bad Faith at the UN. Drawing Back the Curtain on the Catholic Family and Human Rights Institute*, Washington, DC.



## Introduction

Seventy-eight per cent of Austria's citizens are nominally Catholic; approximately 20% of them could be considered as practising. While some parts of the Catholic Church are progressive - in 1995, for instance, 500,000 Austrians supported a referendum organised by Catholic theologians in favour of contraception, homosexuality, and equality for women within the church - other tendencies are what one might call 'fundamentalist'. 'Opus Dei' and the 'Engelswerk', for example, support a reactionary view of the Catholic church.<sup>1</sup>

Beinert (1991) defines five attitudes, common to Catholic fundamentalist movements generally, which can be found in Catholic fundamentalist movements in Austria:

- the use of war-metaphors and a clear identification of enemies;
- a dualistic world view that eschews self-criticism and self-reflection;
- reductionism embedded in traditionalism;
- intransigence, which creates the cohesive 'glue' of the movement;
- strong authoritarianism and the cult of one personality or leader.

Though Beinert's categorisation seems comprehensive in general terms, it neglects gender relations and the construction of womanhood within fundamentalist movements. In the Catholic fundamentalist movements of Austria, women are represented as obedient wives, dutiful mothers, spiritual servants, inferior to men, and asexual.

The convergence between fundamentalist Catholic organisations and right-wing political parties became pronounced - and dangerous - in the mid-1980s with the rise to prominence of Joerg Haider. In 1986 Haider became the chairperson of the Austrian Freedom Party (FP ...) and under his leadership the FP ... campaigned openly against the presence of immigrants in Austria; to the horror of many Austrians, the FP ... 's racism and xenophobia found a ready audience.

Haider's rise to power was assisted by the right-wing Catholic press. In particular, *Der Dreizehnte. Zeitung der Katholiken für Glaube und Kirche* (hereinafter referred to as *Der 13.*), a Catholic weekly that reflects a particular fundamentalist worldview, anointed Haider its favourite son when, during the course of elections to the National Council in 1995 it hailed him as 'the first leader who is a practising Catholic' (13 November 1995).

This paper takes as its focus the complicated relationship articulated in *Der 13.* between Austria's political far right and Catholic fundamentalism. Its time-frame is the early and mid-1990s, before the FP ... and the ... VP (Austrian People's Party) (which defines itself as 'traditionally Catholic') gained enough electoral support to form a coalition government in 2000.

In this paper I also show that the political far right and the Catholic fundamentalist movement, as represented by *Der 13.*, share a particular view of womanhood; their joint goals are to regulate women's lives, restrict women's personal decision-making power, and reinforce patriarchal relations of power between men and women.

The political discourse in Austria has changed with the coalition government between the FP ... and ... VP: externally, as a reaction to the success of the FP ... , the European Union imposed sanctions on Austria for about a year; internally, the population in Vienna have organised themselves to demonstrate every Thursday for the past two years or more against the coalition government ('*Donnerstagsdemonstrationen*'). Haider himself was never formally part of the coalition government and he resigned as chairperson of the FP ... at the time when the FP ... entered the coalition government. At a provincial level, however, he was elected governor of Carinthia in 1999, and remains in this position until today. The participation of the FP ... in the coalition government has been characterised by many situations of conflict and crisis, much tension, and frequent changes in the FP ... personalities in government. Recent political polls in Austria show that the FP ... is now losing votes and influence. At the same time, the politics of the ... VP have moved distinctly to the right, and its discourse has thus become dangerous, especially as the general public has on the whole not perceived this move to the right.

Even though, I base this analysis on readings from the church newspaper *Der 13.*, it is important to note that the fundamentalist movements in Austria are very diverse, *Der 13.* being only one stream among them, and that the arguments presented here only apply to a specific section of Austrian society, and are not intended to generalise about the Austrian context.

## Links to the state

Fundamentalist movements promote a particular kind of politics in order to gain political power. Austrian Catholic fundamentalists, as they express themselves in *Der 13.*, do have similarities in ideology and worldview to the right-wing Austrian Freedom Party (FP ... ).

Even though church and state are separated in the Austrian constitution, Catholic fundamentalists regularly challenge this division and promote the idea of a state connected to the church.

In the Christian view of things, government is legitimate only when it is exercised in the name of God, not in the name of the people, as under Hitler.<sup>2</sup>

The link between politics and the church is taken for granted in the statement that the power of government is only exercised legitimately in the name of God: rule under God is the only true one. Secondly, the rule of God is seen as positive, whereas rule by the people is negative; in a sentence that verges on the surreal, Hitler the arch-fascist and authoritarian is cited as the embodiment of 'rule by the people!' Hitler's authoritarianism is of course congenial to the fundamentalists, whose 'rule of God' is intrinsically authoritarian. *Der 13.*

mentions Hitler this way in order to be superficially 'politically correct' and to disguise the real ideological content of its views; at the same time, the very fact of mentioning him is like a nod and a wink to its readers.

### Links to the right-wing political party

In Austria, Catholic fundamentalists not only claim state power; they actively involve themselves in the politics of the state, through the FP ... , whose chairperson from 1986 to 2000 was Joerg Haider. Catholic fundamentalists did not always agree with Haider and support him (which only goes to show that fundamentalists make opportunistic alliances - Haider conducted politics in the same fashion). Their position was, however, that although the person of Haider might not be acceptable to voters, his politics were.

*Der 13.* regularly recommended to its readers whom to vote for at election time. *Kulturkampf* (literally 'the battle between cultures')<sup>3</sup> is one of the most frequently used terms in the newspaper; it represents the dualistic framework 'good versus evil' not only in terms of morality but also in terms of politics.

*Kulturkampf* is the open stage on which the general counter-positions of Left and Right are illustrated with striking clarity. The Left is everything which is anti-Christian, anti-idealistic ... and materialistic. The Right, by contrast, is everything which is determined by the orientation towards the ideal. Such an orientation facilitates access to Christianity.... The Right is ... the Freedom Party, although its name could lead to confusion, if we take it too literally and ask for freedom in absolute terms.<sup>4</sup>

Right is explicitly the only political orientation which is acceptable and 'good', and, as *Der 13.* says, in the context of Austria, 'Right' coincides with the FP.... Only 'freedom' is contested because freedom in its literal meaning would give autonomy to the individual, which is undesirable. The acceptability of Joerg Haider comes to the fore explicitly when he is presented as 'the first leader [who] is a practising Catholic'<sup>5</sup>: *Der 13.* obviously 'forgets' to tell the reader whether he is the first political leader in general or the first FP ... leader. This statement, written some three weeks before the December 1995 elections, can be understood as a recommendation to Catholicist voters.<sup>6</sup>

In contrast to the sympathy expressed with Joerg Haider, all other parties are targeted as enemies and their practice is characterised as 'the work of Satan'. All liberals, socialists, social democrats, communists, greens, but also feminists and even conservatives - though they are traditionally Catholic - must be fought against in the *Kulturkampf*. The conservatives are not sufficiently conservative and their ideology is not enough to the right, as *Der 13.* complains: 'The ... VP [Austrian People's Party] goes in the direction of the left instead of to the right'.<sup>7</sup>

### ***Volkstum* ('folklore') of the Austrian Catholic fundamentalists and the FP ...**

In 1993, Austria faced a 'Referendum on Foreigners', initiated by the FP ... under Joerg Haider under the title ... *sterreich zuerst* (Austria first) and clearly directed against foreigners. This event exposed the attitude of Catholic fundamentalists towards foreigners and their relation to the FP... . Not only was the text of the referendum printed with an explanatory comment in *Der 13.* of 13 January 1993, but half a million copies of a special issue on the referendum were also published. This is the sort of thing the newspaper said:

[A referendum] ... is needed ... [because] ... Austria is not a country of immigrants! ... Why should this important issue not be regulated in the constitution? ... [We need to] limit the number of school pupils of foreign mother tongue: why should this basic educational issue be made subject to the self-created multi-cultural coercive situation? ... [We are] against illegal commercial activities. A successful fight against the criminality which is imported from abroad is not inhuman or racist ... The answer to these questions would help to decide whether to support the referendum or not. [We are] against brainless followers of the *zeitgeist*, against neoliberals ... against the international powers who are enlightened reciters of the multiculturalism which is installing itself through ethnic cleansing of the substance of our *Volk* and our own Christian-based understanding of life and culture, ... against systematic discrimination against marriage and the family, against the juridical and medical abortionists ... against anti-fascist committees and platforms shared with militant unions ... **Not for a political party and its leader! But for Austria and the Austrians!** <sup>8</sup>

These words, written by Kurt Diemann, editor of *Der 13.*, reveal the racist ideology of the paper, its political orientation and its attitude towards foreigners. Diemann not only gives a clear recommendation to sign the referendum but also justifies it. Another edition of the paper mentions that 'rising foreign infiltration ... jeopardises our cultural substance and identity'.<sup>9</sup> The rhetoric used is close to the demagogy of right-wing politicians not only of the present (Haider) but also of the past (Hitler)! This racist argumentation is justified as love for the *Volk* and for 'Austrian' culture.

Shortly before the referendum, a protest demonstration against racism and xenophobia was organised in Vienna. More than 200,000 people gathered at the Heldenplatz in Vienna to show their solidarity with foreigners. The organisers - who included progressive church groups, both Catholic and Protestant - asked people to bring a candle to be lit at dusk on the way to the Heldenplatz. Guest speakers, including Salman Rushdie, Andre Heller and Cardinal Franz König, called for respect, tolerance, understanding, and a multi-cultural Austria. *Der 13.* reported the demonstration as follows:

The ocean of candles ... [is] ... mass propaganda in the style of Goebbels which will damage the reputation of Austria ... because the evil ... ascribed to the Austrian *Volk* does not exist in reality but is used by the *Kulturkämpfer* as a cowardly weapon in their fight against the church, the *Volk*, and the fatherland ... 417,278 signatures ...

were obtained for the referendum of the FP ... ! Before the referendum took place a counter-demonstration was organised in Vienna with 200,000 participants ... (13 February 1993)

What *Der 13.* never reported was that the referendum did not get enough signatures for the issues it raised to be put on the parliamentary agenda. In addition, *Der 13.* never mentioned that the demonstration took place only in Vienna (1.5 million inhabitants), while the referendum was Austria-wide (8 million inhabitants, 5.9 million voters).

### The construction of womanhood

Religious fundamentalism is inevitably linked to identity politics, where women play a crucial role because they are 'repositories of culture'.<sup>10</sup> The creation and reassertion of religious identity, as a distinct feature, relies on women as biological, cultural, social, and ideological reproducers as well as signifiers of difference.<sup>11</sup> These reproductive roles of women are directly linked to 'domestic' women. Balmer<sup>12</sup> states that a 'cult of domesticity' can be observed in the fundamentalist project, which in fact is also part of right-wing politics, and can be analysed on a symbolic and actual level.

The control of women and their sexuality is central to these processes in order to create a common and coherent identity forming the basis for successful mobilisation. Gender identities are constructed through the reaffirmation of traditional values and culturally acceptable feminine codes of conduct, which pressurise women to follow the terms of reference set by the fundamentalist discourse.<sup>13</sup> These values are demonstrated visibly in the public sphere, either through the presence of women (e.g. in their dress) or through their absence (because of their confinement to the household).<sup>14</sup>

### The cult of Mary

Catholicism constructs a particular womanhood that centres on Mary, the mother of Jesus. Catholic fundamentalist movements rely even more on the 'Virgin' Mary to affirm their Catholic identity and set boundaries with 'other' religions, such as Protestantism.

The presentation by conservatives of Mary as the model for all women has several implications for the construction of a Catholic fundamentalist womanhood: Mary is defined in her biological role; she is first and above all a mother. On a symbolic level her motherhood is 'pure' because she remains a virgin, despite conceiving Jesus; she is thus without sin. The purity and chastity of Mary appear to demand specific sexual behaviour of women, which restricts and controls them. Mary's purity is also in stark contrast to Eve, the female seducer. Mary is a follower of Jesus; she is his admirer and student. She is hierarchically inferior and has no autonomous opinions. She is an instrument, an object and servant of God; this has clear implications for the sexual division of labour. However, through her spirituality she is a teacher and model for others. Finally, Mary is also the nurturer of Joseph and Jesus and responsible for social reproduction within the family, which results in her confinement to the house.

All these roles are primarily linked to the domestic sphere. Mary is not seen in public, except in her traditional roles. Though some of these roles are contradictory (motherhood versus virginity), they serve a purpose consistent with the ideology and aims of the Catholic fundamentalist project.

### **Catholic motherhood and its implications**

Biological reproductive capacity is a crucial feature to ensure the 'survival' of faith, culture and the nation. Given the example of Mary, in conservative Catholicism motherhood is the most rewarding task and function of women. This is reflected in *Der 13.* in the following passage:

The woman is in the order of love and life closer to God because she can receive, bear, and give life. Because of this all motherhood is holy.<sup>15</sup>

This glorification of motherhood explains the militancy of the Catholic fundamentalists against abortion. God's will and women's biological reproductive capacities serve as justification for their stand against abortion. A similar militancy could be observed under the Nazis during the Second World War: abortion earned the death penalty for German women within the *Reich*. Motherhood of course was reinforced to produce children for the war effort, but in both instances, women are perceived exclusively as mothers.

The stand of the Nazis - to protect the life of the 'unborn' - and the discourse of the Catholic fundamentalists are quite similar:

We 'celebrated' the anniversary of the liberation of Auschwitz and commemorated the victims of the so-called holocaust. But who is mourning the victims of the holocaust in the womb?<sup>16</sup>

Here the holocaust is first of all doubted ('so-called'); then it is played down by comparison with the 'holocaust in the womb', which is taken as fact. According to *Der 13.*, 'abortion is murder ... [this is] technically the right term'; it is also a 'capital crime'.<sup>17</sup> By 'assassinating the child in the womb ... motherhood is assassinated as well'.<sup>18</sup> Women are solely defined as mothers, and are not allowed to live in any other role. Abortion means the killing of the woman-mother, who loses her own right to live through this act.

### **Perceptions of sexuality**

The focus on motherhood and the condemnation of abortion affects the perception of sexuality. Motherhood is connected to only one possible form of family life, the heterosexual marriage which aims at the production of children. Sexual relationships outside marriage not only are a sin, but they also damage the health of women: for women, pleasure is not 'natural'.<sup>19</sup>

The words sexual garbage [used in reference to women] ... are still valid. I do not wonder that women are more and more the 'objects without love' for men. Those who do not impose sexual privation in young years and who do not fight for sexual purity do not deserve other things.<sup>20</sup>

Women in a pre-marital or extra-marital relationship become objects; they are in fact 'garbage'. Characteristically, only women are targeted - men are not even mentioned; they do not share women's degradation to 'objects without love'. In some ways this suggests that women are the only 'evil'; men are never so. This in fact follows the traditional interpretation of Eve (symbol for all women as seducer and the immoral), versus Adam (symbol for all men).

The norm is a heterosexual relationship, legitimised by the church through marriage. All other forms of partnership are strictly forbidden; they are deviations, and perverse. 'The relationship of two men or two women cannot be a true family', said *Der 13.* on 13 April 1994. Joerg Haider also believes that 'today's form of partnership is denaturalised. This is not a model in the national sense'.<sup>21</sup>

In the pages of *Der 13.*, homosexuals are the enemy both within and outside the church.<sup>22</sup> In many instances, homosexuality is linked to feminism, emancipation and the destruction of family life. This is not only expressed in clear statements but also in the language, which is misogynist towards women and homosexuals. This attitude towards sexuality also implies that sexuality outside the given 'rules and regulations' is negative and sinful.

### Perceptions of the family and the sexual division of labour

Motherhood is - according to the fundamentalists - the fulfilment of each woman. It involves, of course, withdrawal from the public sphere.<sup>23</sup> Women become confined to the household and defined through it. The implied sexual division of labour is God-given and clearly hierarchical. The (ordinary) man works in the public sphere, and is rarely referred to as a 'father'. Women as mothers remain in the private sphere. This separation between private and public is not to be challenged, and if one does so, then one is an enemy, most probably a feminist doing 'Satan's work'. This dichotomy is additionally justified by the example of Mary:

[Mary is] the most motherly of all mothers ... the most suffering of all sufferers ... We should follow the example of Mary, how affectionate and loving she is and how carefully she looks after her child, Jesus. Then we would know how we as modern mothers should deal with babies and small children.<sup>24</sup>

Women are socialisers and nurturers. Their place is in the kitchen and within the household, and their role is clearly defined:

God has not given the same tasks to each person ... The man is called to earn his livelihood with the sweat of his brow, while the woman has the pain of bearing children ... Why should women go to work today? Besides the 'real' need to work, most women just work to get money.<sup>25</sup>

A family policy which is directed towards the destruction of family life cannot succeed. Women have been told that they will find self-realisation behind the production line of a factory. Men as supporters of the family have been discriminated against.<sup>26</sup>

Women need to remain in the household and should not attempt to penetrate public life. Their 'true' task is to give birth in pain and to suffer. If they do come into the public sphere, then they can only perform factory work, not high-ranking jobs. Women at work – who anyway are not wanted - are capable only of monotonous, repetitive work. Moreover, it is not women who are victims - men are the ones being discriminated against. Thus, equality is prevented by the 'natural' hierarchical order:

The newest findings in the realm of medicine and anthropology prove that the sexes are not the same and hence the structure of the brain cannot be the same.<sup>27</sup>

The three witches of the Enlightenment - 'liberty, equality and fraternity' - are mutually exclusive: if equality, then no liberty, and if liberty, then no equality.<sup>28</sup>

'To your husband you will direct your desire and he will rule over you' (Genesis 3:16).<sup>29</sup>

Women are biologically different, and this is used both as justification and excuse for rejecting women's participation in powerful positions, within the church hierarchy and within the family. Women should not have decision-making power in the private and in the public spheres. The inequality between women and men is the will of God (which is of course a male will, never a female one).

Joerg Haider has a similar understanding of the role and tasks of women:

The feminist illusion of the self-realisation of the woman and mother at the workplace has proved to be a big error ... Many women who are pushed into the full-time professional life are not happy. The necessity to earn money results in their neglecting their task as mothers. The multiple burden of women is not only physically too much, but also makes them intellectually and psychologically tired. We have to encourage women to do what they really like - looking after children and seeing them growing.<sup>30</sup>

Characteristically, Haider also wants women to stay at home and perform domestic tasks. Haider obviously knows what is best for women, what they really like and want to do. Women do not have their own voice; they need Joerg Haider to speak for them. The relationship

between men and women is, for Haider, hierarchical: 'A partnership consists of two functions: the serving and leading part. This is how it is!'.<sup>31</sup> Though Haider does not specify who is who in this partnership, his general discourse on women makes it very clear who serves and who leads. *Der 13.* is explicit about the hierarchy:

Humbleness [*Demut*, literally: courage to be humble] ... (is) ... the courage to serve: *Dienmut* [courage to serve - a play on words!] is by nature given to women.<sup>32</sup>

### Regulations concerning women's appearance

The introduction of norms with regard to dress and clothing is one visible form of regulating and controlling women. In fact, fundamentalists of all religions rely on dress as an expression of their faith and their identity. Given the patriarchal system in which the Catholic fundamentalists are located, none of these norms concern men. The Bible provides a number of chapters where women are directly targeted and where the norms concerning their appearance and dress are stated. *Der 13.* refers to chapters in the Bible which are of 'special concern' for women:

And every woman who prays ... with her head uncovered dishonours her head. If a woman does not cover her head, she should have her hair cut off: and if it is a disgrace for a woman to have her hair cut or shaved off, she should cover her head. A man ought not to cover his head, since he is the image and glory of God; but the woman is the glory of man. For man did not come from woman, but woman from man; neither was man created for woman, but woman for man. For this reason, and because of the angels, the woman ought to have a sign of authority on her head (1 Corinthians 11: 5-10).<sup>33</sup>

Through 'a sign of authority' on their heads, women's status, role, and identity are explicitly marked. Women have to follow these norms, and lose the power to decide on their own appearance.

### Towards a conclusion

In this paper I have attempted to show that Catholic fundamentalists – similarly to right-wing political movements – construct a particular womanhood that regulates women's lives, restricts women's personal decision-making power and re-enforces patriarchal power relations between women and men. How can women's rights be ensured, and what attempts have been made to do so in the Austrian context?

As Austria is still a predominantly Catholic country, many progressive Catholic groups adapt their interpretation of Christianity to the present, and do not rely on the past. Hence, several attempts have been made to change the structure of the church and initiate reforms. Importantly, Catholic women and men are in many instances working together to interpret the Bible in a different way and facilitate the acceptance of women as equal partners within the structures of the church.

One example of this is the 'church referendum' initiated by a group of male and female theologians in 1995 against fundamentalist tendencies in the Catholic Church. Their major demands concerned the equality and acceptance of women within church structures, as well as 'modern' attitudes to sexuality, including the acceptability of contraceptives, homosexual relationships, and the concept of sexuality as pleasure. More than 500,000 persons (Catholics and others) signed this referendum (more than signed Haider's 'Referendum on Foreigners!'). Catholics in Germany and Switzerland followed this example and initiated a similar referendum in their own countries. The official Catholic Church in Austria could not neglect this referendum, and discussions followed with the more progressive bishops in Austria; however, actual changes have so far been limited.

This 'church referendum' did not target the fundamentalists directly, but rather dealt with the official church. The strategy of many of the progressive groups is not to provoke direct confrontation with the fundamentalist movements but to try to liberalise more moderate and conservative church circles. This is especially important because the official church itself restricts women and regards them as the servants of priests.

In 1996 the Women's Synod, an international meeting of Catholic feminists from around the world, was organised in Vienna. Austrian feminist theologians insisted on the meeting being held in Vienna in order to demonstrate against fundamentalist tendencies and discrimination against women within the official church. These theologians are an active group whose primary concern is to empower women within the church and expose the different ultra-right and centre-right fundamentalist groups and their impact on women.

The hope of these progressive groups is to foster broad support within the population, which would force the official church to reject the fundamentalist tendencies within their own structures.

Another strategy to ensure women's rights is through regulation from outside. As fundamentalism aims to take over state power, one important aim is to keep state and church strictly separated. Even though this is the constitutional position in Austria, the influence of the church in state affairs is still strong. The introduction of 'ethics' as a subject in schools, instead of the traditional 'religion', is an important step in the direction of keeping church and state separate.

The constitution of the state would appear to demand that political parties do not rely on religion as their ideological basis, as both the ... VP and the FP ... currently do. A secular and conscious civil society could demand this, and could also demand a different construction of womanhood through their voting power. The Austrian context demonstrates the power of the voter impressively in connection with the FP ... , which is changing its political programme to fit with the dominant discourse.<sup>34</sup>

The empowerment of women thus starts with women's articulation of their own demands. The population does have the power to demand changes and to start a new discourse. This can only be achieved, however, when Catholic and non-Catholic, men and women, come together and take a common stand against fundamentalist, fascist, racist and discriminatory tendencies in the country. Presently the Catholic Church in Austria is losing members and thus influence. Through consciousness-raising, women and men should be mobilised to speak out against fascist and anti-women statements, both by fundamentalist groups and representatives of the official church.

## Endnotes

- <sup>1</sup> For further general reading, please consult Wolfgang Beinert (ed., 1991) *'Katholischer' Fundamentalismus - Häretische Gruppen in der Kirche?*, Regensburg: Verlag Friedrich Pustet, and Jozef Niewiadomski (1991) *Die verdrängte Freiheit: "Wohl tobet um die Mauern ..." Fundamentalistische katholische Gruppierungen*, Basel/Wien: Sonderdruck, Herder Freiburg. For further information on specific fundamentalist movements, please consult Erich Garhammer (1991) 'Das "Opus Dei" - Kirche in der Kirche?' in *Theologisch-Praktische Quartalschrift. Gruppierungen der Kirche*, 139 (4), pp 370-74; Klaus Steigleder (1996) *Das Opus Dei. Eine Innenansicht*, Munich: Wilhelm Heyne Verlag; Heinz Gstrein (1990) *Engelwerk oder Teufelsmacht*, Mattersburg: Edition Tau; Heiner Boberski (1993) *Das Engelwerk. Theorie und Praxis des Opus Angelorum*, Salzburg: Otto Müller Verlag; Heinrich Graf von Soden-Fraunhofen (1991) 'Das Engelwerk' in Beinert (ed., 1991) op. cit.; Johannes Singer (1991) 'Das Engelwerk. Überlegungen mit dem Buch von Heiner Boberski' in (1991) *Theologisch-Praktische Quartalschrift. Gruppierungen der Kirche*, 139 (4) pp 375-86; and Anna Pflieger (1991) *Das Problem der Sexualität in den Schriften des Engelwerkes*, unpublished MA thesis, University of Vienna, Faculty of Protestant Theology. Sources on the internet include: [www.opusangelorum.org](http://www.opusangelorum.org), [www.opusdei.org](http://www.opusdei.org), [www.der13.com](http://www.der13.com), [www.fpo.e.at](http://www.fpo.e.at).
- <sup>2</sup> *Der 13.*, 13 July 1995.
- <sup>3</sup> The term *Kulturkampf*, used in Europe in this context, refers to the nineteenth century when Bismarck attempted to implement materialist and secular ideas and as a result came into conflict with the Catholic Church (amongst others). The term thus has a slightly different connotation here than in the more commonly used term, 'clash of civilisations'. For more about this issue in general terms, see Sadik J. Al-Azm (1993) 'Islamic Fundamentalism Reconsidered: A Critical Outline of Problems, Ideas and Approaches, Part I', in *South Asia Bulletin*, XIII (1&2), pp 93-121; and (1994) 'Part II', XIV (1), pp 73-98.
- <sup>4</sup> *Der 13.*, 13 June 1993.
- <sup>5</sup> 13 November 1995.
- <sup>6</sup> The political programme of the FPÖ – adjusted in 1997 – refers in chapter 5, article 1, to Christianity as 'the foundation of Europe'. In the explanation to article 2 it says that Christian churches are 'natural partners' to the FPÖ.
- <sup>7</sup> 13 June 1993.
- <sup>8</sup> 13 January 1993; emphasis in the original.
- <sup>9</sup> 13 December 1992.
- <sup>10</sup> See Sondra Hale (1994) 'Gender Politics and Islamisation in Sudan', in *South Asia Bulletin*, XIV (2), pp 51-66.
- <sup>11</sup> See Flora Anthias and Nira Yuval-Davis (eds, 1989) *Women-Nation-State*, London: Macmillan; and Anthias and Yuval-Davis (1995) *Racialized Boundaries: Race, Nation, Gender, Colour and Class and the Anti-Racist Struggle*, London: Routledge.
- <sup>12</sup> See Randall Balmer (1994) 'American Fundamentalism: The Ideal of Femininity', in John Stratton Hawley (ed.) *Fundamentalism and Gender*, New York: Oxford University Press, pp 47-52.
- <sup>13</sup> See Denis Kandiyoti (1993) 'Identity and Its Discontents: Women and the Nation', in Patrick Williams and Laura Chrisman (eds) *Colonial Discourse and Post-colonial Theory: A Reader*, Hertfordshire: Harvester Wheatsheaf, pp 376-91.
- <sup>14</sup> See Joan Smith (1994) 'The Creation of the World We Know: The World-Economy and the RE-creation of Gendered Identities', in Valentine M. Moghadam (ed.) *Identity Politics and Women. Cultural Reassertions and Feminisms in International Perspective*, Oxford: Westview Press, pp 27-41.
- <sup>15</sup> 13 February 1995.
- <sup>16</sup> 13 February 1995.
- <sup>17</sup> 13 July 1994.

<sup>18</sup>13 June 1992.

<sup>19</sup>See Pflieger, op. cit.

<sup>20</sup>*Der 13.*, 13 May 1993.

<sup>21</sup>Quoted in Brigitte Bailer-Galanda (1995) *Haider Wortlich: Führer in die Dritte Republik*, Vienna: Löcker Verlag.

<sup>22</sup>13 September, 13 October, 13 November 1995.

<sup>23</sup>See Helen Hardacre (1991) 'The Impact of Fundamentalisms on Women, the Family and Interpersonal Relations', in Martin E. Marty and Scott R. Appleby, *The Fundamentalism Project: Volume 2 - Fundamentalisms and Society. Reclaiming the Science, the Family, and Education*, Chicago/London: University of Chicago Press, pp 129-50.

<sup>24</sup>13 November 1993.

<sup>25</sup>13 January 1994.

<sup>26</sup>13 January 1993.

<sup>27</sup>13 February 1996.

<sup>28</sup>13 December 1995.

<sup>29</sup>Cited in *Der 13.*, 13 February 1995.

<sup>30</sup>Joerg Haider (1993) *Die Freiheit, die ich meine. Das Ende des Proporzstaates. Plädoyer für die Dritte Republik*, Frankfurt/M, pp 212-3.

<sup>31</sup>Quoted in Bailer-Galanda, op. cit.

<sup>32</sup>13 February 1997.

<sup>33</sup>13 February 1994.

<sup>34</sup>For instance, the 'Women's Referendum', held in April 1997, provoked discussions about the establishment of a Women's Party. The mainstream political parties immediately responded with changes to their political programmes to reflect the demand for women's rights.

## Introduction

Policies and their outcomes might have paradoxical effects, whatever the initial intentions of the policy makers. In a world which is progressively dominated by a variety of fundamentalist religious and ethnic political powers, one should recognise and give adequate due to the intentions, as well as some of the achievements, of multicultural policies. However, one cannot give such policies the full 'three cheers', as some of their so-called solutions have exacerbated and enhanced some of the problems they were supposed to tackle. Multiculturalist policies have differed in the various western countries that have adopted them. However, in many ways they share basic characteristics. In this paper I am going to focus on the case study of Britain, at a time and in a political climate where there are growing political pressures to abandon at least part of the foundations of multiculturalism and move in a more assimilationist direction. At the same time, multiculturalism has shown itself to be a remarkably flexible method of partially absorbing the challenge of feminism and providing sections of the British state with a platform to conduct a dialogue with minorities in the state.

Britain, it is said, is one of the most multicultural and racially mixed societies in the world. Yet it is also home to some of the most impoverished and racially segregated minority communities, who appear to be led by conservative religious leaderships. Mostly found in northern cities, their presence is seldom visible except when it erupts violently on the national stage. During the summer of 2000 there were riots in the northern cities of Oldham and Bradford, by both young Muslim men protesting violently against their racialised and subordinated status, and young White working-class men heavily affected by extreme right-wing political organisations like the British National Party (which had had, for the first time, a representative elected to a local council).

The Ouseley Report into the causes of the rioting<sup>1</sup> castigated the leaderships of these communities as being socially conservative, timid, and incapable of real leadership. The assumption was that 'traditional' leaderships had maintained a stranglehold on their communities. Having failed to assimilate, they must now be made to do so, under the banner of 'social cohesion'.

A number of other factors that cannot be examined here, such as long term economic decline, and the rise of identity politics and religious fundamentalist movements, undoubtedly contributed to the acute tensions in these communities. Absent from most discussions of the riots and their causes is the role of the state in entrenching both conservative and fundamentalist men (who in this case only partly overlap) in positions of leadership or with enormous access to decision making on behalf of 'their' communities. The policy under which this process has taken place is usually known as multiculturalism. It has influenced the delivery of the services particularly of the local state in areas such as education, social services and policing. It has also affected forms of political representation and the ways in which a layer of Asian (and possibly African-Caribbean) political leadership has been created.

This paper describes some of the ways in which multicultural policies have affected the lives of women from minority ethnic communities, and indicates the reasons why the state, at both national and local levels, has failed to provide a democratic discourse based on citizenship rights as a way of incorporating new minorities into the political and social mainstream.

### **What is multiculturalism?**

The term 'multiculturalism' is often used in two or three different ways that are conflated. One way in which it is used is to describe a society in which people of many different origins live - this can be used both as a factual description or as a normative one, describing a certain kind of a political, social and cultural ideal. Multiculturalism is also used as a description of a social policy which respects cultural differences, as opposed to a model of social integration which depends on full assimilation into the 'British way of life'.

A document laying out education policy for the London area in 1977 expresses the basic tenets of its more plural aspects:

The authority serves the city where the presence of people of diverse cultures with different patterns of belief, behaviour and language, is of great importance ... Recognising this, we have reaffirmed our determination to sustain a policy which will ensure that, within a society which is cohesive, though not uniform, cultures are respected, differences recognised and individual identities ensured. <sup>2</sup>

Yasmin Ali's description of the actual practice of local government is rather more trenchant:

Multiculturalism has provided the ideological justification of - and coherence for - a range of policies designed to contain communities and isolate them from - or mediate their limited entry to - the local political arena. It has also had the purpose, as far as governments of both the Labour and Conservative parties have been concerned, of depoliticizing 'race' as an unpredictable populist factor in British politics.<sup>3</sup>

Clearly, after the riots of 2000, but also as a result of political shifts both in post cold war Europe and since the rise of extreme right political parties globally post 9-11, sections of the British government have decided that multiculturalist policies in their traditional form are no longer functional. A move towards more assimilationist policies has been launched, signalled by the Home Secretary David Blunkett's White Paper, 'Secure Borders, Safe Haven'.<sup>4</sup> At the same time, the need to find Muslim allies in the 'war on terror' has intensified the Prime Minister's search for a (largely male) leadership to engage in dialogue, in an attempt to coopt their public support for the war effort.

### **Asians in Britain**

Most comment on the Ouseley Report, and other analyses of the riots, assume that Asians in Britain have always been entrenched in social conservatism. Yet even in Bradford, in the north of England, where large numbers of British Muslims mobilised around the Rushdie affair, research shows that many first generation Asians had high expectations for their

daughters. Haleh Afshar's interviews with three generations of Asian women<sup>5</sup> describe how many first generation Muslim women who came to this country hoped that their daughters would have a chance of a good education and job prospects. By and large, they also wanted them to maintain their *izzat* (honour), learn to be good Muslims and marry appropriately. But how these values were addressed varied widely. Some argued with or persuaded their husbands to extend their daughter's freedoms in marrying outside the *biradari* (clan), working outside the home, learning to drive and so on.

In other areas, such as Southall in London, settlement from the 1960s onwards in an expanding economy ensured that women had high levels of paid employment outside the home. Men and women who immigrated to Britain had often been politicised by their time in the armed forces, as well as by their participation in anti-colonial, social and political movements in their countries of origin. Yet multiculturalist policies seldom recognised the political histories of the new migrants, or the complex decisions they had made, even though they were active in trade unions and rapidly, in spite of facing acute racism, began to participate in local politics, being elected as councillors in local government and so on. The policies concentrating on the socialisation of these communities have often had the effect of homogenising and stereotyping them.

To illustrate some of the inherent issues of multiculturalist policies in Britain, I would like now to discuss in more detail the character and effects of such policies in education and the forced marriage debate.

### **Multiculturalism in schools**

In so far as multicultural policies recognised diversity and promoted pluralism, they have been and continue to be valuable tools for helping children understand the many different cultures amongst which they live. However, there were problems with the way in which the policy was implemented, since it sometimes enforced cultural and religious difference rather than simply valuing pluralism. Too often the depiction of the different cultures was done in such a way that it constructed a unified and homogeneous picture, both of the culture and the community. This has had the effect not only of reinforcing cultural stereotypes, any contestation of or deviation from which is perceived as 'inauthentic', but also of promoting group or communal identity.

Children from minorities sometimes feel that they are meant to 'represent' an entire culture or religion. Positive stereotyping can be bewildering for them to handle, just as negative stereotyping could attack their self-esteem. The different backgrounds of the many children who are mixed race or nationality (or religion) is not given sufficient room for recognition. The search for 'authentic voices from the community' has meant that textbooks teaching religion have been produced by fundamentalist religious groups, who are seen as the authentic transmitters of those religious traditions. For instance, the Islamic Foundation in Leicester has produced textbooks on Islam and prescriptions governing every aspect of Muslim life

which have been endorsed by the Commission for Racial Equality. Similarly, the syllabus on Hinduism was written by the VHP, an international pan-Hindu right wing group which has been implicated in massacres of Muslims in the state of Gujarat in India.

Culture is often equated with religion, food, costuming and ritual, so that recognising diversity comes to mean celebrating religious festivals only. Differences within religious or cultural beliefs are not recognised, or the fact that some families are more observant than others or observe in different ways. Generally, as has been pointed out by feminist scholars like Trin Min Ha and Nira Yuval-Davis, multiculturalism tends to see cultural differences as non-threatening, complementary and enriching, rather than depicting irreconcilable views of human relations - more like international cuisine than 'clash of civilisations'.

Such a view can make the state authorities fail to recognise or act in cases where women or children are abused. The failure to help minors facing forced marriage is an example, which will be discussed below.

Multiculturalist policies can also trigger a backlash from some white children or parents, who may feel that their culture is undervalued, since they are not 'black' or 'ethnic'. In fact, there are many different forms of ethnicity, and dominant forms and national origins should also be recognised. Yet respect for religious difference has emerged as a strategy for children and young people to counter Islamophobia and name-calling at school and elsewhere, and to support their Muslim friends. With all their limitations, multiculturalist policies have helped to shift the boundaries of the nation in Britain and to incorporate in some ways the Black and other ethnic minorities who immigrated to Britain after WW2 from Britain's previous empire.

However, this shift happened in a very partial and contested way, and central to the present policies of the British state is the difference in treatment of settled minorities as against the attack on the rights of refugees. At the same time as the government was pursuing its ugly policies of restricting rights of asylum, dispersing refugees and enforcing the humiliating and inefficient voucher system (where refugees are given vouchers forcing them to buy goods in certain supermarkets rather than giving them cash), it was sending out a very different message to British Asians. In its first term of office, with a complete absence of fanfare, the Labour government quietly dropped the 'primary purpose' clause in immigration rules, which had prevented people marrying a spouse if they admitted that the main purpose of the marriage was settlement in Britain. The clause was seen as an attack on the arranged marriage system and its abandonment was greeted with relief. But the government remained coy about publicising this liberalisation, presumably on the assumption that any relaxing of immigration rules would play very badly with the *Daily Mail*. The *Daily Mail* is a right-wing paper read by what is known as 'Middle England' - the heartland of white, middle-class, conservative England. The Labour government is acutely conscious of adverse publicity from this paper, and is sometimes thought to construct its press statements so as to elicit approval from sources which have traditionally been hostile to labour, socialist or working class pro-trade unionist politics.

## Forced marriage

Under pressure from MPs and Asian feminists, the government embarked on a most complex intervention into what had previously been considered the internal affair of Asian communities in Britain. It appointed a working group on what was termed 'forced marriage'. Feminists had distinguished forced marriage, in which coercion, physical or emotional, was exercised, from 'arranged marriage', where both parties actively consented to the marriage. Adopting feminist arguments, the minister, Mike O'Brien, was widely quoted as saying, 'Multiculturalism is no excuse for moral blindness'.

How had the government been persuaded to tackle an issue which was seen as deeply 'culturally sensitive'? As Blair was later to argue about the 'war on terror', the call went out that this was not 'about Islam'; indeed, the issue was not about any major religion. The formula, presumably developed by agile Whitehall mandarins and energetically pedalled in ministerial speeches emanating from the Home and Foreign Offices, pronounced what was close to a *fatwa* (which means a legal opinion, not as is popularly thought, a death sentence) on the state of religious law. All major religions, it was said, require consent in marriage.

Unfortunately, this is a highly problematic statement. In Hindu marriage ceremonies, for instance, consent is assumed, while in some forms of Muslim law 'consent' is bestowed by the guardian of the girl, particularly if she is a minor, even though there is a part of the marriage ceremony where the consent of the woman is sought. A young woman who was forced to marry her cousin described a fairly typical example of the way in which religious authorities collude with the parents:

As the marriage ceremony was going along, the Imam asked if I consented to the marriage. My mother, she pushed my head down three times. That's how the marriage was consented, it was not my choice at all.

Nevertheless, leaders of Muslim, Sikh and Hindu organisations were lined up to denounce forced marriage as having no foundation in their core religious beliefs, reinforcing the view of cultural differences as always compatible and benign. While such positions reinforce their internal political power both *vis-à-vis* the government and their British communities, this does not necessarily stop them from supporting much less benign positions in their countries of origin or within their communities away from the public eye.

The arguments about the position of women in minority communities in Britain have a lineage that extends well back into the colonial past, into the most famous of British reforms (often cited as evidence of a civilising imperial mission): the abolition of *sati* or the burning of widows on the funeral pyres of their husbands. As officials anxiously considered the implications of reform, they asked for opinions from *pandits*, or Hindu priests, about whether this was a central part of early Hindu beliefs, or merely a later accretion which could not be considered a compulsory rite. The crucial factor, however, was the considerable pressure from Indian social reformers, which created a climate in which the colonial power could act. In this as

in other instances of reform, such as the raising of the Age of Consent (the time when child brides were forced to cohabit with their husbands), it was Indian demand, coupled with some scriptural authority, which opened the space for reform of the law.

### **The Janus face of local 'community leaders'**

The forced marriage debates in Britain were also part of the process by which unelected lay community leaders, organised into religious bodies, were given increased status by the government (the leaderships of the councils of mosques and temples which exist in every major British city tend to be controlled by business men rather than by *imams*, or priests).

Since the prominence of these religious leaders depended in part on their patronage by the state, they were happy to provide an emollient message according to the government line. This served to obscure their failure to confront existing religious practices and the direct collusion of many clerics in, for example, imposing forced marriage on unwilling young people.

A statement such as 'Islam seeks consent in marriage' has the same weight as 'Islam gave equal rights to women in the seventh century'. In other words, it relieves the authorities of actually having to consider what actively seeking consent would actually imply in the modern world. And it takes the sting out of the government's critique of forced marriage among those conservative 'community leaders' who feel that the state is trespassing on their territory.

That territory, it has become increasingly clear as the 'war on terror' progresses, is not really an area of complete autonomy in the 'internal affairs' of the community. Rather, it is the struggle to control the representation of the community and therefore determine the types of policy and intervention that the state adopts. Unlike the disaffected young men with no access to resources or the ear of government, Muslim women's groups have been consulted by the government. They have always challenged the right of secular feminists to speak for Muslim women, demanding that the state bring back stricter immigration controls to protect helpless women from Asian men in pursuit of visas and the right to settle in Britain. On the other hand, a secular feminist group like Southall Black Sisters has argued that this would be a racist policy, as domestic violence cases amongst the majority population are not dealt with by deporting the violent men but by providing alternatives for women and using the criminal justice system.

Another policy pursued by British Muslim intellectuals, which can be seen to make strategic use of the government's anti-immigration policies, is that of Zaki Badawi, the head of a theological college trying to create a class of British educated *imams*. He has demanded that the government stop giving visas to foreign-born *imams* who don't speak English, and, in addition, close down after-school classes run by radical Islamists on the grounds that they are recruiting grounds for terrorism.

At the same time, Tower Hamlets, one of London's leading councils to have developed policy on forced marriages, made partnership with the East London mosque a central plank of their policy. This is a mosque controlled by the *Jamaat i Islami*, who have positioned themselves in Britain as a leading 'moderate group', progressive on social questions such as forced marriage. Unlike in many other South Asian mosques, women are allowed to pray in the East London mosque. The mosque has been working with Tower Hamlets Council in dealing with truancy from schools. 'Having an *Imam* visit, is like having a superstar,' said a council spokesman.

Britain has remade relationships between non-established religions and the state so as to conform to the model of the Church of England. The position of the Chief Rabbi does not traditionally exist in Judaism. Similarly, *imams* and *pandits* are not expected to have a pastoral role of the type promoted by Tower Hamlets. Generally they are required to facilitate the proper practice of religious rituals. They do not necessarily exercise a huge social power over their congregations. However, in Britain, as part of the present phase of multiculturalist policies, their right to exercise that power is being vigorously promoted by the local state as part of its overall attempts at social engineering.

The *Jamaat's* history, which it has not repudiated, is not as benign or as modernist as it appears to British multiculturalists. It was founded by Maulana Maududi in India and is a fundamentalist political party in India, Pakistan and Bangladesh with links to other fundamentalist groups such as the Muslim Brotherhood in Egypt. One of its most prominent leaders in Britain, also active in the East London mosque, was alleged to have taken part in the mass murder of secular supporters of Bangladeshi independence during the war for the liberation of Bangladesh in 1971. While pursuing 'moderate' policies in the British context, it continues to support fundamentalist positions in South Asia such as the spread of draconian *shari'a* based laws, including support of the death penalty for adultery and blasphemy. Institutions connected to it, such as the Islamic Foundation, have also supported the dictatorship in Sudan.

Yet these very groups are the key partners of the British state in numerous initiatives, from local level to the Crown. When Prince Charles visited the East London mosque, he was warmly welcomed by an alleged war criminal, Chowdhury Moinuddin. Even British NGOs seem to find it necessary to legitimize their entry into discussions of culturally sensitive issues by choosing fundamentalist partners. When the respected organisation Reunite held a national conference on forced marriage, it was decided to hold it at the Islamic Foundation. The conference went ahead in spite of the refusal of secular feminists, including those from Asian and Muslim communities, to attend.

## Terrorism and asylum

The awareness of the terrorist threat post 9-11 came just as the 2000 riots in the northern cities of Oldham and Bradford made the government aware of a layer of extremely alienated Muslim youth. It also came at a time of an acute crisis of labour in many different sectors, from the shortage of skilled workers in the public sector, to information technology and

agriculture. The government had cautiously begun to acknowledge the success of Asian immigration and the need to start opening up to new generations of immigrants, while of course continuing to show 'bogus asylum seekers' the door to prove that Britain was no soft touch for economic migrants.

But the solution proposed by David Blunkett - dealing with all these problems simultaneously through raised standards for acquiring citizenship, a test of knowledge of the English language, and a vow of allegiance to British democratic values - will not only fail, but it admonishes the victims rather than dealing with the perpetrators of separatism. Although the Asian rioters were mostly born in Britain, speak English and were educated in British schools, the lack of 'social cohesion' has been laid largely at the feet of their mothers, who do not speak English and who, in their role as guardians of their cultures of origin, are deemed to have prevented the integration of the younger generation.

### **Policing the boundaries of piety**

Paradoxically, the move towards 'social cohesion' policies is taking place at the same time as there is growing pressure for Britain to establish many more independent faith schools. Different branches of government blow hot and cold about whether they will proceed with this policy. The effects of such a move could be very problematic. Existing faith schools, which are largely Church of England or Catholic, are one of the greatest forces for segregation. Both White and African-Caribbean children enter Christian schools, leaving state schools in the same catchment area almost entirely Asian. Yet increasing the number of minority faith schools would further enhance the power of the men in the councils of mosques and temples who have the ear of government and are controlled by fundamentalist elements such as the *Jamaat i Islami* and the VHP. Their 'integration' into British society has partially been achieved because these movements are seen as progressive forces within their communities on issues of gender equality. Unlike the more traditional *imams* and priests who, if they do not speak English, are routinely characterised as backward and separatist, active fundamentalists in Britain are often sophisticated, English speaking gentlemen (and women) who easily conform to the ideal of social cohesion.

### **Conclusion**

The British state used its colonial heritage to develop multicultural policies to incorporate the influx of immigrants who arrived in Britain from South Asia and the Caribbean after the war. Initially, it allowed many social policies to be set by the 'norms' laid down by conservative community leaders. However, the pressure of organised, secular Asian feminism has forced the state to acknowledge that it must intervene to stop crimes being committed against young Asian women. But to justify this intervention it resorted to developing support amongst the very people it wanted to criticise, and thereby helped increase their hold over 'their' communities.

The lesson for the state, and the NGOs who have assisted in legitimating the activities of fundamentalist groups, is that they cannot regard the issues of violence against women or the equality of women as the only markers of a progressive position. In modern Britain

today, as in South Asia, attitudes to women are only one sign of religious authoritarianism. The question of 'voice', or who speaks for the community, is equally if not more telling. Not only are secular voices regularly excluded, but so are religious minorities within their own communities. For example, the *Ahmadiyahs*, a minority Muslim sect, have been excluded, sometimes violently, from the Muslim *ummah* and sit on none of the Muslim councils in Britain, though the *Jamaat* play an active role. The Hindu temple committees are dominated by proponents of an aggressive Hindu identity such as the VHP and the HSS. These are the groups pushing for more faith schools, and who have argued for laws on incitement to religious hatred (not the anti-racist groups who most have to deal with the fallout from racial or religious attacks). For these neo-conservative leaderships, a new blasphemy law would represent victory for one of the key demands of the anti-Rushdie campaign, and could lead to enormous censorship on matters of religion.

But what would be the effect of such faith schools on the integration of the alienated Muslim youth of northern England into British society? And if they have foreign-born wives, or British sisters who are subjected to forced marriages, where are the resources to help these women escape? Where is the acknowledgement of the state's role in upholding forced marriage through its 'respect' for cultural diversity? And finally, where are the resources for English classes that groups like Southall Black Sisters have been struggling to provide, and which are going to become a condition for being given British citizenship?

## Endnotes

- <sup>1</sup> Sir Herman Ouseley, 'Community Pride, not Prejudice: Making Diversity Work in Bradford', July 2001.
- <sup>2</sup> Cited by C. Connolly in 'Splintered Sisterhood: Anti Racism in a Young Women's Project', *Feminist Review* 36, Autumn 1990.
- <sup>3</sup> Yasmin Ali (2001[1992]) 'Muslim women and the politics of ethnicity and culture in Northern England', in G. Sahgal and N. Yuval-Davis (eds) *Refusing Holy Orders: Women and Fundamentalism in Britain*, London: WLUMML [Virago], p. 108.
- <sup>4</sup> Home Office, CM5387, February 2002.
- <sup>5</sup> Haleh Afshar (1998) 'Strategies of resistance among the Muslim minority in West Yorkshire: impact on women', in Nickie Charles and Helen Hintjens (eds) *Gender, Ethnicity and Political Identities*, London: Routledge.



## Introduction

The events in Gujarat in March 2002 shocked not only India but also the world. India has seen violence between religious communities before.<sup>1</sup> The establishment in 1947 of India and Pakistan saw violence of unprecedented proportions. Since then, violence between religious communities (known locally as communal riots) has been a recurring phenomenon. Over the years, however, the nature of the violence has changed.

The violence in Gujarat was not violence between two communities. It was a well-planned and systematic genocidal attack on people from Muslim communities, carried out with the support of the state. Thousands of trained people from the 'Hindu' communities attacked everything that belonged to people from the Muslim communities: lives, properties, businesses. The extent of the sexual violence was also unprecedented in the history of independent India. Women were treated as property of the Muslim communities, and hence violated, assaulted, humiliated, maimed and killed.

The National Human Rights Commission observed, 'There was a comprehensive failure of the state to protect the constitutional rights of the people of Gujarat'.<sup>2</sup> And it was not an event in isolation. The violence had begun long before that date, and continues in different forms even today.

The composition of the mobs that took to the streets in Gujarat showed that a new kind of Hindu community was being forged. People traditionally oppressed by the Hindu mainstream - the lower castes (*Dalits*), the indigenous peoples (*Adivasis*), and women - were all part of the mobs. A sense of 'Hindu identity' had brought them together, but this was no natural coming together. It was the result of a well-planned strategy by Hindu fundamentalists, who have been trying to gain a foothold in Indian society since the 1920s.

Hindu fundamentalists had support from the state machinery, which they have systematically infiltrated in the last decade. They have worked to convert the vision of India from that of a secular, democratic nation to a 'Hindu *Rashtra*'.<sup>3</sup> In this essay I will focus on the ways in which Hindu fundamentalisms, and the parties propagating them, have operated, and discuss the events in Gujarat in this light.

Along with increased control by Hindu fundamentalist groups of the culture and ethos of mainstream Hindu society, there has been a corresponding growth of other fundamentalisms, like Islamic fundamentalism. But we think it urgent to focus on Hindu fundamentalism for three reasons: firstly, it has gained state power in a democracy, so it is succeeding in dividing the electorate along religious lines, thus altering the face of Indian society. Secondly, it has cleverly managed to create an image of a majority population victimised and under attack. Thirdly, democratic power in the hands of fundamentalist groups threatens and oppresses all those it 'otherises' in a manner that sounds the death knell, not only for their citizenship rights, but also for the basic tenets of democracy itself.

## The Hindu fundamentalist organisations

Hindu fundamentalism in India is, in some senses, a colonialising effort, since it attacks, through annihilation or assimilation, all existing traditions and cultures, all movements for change and progress. A brahminical male culture<sup>4</sup> is being projected as *the* Hindu culture of the region. The multiple practices and beliefs of Hindu communities are being obfuscated, and uniformity imposed. The terms 'religion' and 'culture' are used interchangeably. A new definition of nationalism has been made popular - 'cultural nationalism'. All those who do not subscribe to the Hindu religion and hence culture (sic) are not Hindu, and so cannot belong to Hindustan<sup>5</sup> - they are 'otherised'. The final act of assertion by the Hindu right is through a systematic takeover of state power.

The right-wing Hindu organisations function under various names in India and throughout the diaspora. There are, however, three main right-wing Hindu organisations: the *Rashtriya Swayamsevak Sangh* (RSS), the *Vishwa Hindu Parishad* (VHP) and the *Bharatiya Janta Party* (BJP).<sup>6</sup>

The RSS was formed in the mid-1920s, the VHP in 1964, and the BJP emerged in the late 1970s as successor to an earlier party, the Jansangh. The BJP has now been in power as part of a coalition government for two consecutive terms of the national parliament. In the last two decades, the VHP has actively worked to help the BJP gain electoral gains by creating a 'Hindu' electorate which would back the BJP under all circumstances.

The RSS, the BJP and the VHP ... have separate constitutions, organisational structures and work patterns. It cannot be denied, however, that in terms of membership, ideology and agendas of action, there is an overlap between the three, and that the RSS has played a parenting role ... In the politics of the RSS and its Parivar (family) there (is) a division of work between the 'cultural' RSS, the 'political' BJP and the 'religious' VHP.<sup>7</sup>

## The creation of 'Hindu' identity

One of the main tasks of the VHP has been to create a 'Hindu' religious identity. Hinduism is not codified, and has been for many years a loose combination of beliefs and practices. The VHP has, however, tried to create what Romila Thapar calls 'Syndicated Hinduism'. In her words, it is this notion of Hinduism which has been actively cultivated over the past two decades:

It has patterned itself on Islam and Christianity, in many ways, such as: its search for a historical founder (possibly Rama); ... missionaries among the Indian Diaspora, and among the Dalits and tribals; and its reference to Ayodhya as the Hindu Vatican.<sup>8</sup>

The Hindu identity thus created is monolithic. It also tries to nullify all contradictions and tensions within the practice of Hinduism, especially that of caste. The practice of Hinduism has inflicted all kinds of violations on people from lower castes; this violence continues today, exploding the myth of tolerant Hinduism. But through gross misrepresentation of the facts,

the right-wing organisations claim that Islam and Christianity are responsible for the caste system. As Kailash Chandra writes in the *Hindu Vishwa*, mouthpiece of the VHP:

The tribals and outcastes were very much a part of the Hindu society till the Christian missionaries came and made them break away from the rest of the Hindu society ... This task of a handful of Christian missionaries is now undertaken by the Muslims.<sup>9</sup>

Religions like Buddhism and Jainism, which evolved in reaction to the violence of the caste system and which have large numbers of followers in India, have also been cleverly included in the fold of Hinduism. Many *Dalits*, as part of the political struggle led by Dr. Ambedkar, renounced the Hindu religion and adopted Buddhism.<sup>10</sup> But today they and other people are termed 'Hindu', because all philosophies that evolved in the region are now claimed for Hindu society.

Even more shocking is the way in which indigenous cultures - tribals and others - have been homogenised within the Hindu fold. Tribal cultures face a double attack in modern India. On the one hand, their lifestyles, which are dependent on natural resources, have been severely affected by the models of development adopted by the modern nation state. They have been impoverished, and forced to join the mainstream, which has no place for them.

At the same time, Hindu fundamentalists have tried to annihilate their cultures by 'civilising' them. The right-wing organisations call them *Vanvasis* (residents of the jungle) rather than *Adivasis* (original inhabitants). At a stroke, this defines them as primitive, and dispenses with their claim to be the original inhabitants, since this conflicts with the Hindu mainstream's version of history, according to which practitioners of Hinduism are not invaders who came to India centuries ago, but the original inhabitants, themselves under continuous attack from outsiders. Right-wing organisations have been working relentlessly in tribal hamlets all over the country with the primary aim of 'Hinduising' the people. Evidence of their labours can be seen in the small Hindu temples that dot tribal belts all over the countryside, and in the many *ashram shalas* (residential schools) run for tribal children, where they are brainwashed into accepting the 'Hindu way of life'.

Moreover, during the last decade, Christian organisations at work in the tribal regions have been openly under attack. These attacks serve to establish the notion that all religions other than Hinduism and its allied philosophies are 'foreign' to India, and that conversion to these religions is an attack on Hinduism, even if the act of conversion is an act of choice.

### The creation of the victimised Hindu

Hindu fundamentalist organisations have consciously created an imminent and ever-present threat to the 'Hindu' identity from 'foreign' cultures and religions, namely Islam and Christianity. While Christians are constantly attacked, the bogey of Pakistan, and the memory of the bloodshed at the time of Partition, are constantly exploited in order to attack the Muslim population of India. The spurious fear of Islamic terrorism across the globe is also used by Hindu fundamentalists to create fear of attack on so-called 'tolerant' and 'non-violent' Hindus,

and a connection is insinuated between Indian Muslims and domestic terrorist activities.

Centuries-old claims of attacks on Hindu temples and people are raked up, and Hindus are chided for having allowed themselves to be violated by Muslim 'outsiders'. This constant propaganda, assisted by global politics, has resulted in Hindus starting to believe that they have indeed been terribly wronged for centuries, and that, if they do not act, they will continue to be exploited and violated by these 'outsiders'. Identity politics of this kind - which magics up a communal identity in opposition to some other fictitious but threatening identity - is a common tactic of fundamentalists of all sorts.

The result in India is a militarised population keen to train for its supposed 'self-defence'. Regular camps are held for children, young men and women, where training is given in the use of weapons. A large population of Hindus, spewing hate and ready to defend themselves, has been created: their numbers were evident in the pogrom against the Muslims in Gujarat in 2002. The distribution of tridents (three-pronged spears) under the guise of 'Hindu culture' has created large gangs of armed Hindus. The participation in the violence on the streets of Gujarat of *Dalits*, tribals and women is a painful reminder of how they in particular have been encouraged to engage in weapons training and join the 'Hindu' identity.

### The use of identity politics

*Dalits*, tribals and women have in the past engaged in progressive movements based on shared oppression and their struggles to change the structures that give rise to these oppressions. These movements are a challenge to the right-wing fundamentalist agenda of identity politics; the right has therefore tried to assimilate these groups and decimate their movements. As Mumbai-based activist and writer Ram Puniyani says:

The right-wing organisations came up in the 1930s and their emergence has been at the time when all the movements for social equality and justice – those of women and the anti-caste struggles in particular – were at the forefront. These movements and the vision of the world that they provide have been the primary targets of the fundamentalists. Other religious minorities and groups are in fact the 'collateral damage' in this process.<sup>11</sup>

In their campaign to valorise the conservative status quo, the Hindu fundamentalist organisations have made a point of organising women. They created the *Rashtriya Swayamsevika Sangh* and the *Durga Vahinis*;<sup>12</sup> the former is the women's counterpart of the RSS, an organisation open only to men. Its main aim is to create a sense of 'Hindu culture' amongst women, through training and consciousness-raising activities.

The *Durga Vahinis* were set up in the early 1990s to mobilise women from middle and lower income groups. The main principles this organisation instils are *seva* (service), *suraksha* (safety) and *samskara* (values). Women are considered important contributors to the creation of a Hindu nationalist culture, as nurturers, soldiers and propagators of the Hindu nationalist project. As mothers, daughters, sisters and wives, their role as defenders of the

culture, values and ethos of Hinduism is projected as their main purpose in life. The image of the goddess Durga as the slayer of all wrongs and defender of the wronged is very potent. In the Hindu fundamentalist project, the wrongdoers are identified as practitioners of Islam and Christianity, and women are mobilised as warriors, to defend the 'victimised Hindu culture and religion' against them.

There are many stories in circulation of how Hindu women were sexually violated by Muslim invaders. History has been manipulated to create a powerful propaganda tool. The myth of the virile, violent Muslim man and the victimised Hindu woman, through whose body Hindu culture and religion are attacked, is regularly invoked. Women and men have been organised through hatred for Muslim men and with feelings of vengeance against Muslim women. This was translated in Gujarat into the mass sexual abuse of women from the Muslim communities, unashamedly carried out in full public view of women and men from the Hindu communities.

With the emergence of specifically Hindu women's organisations, the broad struggle of women in general for equality and justice has been forced to the margins. Women's efforts to create positive self-defining identities have become subsumed in the traditional definitions of patriarchal control. Women have been mobilised in large numbers, but in support of the very forces that curtail their freedoms and their assertions of identity.

### **Taking over state power**

Along with the assertion that Hinduism needs to be defended from Islam and Christianity, the Hindu fundamentalists have also, from the very beginning, identified communism as a force from which Hindu society needs to be protected. As Shivram Shankar Apte says in the *Organiser*, mouthpiece of the RSS:

The declared object of Christianity is to turn the whole world into Christendom – as that of Islam is to make it 'Pak'. Besides these two dogmatic and proselytising religions, there has arisen a third religion, communism. For all of these the major target of conquest is the vast Hindu society living in this land and scattered over the globe.<sup>13</sup>

The socialist vision of independent India, shared by many of the early leaders of the Congress party that came to power in 1947, was hence not supported by the Jansangh, the Hindu fundamentalist party at the time. But Congress was popular and stayed in power; the Jansangh did not have many seats in parliament and did not have support from the majority of the Hindu population. With the decline of Congress in the seventies, the Jansangh, now renamed the BJP, came to power in coalition with many other parties.

Through the 1980s and 1990s, the Hindu right-wing mobilised massively amongst Hindus. Although the organising was done by religious organisations like the VHP and involved *sadhus* and *sants*,<sup>14</sup> it was clearly aimed at gaining political and electoral support. Congress was represented as pro-Muslim and hence anti-Hindu. This propaganda worked; many votes shifted as a result.

The global scenario after the break-up of the Soviet Union and the Eastern Bloc, when right-wing conservatism gained in popularity all over the world, helped this trend within India. The BJP did not differ much from Congress on issues of economic policy, but constantly attacked the 'secularism' practised by Congress as anti-Hindu, thus gaining a base amongst Hindus from widely different class, caste and regional backgrounds.

The demolition of the Babri Masjid in December 1992<sup>15</sup> and the inaction of the then government in the face of the violence against Muslim communities that preceded and succeeded this event, were clear indicators of the Hindu fundamentalists' growing strength and popularity. In 1993, for the first time, the BJP, along with other parties, formed the national government, if only for a few days. In subsequent elections, however, they have emerged as the major party, gaining ground not only nationally but also in many state governments.

The presence of the BJP in power has changed the political scene. The implementation of right-wing economic policies and the processes of globalisation have accelerated. At the same time, there is a visible and palpable Hinduisation of all institutions. They have control over the bureaucracy and of appointments to all key posts, in the police force, the judicial system and departments of education. There have been major controversies over history text books for schools, and about including subjects like astrology and yoga in the higher education syllabus. The mainstream media now debate - as matters of national importance - non-issues like the debate over the birthplace of Ram, the banning of cow slaughter, and so on. Secularism, a key concept in free and independent India, is under concerted attack.

A new concept of citizenship and democracy is emerging in which Hindus alone have a natural right to be citizens. All others are only tolerated, and so given secondary status which threatens even their basic citizenship rights. India, the largest democracy in the world, is almost becoming a mockery of itself. With the Hindu fundamentalists major actors in electoral politics, the religious majority that they have striven to create is becoming a permanent majority on all issues:

The VHP's conception of permanent majority goes against (the) basic principle of democracy, both in theory and in practice, and possesses fascist elements ... A permanent Hindu government ... pushes out from state decisions individuals who ... do not believe in the VHP's ideology. These groups and individuals ... would find it hard to express anti-government views for the fear of inviting the government's retaliation.<sup>16</sup>

The events in Gujarat between 27 February and 2 March 2002 show the success of this *Hindutva* project in all its dimensions. The facts summarised below are based on reports by citizens' groups, women's groups, human rights groups from Gujarat and across the country, and also by international agencies like Amnesty International and Human Rights Watch.<sup>17</sup> They are also based on my own personal experience as part of a women's group, Forum Against Oppression of Women, which has visited Gujarat many times and works with victims in their struggle for survival and their fight for justice.<sup>18</sup>

## Gujarat – the early incidents

On 27 February 2002, there was an attack on a train carrying Hindu *kar sevaks*<sup>19</sup> from the demolished Babri Masjid site, where they had gone to offer their services for building a Ram temple. A compartment was set on fire just outside Godhra, a station in Gujarat, and 59 women and men perished in the blaze. The assailants were not known and the motive was not clear, but by late evening there had been statements from the Gujarat government and the Hindu right-wing organisations to the effect that this was a deliberate attack on the *kar sevaks* by local Muslims resident in the area where the attack took place. Other statements implicated Islamic terrorists from Pakistan.

What followed was a full-scale attack on people from Muslim communities across the length and breadth of the state. Thousands of armed mobs moved through towns and villages in an area hundreds of kilometres square. They were all shouting the same slogans, and were well aware of the locations of Muslim properties – residential and business – in different towns and remote villages (some carried printed lists, and some properties had been marked beforehand). They went about systematically attacking them. They also brutally killed whoever they found, they sexually assaulted and violated women and young girls and then killed them, they injured people in the most gruesome manner. All property was destroyed so badly that it could not be rebuilt.

In a matter of 72 hours, about 2000 people were killed. During those 72 hours, the administration did not act. The losses suffered by the Muslim community were estimated to be 38,000 million rupees – 1,150 hotels were burned in Ahmedabad alone, plus over 1,000 trucks, severely affecting the hotel and transport industries, which were mainly run by Muslims. About 250 mosques and *dargahs* (holy shrines) were destroyed. The state was ravaged, and its Muslim population made refugees in their own country: around 113,000 people ended up in refugee camps.<sup>20</sup>

The involvement of *Dalits* in the violence, especially in Ahmedabad, was shocking, because in large urban centres like this the *Dalit* and Muslim populations have lived side by side for many years, with good will and in a spirit of solidarity for their common victimisation by upper caste and upper class Hindus.

Women were used as pawns. Rumours of Hindu women being abducted and raped were spread, and attacks were then instigated on women from the Muslim communities. Pregnant women were particularly targeted. Young girls were assaulted with cries of 'Impregnate them with Hindu children'. A great many Muslim women were violated and mutilated. Those who survived are in no position to fight their cases when the men who raped them roam around freely, taunt them openly and threaten them even until today. Their resolve to fight cannot be sustained when their humiliation and trauma were witnessed by many in their neighbourhoods – women as well as men – and no one came to their rescue.

Some women from the Hindu communities were significantly present in the mobs, encouraging the violence, cheering on the assaults, and looting property; these were women from almost all castes and classes. The desensitisation of Hindu women and the dehumanising of marginalised women by other women are major setbacks to the women's movement, which has been actively seeking justice, respect and equality for all women.

The state machinery and the government itself did not hide their pro-Hindu and anti-Muslim bias. In the 72 hours when the mobs moved freely on the streets, killing and plundering, the only response from the elected representatives of the people was that the feelings of the 'Hindus' had been hurt by the incident at Godhra.

### **Continuing violence**

In those 72 hours, the police also did not act, saying they'd been instructed not to, and that the Muslims deserved it. After 72 hours, they began to register criminal cases against accused persons. But complaints were not recorded properly, and those that were taken were doctored so that leaders of the right-wing parties, who led the mobs in many places and were recognised by many of the survivors, were not named.

Today, case after case that comes up for hearing is dismissed for lack of proper evidence, or because the people who bravely laid charges have withdrawn their statements because of threats. The judiciary is full of sympathisers of the right-wing organisations, and the prosecutors appointed to help victims fight their cases are open supporters.

The police continue to harass people from the Muslim communities with false charges and arrests under draconian laws allegedly for the prevention of terrorism. This not only intimidates the victims of the violence, but fills them with fear of further attacks. Moreover, relief and compensation have not been on a par with the earthquake relief given by the same state the previous year. Whole populations have been left to fend for themselves with support only from their own communities, and those who responded to the crisis have themselves subsequently been targets for victimisation by the state.

The National Human Rights Commission, a constitutional body set up by the government, produced a scathing report on events in Gujarat and the Gujarat government's handling of the situation. Its recommendations were not even considered for implementation by the state or the central government. A routine commission of enquiry has been set up, but it is headed by judges of questionable repute. In each of its actions thus far, the state has implicated itself in every way as colluder in the crime.

Till today, there are some localities where people have not been able to go back because they have been threatened. They are told they have to rescind all charges to be allowed to return to their own lands and their own villages. In many villages, although people have returned, their businesses are affected: they have lost their Hindu clientele, and the Muslim

populations have nothing with which to sustain each others' businesses. Not one of their household items has been recovered from neighbouring houses, where they are seen to be in use. Some businesses, like beef shops, have been made to close completely.

People who still have their own lands are not able to farm as they used to. Some who had regular jobs have lost their jobs, with employers stating they did not want to employ Muslims, or that employing them would cause trouble, or that they had stayed away from work for so long that the employer had had to take on someone else. With any small incident, people from the Muslim communities run away to 'safer' places. Every religious festival (and there are many in the Hindu calendar) brings fear of fresh attacks.

Tension reached a height in December 2002, when, to the shock and surprise of many in India, elections for the state government in Gujarat returned the BJP to power with an increased majority.

### The future

The mass scale support of the BJP by the common people of the state is extremely frightening. The people who witnessed the pogrom still support the right-wing organisations, reminding us that the Hindu fundamentalists have achieved a lot of what they set out to achieve. Mass support for hate and hysteria signal the decline of democracy, the end of visions of justice and equality. The warning signs before us are of a more conservative and regressive society, where all who are marginalised will be treated with violence. Today it may be people from the religious minority communities, but soon it could be secularists, then tribals and *Dalits* and women. The values of democracy and the rule of the law, and the culture of non-violence, are being eroded. A nightmarish world of conservatism, hierarchy and aggression is taking shape.

And this is happening in a democracy that is to a large extent functional, where people do have space - albeit shrinking - to express differing opinions and protest against injustices. This is happening in a society that has vibrant progressive movements fighting for equality, justice and rights for all sections of society.

Not allowing this to happen any more is the challenge before all of us. Hope comes from the protests against the violence in Gujarat, and the support for the victims, that came from all over the country and internationally as well. It gets strengthened by the actions of constitutional bodies like the National Human Rights Commission, that continue to abide by the law without relenting under pressure from the elected law makers.

We need to reclaim political space for real issues – economic, social and cultural violence and marginalisation, growing disparities. We need to unite with other struggles in this shrinking world, and join hands across the globe to achieve another world, where fundamentalisms of all sorts are challenged and made extinct.

## Endnotes

- <sup>1</sup> The major violence has been between people from the Hindu and Muslim communities, these being the religions practised by the largest populations in the country.
- <sup>2</sup> National Human Rights Commission (31 May 2002) 'Gujarat Carnage: A Report'. The facts of the pogrom were also corroborated by many other reports from national and international independent citizens' bodies and tribunals, women's groups and human rights groups.
- <sup>3</sup> Literally this means 'Hindu nation'; it is the term used by most right-wing Hindu organisations to describe their vision of India.
- <sup>4</sup> The caste system in India is a key part of the matrix that delineates community affiliation. Caste may be understood as a system of defining community, a system that is maintained through social hierarchies and clear rules about who one can and cannot marry. One is born into a caste and, by extension, a community. Each sub-caste theoretically has its own profession, and thus the community is identified by the work traditionally done by its members. The groups within the caste system – *brahmins* (priests), *kshatriyas* (warriors), *vaishyas* (merchants), and *shudras* (lower castes) – are organised hierarchically descending from the *brahmins* to the *shudras*, with sub-castes within each of these groups. The lower castes are inclusive of the untouchables, or *Dalits* (literally meaning oppressed), who are also referred as *Harijans*.
- <sup>5</sup> Hindustan means 'land of the Hindus' and is one of the names for India.
- <sup>6</sup> These three names translate in English as follows: RSS, National Volunteers Corps; VHP, World Hindu Organisation; BJP, Indian People's Party. For a complete list of offshoots created by the RSS, refer to Sadanand Damodar Sapre (1997) *Param Vaibhav ke Path Par* (On the Road to Great Glory), New Delhi: Suruchi Prakashan.
- <sup>7</sup> Manjari Katju (2003) *Vishwa Hindu Parishad and Indian Politics*, Hyderabad: Orient Longman Ltd, p. 2.
- <sup>8</sup> Romila Thapar (2003) 'Some thoughts on the present situation', in K.N. Pannikar and Sukumar Muralidharan (eds) *Communalism, Civil Society and the State*, New Delhi: Safdar Hashmi Memorial Trust, p. 157.
- <sup>9</sup> Kailash Chandra (1990) 'Soya Bharat chete' (India should wake up), *Hindu Vishwa*, January, 13-14 (as quoted in Manjari Katju, *Vishwa Hindu Parishad and Indian Politics*, *ibid*).
- <sup>10</sup> Dr. Babasaheb Ambedkar, who was himself born in a lower caste, is an icon of the anti-caste movement in India and the author of the Indian constitution.
- <sup>11</sup> Ram Puniyani is a secular activist working for an organisation called Ekta in Mumbai. He has researched and written extensively on Hindu right-wing organisations. This is from a speech he made at a public meeting in Mumbai on 5 July 2003, 'Impact of International and National Politics: Implication for Muslims in India'.
- <sup>12</sup> Durga is a feared militant goddess who carries numerous weapons; *Durga Vahini* means 'vehicle of Durga'.
- <sup>13</sup> Shivram Shankar Apte, 'Why Vishwa Hindu Parishad', *Organiser*, Diwali issue, 2 November 1964, p. 15 (Shivram Shakar Apte is the first general secretary of the VHP).
- <sup>14</sup> Hindu ascetics from different sects of Hinduism who form the core of present-day organised Hinduism.
- <sup>15</sup> The Babri Masjid Ram Janmabhoomi controversy has been one of the major planks of the Hindu fundamentalists' propaganda. They claim that, during Moghul rule, a temple that stood at Ram's alleged birthplace was demolished and the Babri Masjid constructed. Their demand was demolition of the mosque and reconstruction of the temple. On 6 December 1992, the mosque was demolished by thousands of volunteers, while the state administration (also a BJP government) stood by and watched.
- <sup>16</sup> Manjari Katju, *ibid*, p. 77.
- <sup>17</sup> The site [www.onlinevolunteers.org](http://www.onlinevolunteers.org) has its focus on the Gujarat Carnage since March 2002 and is regularly updated with all news and reports that come out. Most of the independent and other reports that have been published so far are available on this site.
- <sup>18</sup> The Forum put together an international feminist panel which visited Gujarat in December 2002; their report, 'Threatened Existence: a Feminist Analysis of the Genocide in Gujarat', was published in December 2003, and is available on [www.onlinevolunteers.com](http://www.onlinevolunteers.com) or from Forum Against Oppression of Women on [inforum@vsnl.com](mailto:inforum@vsnl.com).
- <sup>19</sup> *Kar sevaks* is the term used for volunteers willing to offer free services for community activities. It has been appropriated by the VHP for the volunteers that it gathers for what it calls the 'Ram Janmabhoomi' movement (sic). Every time there is a show of strength by the VHP and its allies, these *kar sevaks* are gathered in large numbers from all over the country and taken to the site of the agitation. Many times people join in with full knowledge of why they are going, but there are also some who go in order to make a pilgrimage to a holy site.
- <sup>20</sup> 'Genocide Gujarat 2002', *Communalism Combat*, No. 77-8, March-April 2002.

## Introduction

In the 1990s, the Government of Malaysia introduced new Islamic laws or amended existing ones as part of its effort to upgrade the status of Islam in Malaysia, and to prove its Islamic credentials *vis-à-vis* the Islamic party, PAS (Parti Islam Se Malaysia).

New *shari'a* criminal laws were passed, designed to ensure that the Muslim lifestyle does not transgress Islamic teachings. New offences were created, and moral surveillance, strict enforcement and more severe punishment of Muslims were introduced. The Islamic Family Law, one of the most enlightened personal status laws in the Muslim world, was amended to make divorce and polygamy easier for men, and reduce men's financial responsibilities towards women.

The Administration of Islamic Law was amended to give any *fatwa* (a non-binding legal opinion issued in response to a legal problem) issued by the state *Mufti* the automatic force of law - once it had been gazetted - without going through the legislative process. Only the *Mufti* has the power to revoke or amend a *fatwa*. This was accompanied by amendments to the *Shari'a* Criminal Offences Act which provide that any violation of the *fatwa*, any effort to dispute it, or give an opinion contrary to it, constitutes a criminal offence. Even to possess books on Islam that are contrary to a *fatwa* currently in force is an offence.

In Kelantan and Terengganu, the *hudud* laws (criminal law which prescribes fixed punishment) were passed by the state governments under PAS control. They contain contentious provisions for *hudud* punishments such as flogging, amputation of limbs, stoning to death and crucifixion, and they discriminate against Muslim women and non-Muslims.

The race to measure one's piety and Islamic credentials based on one's style of dress, the status and control of women in one's society, the severity of punishment one imposes on those who supposedly transgress the teachings of the religion, is the reality in many Muslim societies when religion is transformed into an ideology for political struggle and a source of legitimacy.

The impact on the law making process, the contents of the laws and their implications for democratic governance, women's rights and human rights, cannot be underestimated.

## Implications for democratic governance

### Shroud of silence

Until recently, what has been remarkable about the making of Islamic laws in Malaysia is the *silence* that shrouds the whole process, both at the drafting and legislative levels.

The absence of any kind of consultation and public debate in the law making process is striking, because such personal laws have a widespread impact on the private and public lives of some 60 per cent of the Malaysian population who are Muslim, and implications for

the society at large. Very often laws are made and passed without any public knowledge that they even exist - until they are enforced by the religious authorities, when there is a public outcry.

For example, most Malaysians did not know that the Administration of Islamic Law provides that, upon publication in the Government Gazette, a *fatwa* is binding on all Muslims as a dictate of their religion. Most Malaysians were also not aware that the *Shari'a* Criminal Offences Law was amended to provide that it is an offence to dress indecently, until 1997, when three Muslim girls taking part in a beauty contest were arrested and charged. Very few Malaysians were aware that there existed a gazetted *fatwa* banning Muslim women from taking part in beauty contests. The humiliating arrest of the three beauty contestants in the full glare of television cameras and the stunned audience caused a public outcry.

There is no substantive debate in the legislative bodies when Islamic laws are tabled. Most elected representatives are too fearful to speak out, question, debate, let alone criticise Islamic bills, on constitutional, theological or Islamic jurisprudential grounds. The non-Muslim opposition MPs are either cautious about commenting on any Islamic matters, or are silenced by their fellow Muslim MPs because the latter do not recognise the right of non-Muslims to speak on Islam.

When there is no debate in the legislative assemblies, there is no press coverage. At most, there might be a news report that such and such a bill was tabled and passed by the legislative body. It is then up to concerned NGOs to scramble to find copies of the bill and scrutinise it and then take the initiative to generate a public debate on the issue. If there has been total silence, civil society will find out about the existence of such a law only when it is enforced.

### **Fear and ignorance**

Major reasons for the silence that surrounds law making in the name of Islam are fear and ignorance. The bifurcation of the modern education system means that those trained in secular schools have little knowledge of religion, and those trained in religion have little understanding of the world outside. As Islam increasingly shapes and redefines our lives today, many Muslims who are concerned about intolerant and extremist trends are too fearful to speak out because they feel they do not know enough about Islam. Their tentative attempts to raise questions and express concern are often silenced by the pronouncement that they should desist, lest their faith be undermined.

Moreover, those who are knowledgeable about Islam are reluctant to speak out if their views do not coincide with the mainstream orthodox view. They fear they will get into a controversy, or be labelled as anti-Islam and accused of questioning the word of God by the extremists. It is not that they do not have the knowledge to defend themselves, but they would rather hide in the safety of their ivory tower than be embroiled in any kind of controversy, especially when they exist in a working and social environment dominated by orthodoxy.

### **The authority to speak on Islam**

The issue of who has a right to speak on Islam is a deeply contentious issue in Malaysia today. Traditionally, most Muslims believe that only the *ulama* (religious scholars) have the right to speak on Islam. Those not traditionally educated in religion do not have the right to engage publicly with religion.

Therefore, very few Muslims have the courage to question, challenge or even discuss matters of religion, even when they are concerned about unjust teachings and practices. They have been socialised to accept that those in religious authority know best what is Islamic and what is not.

Thus, when women's groups and lay intellectuals speak about Islam, their credentials and their right and authority to speak publicly are questioned. To me, the attempt in early 2002 by the *Ulama* Association of Malaysia to charge six writers, including myself, for insulting Islam, is an attempt to monopolise the meaning and content of Islam to serve the political agenda of those who use Islam to mobilise popular support.

The real issue is not about who has the right to speak on Islam. It is about one's position on various issues in Islam. If one supports the death penalty for apostasy, the *hudud* law, and the Islamic state, then one will enjoy the freedom and space to speak on Islam, even if one is only a third class engineering graduate from a third rate American university.

Sisters in Islam, an NGO in Malaysia that works on women's rights within the Islamic framework, takes the position that when Islam is used as a source of law and public policy, with widespread impact on the lives of the citizens of a democratic country, then any attempt to limit writing, talking and debate about Islam only to the *ulama* or those with supposedly 'in-depth knowledge' of Islam is really tantamount to rule by theocratic dictatorship. Why is it that all citizens have the right to speak on political, economic and social issues that impinge on their well-being and rights, but when it comes to matters of religion, we must be silent and defer to the *ulama*?

The conservatives like to argue that religion is like medicine: it needs an expert to dispense opinion. This is really a misguided analogy for many reasons. If the client does not like the opinion and treatment of one doctor, he or she is free to go to another, and will not be declared an apostate or accused of insulting the professional expertise of the doctor, to be at best incarcerated, at worst sentenced to death. To earn the respect and continued patronage of their patients, top doctors keep abreast of the latest developments in their specialisation, but the same cannot be said of many of those who monopolise the decision making process in religion.

### **The misogynistic bent**

Muslim countries today remain patriarchal and unjust to women. While civil laws are being repealed or amended to recognise equality between men and women, Islamic laws remain discriminatory against women. When the Islamic Family Law was amended in the 1990s

in Malaysia, to discriminate further against Muslim women, at the very same time the government, in response to long standing demands from women's groups, was taking steps to amend laws that discriminated against women in the civil sphere. In the name of Islam, Muslim women were denied the privilege of enjoying the same legal rights and protection granted to women of other faiths.

For example, in early 1999, the Guardianship of Infants Act was amended to give non-Muslim mothers equal right to guardianship of their children, but no similar amendment was made to the Islamic Family Law to accord the same right to Muslim mothers.

This reflects the propensity among many in government to declare any matter which bears on religion as sensitive and therefore untouchable. Are Muslim women expected to turn over and play dead while their non-Muslim sisters are accorded greater rights to be treated equally with men?

The negotiations for a Domestic Violence Act in the early 1990s also saw attempts to exclude Muslims from the jurisdiction of the Act because of the belief that Muslim men have a right to beat their wives. Again, women's groups had to lobby the government for several years to make domestic violence a crime whether it is committed by a Malay, a Chinese or an Indian man. Even after the law was passed by Parliament, we had to go through two more years of pressure and lobbying to get it implemented. This time those opposed to the application of the law to Muslims shifted their argument by pointing out that domestic violence was a family matter and therefore should come under the *shari'a* jurisdiction of the states, rather than be treated as a criminal matter under federal jurisdiction.

The *hudud* law of Kelantan and Terengganu grossly discriminates against women by disqualifying women (and all non-Muslims - which means three-quarters of Malaysia's population) as eyewitnesses in *hudud* crimes and by assuming that an unmarried woman who is pregnant or has delivered a baby has committed *zina* (adultery/illicit sex). If she claims she has been raped, the burden of proof lies with her to substantiate the claim.

The original draft of the Terengganu law, which provided that a woman who reported rape would be charged for *qazaf* (slandorous accusation) and flogged with eighty lashes if she was unable to prove the rape (and only the testimony of four male Muslim eyewitnesses would be accepted as proof), caused such outrage that the PAS government was forced to amend the law to allow for circumstantial evidence.

The obsession with introducing the *hudud* law by the Islamist party in control of the two states displays a mindset frozen in medieval jurisprudence, without the ability or the willingness to consider that the application of Islamic teachings in the twenty-first century has necessarily to change.

Amendments to the Islamic Family Law since the early 1990s are a major area of discrimination against Muslim women. The amendments include:

- allowing a polygamous marriage contracted without the permission of the court to be registered upon payment of a fine or jail sentence. This has led to a proliferation of illegal polygamous marriages contracted in southern Thailand or by illegal marriage syndicates operating in Malaysia;
- deleting the 'fifth condition' before permission for polygamy can be granted. The fifth condition requires that the proposed polygamous marriage should not directly or indirectly lower the standard of living enjoyed by the existing wife and dependants. Its deletion makes it easier for a man to be given permission to take a second wife;
- allowing for a court to approve a divorce pronounced by a man without permission of the court if it is satisfied that the *talaq* (repudiation) is valid. Research shows that, as a result of this amendment, in some states the number of men who unilaterally divorce their wives outside the court is almost three times the number of those who apply for divorce through the courts.

All these new laws, and amendments to existing laws, reflect the misogynistic bent of those in religious authority, be they in government or in PAS. At a time when the Malaysian government, at least at the leadership level, recognises equality between men and women in this country and is responding to calls by women's groups to amend all laws that discriminate against women, other arms of that very same government do not share this egalitarian vision.

However, the recent amendment to Article 8 of the Federal Constitution - to prohibit discrimination on the basis of gender - challenges the *shari'a* court and the Islamic religious authorities in Malaysia to take steps to end all forms of discrimination against Muslim women, in law and in practice, committed in the name of Islam.

### **The tendency to codify the most conservative opinion**

Be it in the area of fundamental liberties or women's rights, the tendency displayed by the religious authorities is to codify the most conservative opinion into law. For example, traditionally there are three juristic positions on apostasy. First is the orthodox view: death to all apostates. The second view prescribes the death penalty only if apostasy is accompanied by rebellion against the community and its legitimate leadership. The third view holds that even though apostasy is a great sin, it is not a capital offence in Islam. Therefore a personal change of faith merits no punishment.

And yet PAS has chosen the most extreme juristic opinion to codify into law: death for apostasy. The religious authorities of the government have adopted a compromise position: one-year compulsory rehabilitation instead of death. If, at the end of the detention period, the person still refuses to repent, then the judge will declare the person no longer a Muslim, and order his release. But the person's rights and fundamental liberties have been violated. If he is married, his marriage will be dissolved, and the judge will determine his obligations or liabilities under Islamic Family Law.

Yet the *Qur'an* is explicit in its recognition of freedom of religion, and there exists within the Islamic juristic heritage a position that supports freedom of religion. This position is further strengthened by al-Azhar (the focal point of Islamic teaching for Sunni Muslims), under its current progressive sheikh, Dr. Mohammed Sayed Tantawi. Yet when the religious authorities codify Islamic teachings into law, they seldom choose the most enlightened opinion.

This is even more the case in the area of women's rights. For example, the provision in the PAS *hudud* law that women cannot be witnesses is only a juristic opinion, with no explicit support in the *Qur'an* or the Traditions of the Prophet Muhammad. Pregnancy as evidence for *zina* is a minority position of the Maliki school of law. The majority *shari'a* opinion is that pregnancy is not admissible as proof of *zina* because circumstantial evidence cannot be accepted to secure a *hudud* punishment. And yet the PAS ideologues in Malaysia, who belong to the Shafie school, choose to ignore the more enlightened Shafie opinion and instead codify a harsher Maliki opinion. But when a Maliki or Hanbali opinion is more advantageous to women, certain jurists will proclaim that this cannot be accepted as 'we are Shafies and we must follow Shafie rulings'.

### **A holier-than-thou competition**

When Islam is used as a political ideology in the contestation for power, rival parties sink into a holier-than-thou battle for the hearts and minds of Muslim voters. In Malaysia, PAS and UMNO (United Malays National Organisation, the dominant party in the ruling coalition government) are engaged in a game of one-upmanship to challenge each other's religious credentials. This is dangerous to democratic governance. In giving in to the demands of the religious ideologues, the government continually legitimises them, and becomes hostage to the PAS agenda.

For example, in 2000, attempts were made to introduce the Islamic *Aqidah* (Faith) Protection Bill, which provides for one year mandatory detention in a Faith Rehabilitation Centre for those who attempt to leave Islam. This was in response to pressure to provide a specific punishment for apostasy, not just from PAS and its supporters, but also from UMNO members and leaders, who could not answer the PAS charge that the UMNO-led Government provided no punishment for those who leave Islam, and yet would fine a citizen RM500 (US\$132) just for throwing a cigarette butt on the market floor. PAS, as the 'true' Islamic party, had already introduced the death penalty for apostasy in its *hudud* law at the state level, while at the federal level its chief ideologue, Hadi Awang, had for years been trying to introduce a private member's bill in Parliament for a federal law to impose the death penalty for apostasy.

### **Conclusion**

If Islam is to be used as a source of law and public policy to govern the public and private lives of citizens, then the question of *who* decides what is Islamic and what is not is of paramount importance. What are the implications for democratic governance when only a small, exclusive group of people is accorded the right to interpret the Text and codify it? Particularly when they do so very often in a manner that isolates the Text from the socio-

historical context in which it was revealed, isolates classical juristic opinion from the socio-historical context of the lives of the founding jurists of Islam, and isolates the Text from the context of contemporary society.

How can a modernising democratic society search for solutions to the multitude of problems facing the *ummah* (community of Muslims) when that search is conducted in ways that are so exclusive, restrictive, intimidating, and sometimes even life-threatening? The world is far more complex today than it ever was. No one group can have the exclusive monopoly on knowledge. In a modern democratic nation-state, *ijtihad* (juristic effort to deduce law from its sources) must therefore be exercised in concert and through democratic engagement with the *ummah*. The experience of others who have been traditionally excluded from the process of interpreting, defining and implementing Islam must be included. The role of women, who constitute half the *ummah*, must be acknowledged, and included in this process of dialogue, of policy making and law making.



## Introduction

The paper makes some brief reflections on the role 'fundamentalist' groups have played in introducing far reaching changes to the Nigerian legal system, with the introduction of the fixed punishments (*hudud*) of Muslim criminal law into the statutes of several states in northern Nigeria. The implementation of the fixed punishment of amputation for theft, and the sentencing (not so far carried out) of several persons to death by stoning for adultery, have attracted protests from the international human rights community. This paper seeks to examine the link, if there is one, between fundamentalist groups and these developments.

## Fundamentalist groups and currents in northern Nigeria

The term 'fundamentalist' has rarely been clearly defined in discourse. It is often literally translated into Arabic as *usuli*, but this is traditionally a term of respect reserved for the great masters of theology or jurisprudence (*usul*). Muslims in general reject the use of the term, which, as is well known, was initially applied to Christian Protestant groups that believe in the literal truth of the Bible. Several scholars have tended to use the term 'Islamist' in reference to those groups usually referred to as 'fundamentalist'. The major quality that seems to distinguish the fundamentalist or Islamist from others is an overtly religious political agenda, which aims at replacing a secular, foreign system with an 'authentic Islamic' one.

The awakening of Islamist tendencies in northern Nigeria is closely linked to the successful revolution of the Iranian people against the Pahlavi dynasty about two decades ago. The emergence of an Islamic government under the leadership of Ayatollah Khomeini and the subsequent humiliation it meted out to the United States provided inspiration to Muslims the world over and, in particular, the youth, who now saw in Islam a viable alternative to the bi-polar system of capitalism or communism. Various groups in different parts of the world shouted the slogans of the Iranian Revolution, including 'Neither east nor west, Islam only'. In the heartlands of Sunni Islam, a new rhetoric soon emerged, aimed at counteracting the Shiite threat posed by Iran but which, incidentally, created a new corpus of Sunni fundamentalists determined to reproduce an Islamic revolution but one based on the Sunni tradition of keeping to the path of the pious forebears (the *salaf as-salih*). This usually took the form of disseminating the views of the medieval scholar Ibn Taimiyya, who was reputed for his uncompromising stance towards non-Muslims and all Muslim innovators, including philosophers, Sufis and heterodox sects like the Shia and the Kharijites.

The existence of Islamism as an ideology in the Middle East preceded the Iranian Revolution. The intellectual works of Khomeini, Mutahhari, Shari'ati and Bazargan in Iran, as well as those of the Egyptian Muslim Brothers like Al-Banna, Al-Hudhaibi, the Qutb brothers (Sayyid and Muhammad), and Zainab al-Ghazali were numerous. So also were the works of Indian members of the *Jamaat* like al-Maududi, and Sudanese Brothers like Hasan Al-Turabi. However, most of this literature did not find its way into Nigerian Muslim discourses until after the Iranian Revolution. There are many reasons for this, prime among which was the language barrier. Most Muslim youth involved in the Islamist tradition had limited knowledge of Arabic and practically none of Persian, so that their commitment to Islamism was driven more by faith and sentiment than by familiarity with its principal intellectual traditions.

With the Iranian Revolution came a radicalisation of Muslim politics in northern Nigeria. The first group that could be labeled 'fundamentalist' was the 'Muslim Brothers', led by Ibrahim El-Zakzaky, an economics student at Ahmadu Bello University and a former secretary-general of the Muslim Students' Society of that university. Fired by the success of the Iranian people, many undergraduates joined Zakzaky in his struggle for an Islamic State in Nigeria, to be constructed on the ashes of the existing state, which was built on 'ignorance' or *jahiliyya* (a term used in reference to pre-Islamic Arab society). The rhetoric of the Nigerian Muslim Brothers had the distinct quality of revolutionary idealism found in the works of the Egyptian Sayyid Qutb. Indeed his major political work, *Al-Ma'alim fi'l-Tariq* (by then widely available in English translation as *Milestones*) was almost compulsory reading for members. Sayyid Qutb's principal thesis, of irreconcilable dichotomy and struggle between Islam and *jahiliyya*, played a critical role in shaping the mind set of this group, as it did in the case of many Islamist groups in the Middle East that go under the generic name of *Al-Takfir wa'l-Hijra* (including the Egyptian group Al-Jihad, which produced the team, led by Istambouli, that carried out the spectacular assassination of President Anwar Sadat). As the Brotherhood's members improved their knowledge of Arabic, the writings of the Syrian Islamist, Sayyid Hawa, became central to indoctrination in their cells. Particular attention was paid to his series on *Jundullah* (the army of Allah), which included sub-titles like *Thaqafatan wa Akhlaqan* (cultural awareness and character) and *Takhtitan* (tactics).

Although the Muslim Brothers started as a Sunni group, the close association with Iran and the fact that several of their members were given 'scholarships' by the Iranian government to study at the city of Qom led inevitably to their infiltration by Shiite doctrines. The leader, El-Zakzaky, was himself soon to be seen as a Shiite, a fact that led to rebellion and fragmentation in the movement. A splinter group was formed, led by some of Zakzaky's most loyal supporters, including Abubakar Mujahid (in Zaria), Aminu Aliyu Gusau (in Zamfara) and Ahmad Shuaibu (in Kano). This group maintained that its disagreement with Zakzaky was purely doctrinal in that they rejected Shiite theology. They remained however committed to the revolutionary process of Islamisation while sticking to Sunni orthodoxy.

These two groups represent what may be called the fundamentalist current in northern Nigeria. There are other groups however which need to be mentioned. The *Jamaatu Izalat al-Bid'ah wa Iqamat al-Sunnah* (Group for the eradication of innovation and establishment of tradition) was inspired by the former Grand Qadi of northern Nigeria, the late Sheikh Abubakar Gumi. The group differed from the Muslim Brothers in a number of fundamental respects. The *Izala* movement did not, as a policy, challenge the state or political authority. Indeed Sheikh Gumi's lessons were well-attended by members of the political establishment, and he was effectively the officially sanctioned scholar, with unhindered access to the mass media for decades. The *Izala* movement primarily attacked Muslim Sufi groups for 'innovation' and 'apostasy', and fought against such 'innovations' as the Sufi *Tariqa* movements, genuflection in greeting elders, the keeping of concubines by traditional rulers, celebration of the Prophet's birthday (*Maulud*), visiting graves and tombs of dead scholars and denial of women's right to a proper education. The movement therefore was largely in

conflict with civil, as opposed to political, society, and Gumi himself was viewed as an *enfant terrible* by traditional rulers and traditional scholars. The age-old enmity between Muslim scholars of the 'Ash-ari/Sufi tradition and Ibn Taimiyya and the *Wahhabis* plays itself out in the Nigerian scene. By contrast, the Muslim Brothers tended to stress the essential unity of the Muslim *ummah* and to see their principal conflict as being one with political authority, whose overthrow was their very *raison d'être*. Where they had conflicts with leaders of civil society it was often where they perceived them, rightly or wrongly, to be in alliance with the forces of *jahiliyya* and against the 'revolution'.

### **The Shari'a reforms: between fundamentalism and neo-fundamentalism**

Olivier Roy it was who made a crucial distinction between fundamentalism and neo-fundamentalism. The first, exemplified by the works of scholars like Maududi, Al-Banna, Qutb, Khomeini, Mutahhari and Shari'ati, represented a comprehensive world view that aimed at replacing existing 'western' and 'secular' models with a totalised Islamic version covering the polity, economy and society. The neo-fundamentalist worldview, on the other hand, seeks the strict application of Islamic law and the transformation of Muslim society through the elimination of western cultural influences and innovations.

In this sense the reforms of the law in northern Nigeria represent a neo-fundamentalist current. The Muslim Brothers, led by Zakzaky, were quite vociferous in their condemnation of the introduction of fixed punishments in an 'unIslamic' society. The politicians who started the reforms do not have a record of Islamist activism, and seem to have merely exploited an issue that has for decades had emotional political appeal. The issue of *shari'a*, i.e. the scope of its application, has featured in every constitutional conference in Nigeria. In the late 1970s, Muslim politicians staged a walk out from the Constituent Assembly over the question of a supreme court for *shari'a* and a Grand Mufti for the north.

In 1999, with elections gone by, the Muslim north had lost political power, thus compounding the sense of vulnerability due to its weak economy and educational backwardness. Its politicians had become discredited as corrupt, power-hungry incompetents. Northern Muslims felt increasingly alienated and insecure. Religion remains for most of them the last anchor for stability. In addition to the internal situation, the international environment adds to a sense of siege. From Palestine and Iraq to Afghanistan and Chechnya, there was plenty of evidence that Islam was being persecuted and the real crime was to be Muslim. The same factors that make Osama Bin Laden and *Al-Qaeda* and *Hamas* heroes in the eyes of many Muslims also make anyone who adopts their rhetoric a hero. So any proclamation of *shari'a* was bound to bear fruit in terms of popular support, and the political class took full advantage of this. Many of the governors who announced implementation of *shari'a* actually did so reluctantly, when the demands for *shari'a* from the popular masses swept through the north, after its implementation in Zamfara State.

To this extent therefore, the law reforms were not initiated, strictly speaking, by fundamentalist groups. However, the strongest support and participation has come from preachers of the *Izala* and other neo-*Wahhabi* movements, who stress the role of *shari'a* in fighting

'innovation' and advocate strict application of penal laws. These groups tended to be led by students who were trained in Saudi Arabian Islamic universities, and generally had the image of contemporary Saudi society as the Islamic ideal. The irony is that many of those sincerely committed to Islamising northern society are against the reform of the law without first reforming the environment. In his commentary on the verse on amputation, Muhammad Asad makes clear the fact that amputation is only permissible in an environment of total social and economic security, and in no other circumstance. Similarly, in his commentary on the verse on slander, he posits that the strict proofs required for establishing adultery are such as to ensure that conviction is based only on faith-inspired and voluntary confession.<sup>2</sup>

In northern Nigeria, neo-fundamentalism turns this logic upside down. Amputation takes place in the midst of extreme poverty and deprivation, and women are convicted based on a controversial proof of pregnancy.

## Conclusion

I have tried in this short piece to put down some reflections on emergent fundamentalisms and neo-fundamentalisms in northern Nigerian politics. My principal thesis is that the reform of the law was started by politicians but found popular support in an environment of despondency, frustration and discontent. The reforms received immediate intellectual support from *Wahhabi* neo-fundamentalist movements, who did not initiate them, but who shared a vision of replacing the discourse on the state by the discourse on society, thus strengthening the state as an agent of personal morality while understating the critical role of political ethics and ideology.

## Endnotes

<sup>1</sup> The views expressed in this paper are personal and do not reflect the views of UBA plc.

<sup>2</sup> See *The Message of the Qur'an*, 149-150, 533-534.

## Introduction

In 1993, the religious right, spearheaded by the Jamaat i Islami (JI) and the Islami Oikkyo Jote (IOJ), publicly denounced particular individuals and communities as *murtads* or apostates, and issued calls for their public execution.<sup>1</sup> In several cases, these intimidatory tactics were followed by criminal cases against the individuals concerned, and proscription of their publications for alleged offences against religion. They also accompanied demands for new laws to further restrict the expression of religious difference or dissent. These demands called for the declaration of Ahmadis as non-Muslims, and for the creation of a new offence of 'blasphemy'.

In this paper, I will try to illustrate through discussion of a series of judicial decisions how the religious right in Bangladesh have used this three-pronged strategy – invoking criminal laws to curtail speech by targeted individuals and groups, fomenting a climate of intolerance against them, and mobilising public sentiment for the enactment of draconian new laws – as key tools in their project of silencing expressions of difference, and asserting their vision of a monolithic Islam. While the superior judiciary has provided a measure of relief to those targeted in such attacks, and Parliament has not as yet permitted any major legal changes, such responses are generally defensive, constrained by a political and social climate which increasingly devalues diversity and dissent. In this context, I argue that any serious effort to counter the fundamentalist project of silencing the expression of difference therefore requires, in addition to a defensive legal strategy, a proactive and concerted process of creating, strengthening and reinforcing public opinion in favour of tolerance and pluralism.

## Constitutional and legal framework

Bangladesh was founded following a liberation struggle and war of independence fought with the objective of establishing a secular and democratic society which would ensure equality among all its citizens.<sup>2</sup> Indeed, secularism was originally identified as one of the four pillars of the 1972 Constitution of Bangladesh (along with democracy, socialism and nationalism).

Subsequent periods of autocratic and military rule resulted in total eradication of the first pillar, and significant erosion of the other three.<sup>3</sup> In 1977, General Ziaur Rahman, then Chief Martial Law Administrator, promulgated the Fifth Amendment to the Constitution, inserting the phrase *Bismillah-ar Rahman-ar-Rahim* (In the name of Allah, the beneficent, the merciful) before the Preamble, replacing the principle of 'secularism' in the Preamble with the phrase 'absolute faith and trust in Almighty Allah', and amending Article 8 which now provides, as a Fundamental Principle of State Policy, that 'absolute trust and faith in the Almighty Allah shall be the basis of all actions'.<sup>4</sup> In 1988, under General H.M. Ershad's regime, the Constitution was further amended to insert a new Article 2A in the Preamble purporting to that establish that 'the state religion of the Republic is Islam but other religions may be practised in peace and harmony in the Republic'.<sup>5</sup>

Despite these inroads into its secular character, under Article 41(1)(a) the Constitution continues to guarantee that: "Subject to law, public order and morality, every citizen has the right to profess, practice or propagate any religion."

The Government of Bangladesh is also obligated by international human rights law to protect the rights to freedom of expression and religion. Notably, Article 19 of the Universal Declaration of Human Rights on freedom of expression was used as a model in drafting the corresponding provisions of the Constitution. Bangladesh also has specific obligations to protect the right to freedom of expression and freedom of religion subsequent to its ratification of the International Covenant on Civil and Political Rights in 2000. Importantly, Article 41(1)(a) of the Constitution and the UDHR and ICCPR do not conceive of this right as merely a private matter. For example, Article 19 of the ICCPR includes the freedom to impart information through any media, while Article 18 includes the freedom to manifest religion or belief in public practice and teaching.

In addition, the Constitution secures a range of fundamental rights which reinforce the right to freedom of religion and ensure its full exercise, including absolute guarantees of the rights to equality and equal protection from the law, the rights to life, personal liberty and security (Articles 31 and 32), freedom of association (Art. 38), and freedom of expression, including thought and conscience (Art. 39). Any laws which are not in conformity with fundamental rights are rendered void (Art. 26).

Although the constitutional guarantee of the right to freedom of thought and conscience is absolute, the rights to freedom of expression and the right to freedom of religion are not. Thus, the former is subject to reasonable restrictions relating to 'the security of the State, friendly relations with foreign states, public order, decency or morality, or in relation to contempt of court, defamation or incitement to an offence' (Article 39(2)). Similarly, the right to freedom of religion is 'subject to law, public order and morality' (Article 41). While the restrictions on freedom of religion need not be on specified grounds, they must also be 'reasonable' and non-arbitrary, given that the right to freedom of religion may itself be seen as part of the over-arching right to liberty.<sup>6</sup>

The restrictions specified in Articles 39 and 41 provide a basis for further statutory limitations on speech, including those contained in the Bangladesh Penal Code 1860 (BPC), and related powers to proscribe publications in the Code of Criminal Procedure 1898 (CrPC). I will limit my discussion here to so called 'offences against religion' and 'offences against public tranquillity'. These offences were originally enacted in the colonial period, and were intended to curb and prevent religious or sectarian violence. They include the offences of wantonly giving provocation with intent to cause riot (section 153 BPC); promoting enmity between classes (section 153A BPC); defiling a place of worship (section 295 BPC); acts insulting religion or religious belief (section 295A BPC); disturbing a religious assembly (section 296 BPC); trespassing on burial grounds (section 297 BPC) and utterances wounding religious feelings (section 298 BPC). Punishment for most of these offences was up to two years imprisonment or fine or both. For our purposes, Section 295A of the Penal Code of 1860 is of particular concern, and provides as follows:

*Section 295A. Deliberate and malicious acts intended to outrage religious feelings of any class by insulting its religion or religious beliefs.*

Whoever, with deliberate and malicious intention of outraging the religious feelings of any class of the citizens of Bangladesh, by words, either spoken or written, or by visible representations insults or attempts to insult the religion or the religious feelings of that class, shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both.<sup>7</sup>

However, there are certain procedural restrictions on prosecutions under this provision. Only the prescribed authority may lodge a complaint under section 295A BPC,<sup>8</sup> and prior sanction from the government or from a duly authorised officer of the government is required for a court to take cognizance of an offence.<sup>9</sup>

Under section 99A of the Criminal Procedure Code, 1898, (CrPC), another colonial-era law, the government may also order the forfeiture of any publication or other material which contains such words or representations which constitutes an offence under section 153A or 295A of the Penal Code. To proscribe any publication, the Government must publish a notification in the Official Gazette, and include the grounds for its opinion.

Judicial decisions prior to independence narrowly interpreted section 295A BPC as applying only to insults to religious belief, which in addition to being 'deliberate and malicious' are also 'intended to outrage the religious feelings of the followers of that religion'.<sup>10</sup> The High Court also earlier held that the restriction on the right to freedom of religion (i.e., that exercise of this right must be 'subject to law') does not mean that legislation could wholly negate the right to freedom of religion, but only that laws may be passed which regulate the manner of exercising the right.<sup>11</sup> The law may step in to curtail the exercise of this right when the public practice of a religion leads to acts against public order.<sup>12</sup>

In contrast to this position, the trend of judicial decisions post-independence appears to be more mixed, as discussed below. While there have been some positive decisions, with the High Court noting the relevance of fundamental rights to freedom of religion and expression to the course of criminal proceedings under section 295A BPC,<sup>13</sup> there have also been more troubling developments, in which, for example, the Court has upheld the forfeiture of publications of a particular community, holding that the fundamental right to freedom of religion does not extend to the publication of their literature – which the Court has described as a wrong practised in the name of religion.<sup>14</sup>

### **The religious right's incursions into rights to expression**

For the purposes of this paper, I considered four cases involving individual prosecutions under section 295A BPC, of which three concerned reputable writers or journalists, all known for their secular and/or anti-fundamentalist stance. I also considered four cases relating to the forfeiture of publications containing matter deemed hurtful to religious sentiment (under section 99A CrPC). Some are still pending hearing before the courts.<sup>15</sup> To date, only

seven such cases have resulted in reported judgments of the superior courts in the post-independence period, that is 1971-2004. Interestingly, the majority of cases discussed relate to criminal proceedings started during the three-year period between 1992-95.<sup>16</sup>

The books proscribed under section 99A CrPC include: two featuring well-known verses from *baul* songs by the Sufi mystic, Lalou Fakir (Dr. (Homeo) Baba Jahangir Beiman al-Shuresari v State,<sup>17</sup> and Sadruddin Ahmad Chishty v Bangladesh and others<sup>18</sup> both relating to the forfeiture of books in 1993), a publication of the Ahmadi community (Anjuman a Ahmadiyya v Bangladesh)<sup>19</sup> regarding *Islam e Nabuat*, then in its tenth edition and in continuous circulation for over forty years, and a popular account by a well-known author, Humayun Azad, regarding women's status and subordination in patriarchal society *Nari*, then in its third edition (Humayun Azad and others v Secretary, Ministry of Home Affairs and others).<sup>20</sup>

The cases under section 295A BPC include one in which the petitioner was accused in 1989 by a private individual of, amongst other things, having claimed himself to be the Imam Mehedi (Md. Jamir Sheikh v Fakir Md. A. Wahab and another where a Magistrate's Court had issued a warrant of arrest under sections 295A, 298 and 109 BPC).<sup>21</sup> The other cases involved prominent individuals, including four senior editors of *Jonokontho* (the People's Voice), a leading Bangla-language daily newspaper (Shamsuddin Ahmed and others v The State and another);<sup>22</sup> Dr. Ahmad Sharif, who faced two private complaints in 1992 for having committed offences under sections 295A and 298 BPC following a report published in the daily *Inquilab* of alleged remarks criticising Islam made during a private seminar (Dr. Ahmed Sharif v The State and another);<sup>23</sup> and finally Dr. Taslima Nasrin, the award winning feminist columnist, novelist and poet, who was charged with causing hurt religious sentiment by allegedly calling for revision of the Qur'an to ensure women's rights (Nurul Alam, Officer in Charge, Motijheel Police Station v Taslima Nasrin).<sup>24</sup>

These reported judgments represent only a sample of the criminal prosecutions or proscription orders in such cases. In many, no challenge was made to the orders of forfeiture, for example regarding Nasrin's *Lojja* (Shame) in 1993.<sup>25</sup> In others, although private prosecutions were initiated, they were not actively pursued, or did not result in further proceedings before the superior courts.<sup>26</sup> In yet others, proceedings are still pending hearing in the superior courts.

27

Reviewing the reported judgments, it seems that most prosecutions for offences against religion, or the banning of publications in this context, are intended more to silence, or at least marginalize, dissenting voices, and to reinforce a particular, and intolerant, interpretation of majoritarian views, rather than to protect the religious feelings or beliefs of minorities, or to safeguard communal harmony - the purposes for which the law was enacted. The initiation, conduct and treatment of these cases by the criminal justice system, in particular the lower courts, exhibits certain common features, as highlighted below.

## Pattern of cases

All the cases discussed above exemplify certain patterns regarding the nature of the complaints and the responses by the 'accused'.

All the cases were brought by **Muslims against other Muslims**. None of the reported cases concern the use of these particular laws against minorities.<sup>28</sup> Those who initiate the cases present themselves as pious Muslims and the defenders of their religion and are quick to undertake **public denunciations and vilification** of the accused as *murtads* or apostates.

In several cases, the allegations made are said to have been **distorted** and **deliberately given greater prominence** by being republished in newspapers controlled or owned by the religious right, thus both igniting and fanning the flames of intolerance. For example, in Taslima Nasrin's case, the statements ascribed to her, though originally published in an Indian newspaper with limited distribution in Bangladesh, were repeatedly republished in national newspapers, including the daily *Inquilab*. Again, in Ahmed Sharif's case, the apex court itself reported a statement by his counsel to the effect that the statements ascribed to him had been distorted and published in *Inquilab*.

The accused invariably **deny any intention to cause hurt** to religious sentiment, and indeed in some cases it appears that they never even made the statements ascribed to them. For example, Taslima Nasrin, Ahmed Sharif and the *Jonokontho* editors all denied having any such intention, while Taslima and Ahmed Sharif both said that they had not made certain statements. In many cases, the legal strategy adopted by the 'accused' has also been to **defuse the allegations** through a combination of disclaimers - first in public, and then reiterated in the pleadings - of the supposedly 'offensive' remarks. A critical task has been to **clarify the actual statement** which forms the basis of the allegations of blasphemy. For example, in Taslima Nasrin's case, she denied the allegations imputed to her on several occasions, first in the press, then, while in hiding, through a letter to the Speaker of the National Parliament, and, finally, in the pleadings before the High Court.

Often, the **alleged statements do not even offend against the relevant legal provisions**. In most cases, the accused appear to have done no more than proffer rational criticisms of obscurantism (*Jonokontho*), call for progressive reform of law (Nasrin), or articulated a non-orthodox version of religious faith or belief (Dr. Homeo Baba; Sadruddin Ahmed Chisty; Anjuman e Ahmadiyya).

In many cases, orders of proscription of books and publications were passed many years after they first came into circulation (and in some cases had been reissued in several editions), indicating changing and hardening attitudes of intolerance towards any form of dissent and diversity.

In each case, the resort to law was reinforced or accompanied by a **public hate campaign**, often **intense and prolonged**, creating the atmosphere of a **modern-day witch-hunt**. The campaigns included hostile coverage in the rightist press, street protests, mass rallies and

wall slogans demanding death by hanging for the *murtads*, and individual death threats, on occasion through *fatwas* issued usually by minor clerics or extremist organisations. Such incitement to violence appeared to be aimed as much at silencing individual victims by terror, as at intimidating the courts into compliance with the 'public' demand for their punishment. Taslima Nasrin faced the most extreme example of this, where the filing of charges was, critically, preceded, accompanied and followed by media reports (in the rightist press, most notoriously *Inquilab* and, earlier, *Millat*), slogans on walls, and public rallies and demonstrations by the religious right, under the banners of Touhidi Jonota Jamat affiliates ('Believing People of Faith'), where slogans denouncing *murtads* (apostates) and repeated incitements to violence were commonplace. She remained in hiding for over two months rather than expose herself to possible attack when approaching the court for redress. In Dr. Ahmed Sharif's case, the papers owned by or leaning towards the religious right focused on dismissing those such as Sharif as 'Hindus' and 'anti-Muslim'. Threats towards him were unchecked by any form of police or state action, and the apex court itself recorded the nature and intensity of the inflammatory situation created to accompany the initiation of a complaint against him.

Even where the cases never continue to trial, the very fact of criminal proceedings having been initiated serves an immediate purpose in that the 'accused' are **discredited and marginalised** by being labelled 'apostates', and thus are significantly disempowered and demoralised. In the first stages of each case, they are compelled to expend substantial resources - material and emotional - in responding to the allegations in the press and in public speeches, and in overcoming the legal hurdles thrown up by the case - appearing in court for hearings, seeking bail, filing petitions to quash the charges, and so on.

The initiation of criminal proceedings has acted as a flashpoint, or, at times, a green light for the outbreak of demonstrations and denunciatory editorialising against their targets. However, once the immediate target of stoking a conflagration was achieved, and in particular once the case was taken up by the superior judiciary, the progress of the cases often appeared **not to be pursued** as vigorously by fundamentalist groups (see for instance the virtual discontinuation of the proceedings against Taslima Nasrin).

While the fundamentalists have been effective in instigating cases - with the collusion, or because of the inaction, of the executive - they have **unable to sustain the momentum** in their campaigns against particular individuals once the latter have sought the protection of the superior courts. Thus, Taslima Nasrin's appearance in court and her being granted bail effectively deflated the fundamentalists' campaign. The expected backlash, gleefully predicted by the fundamentalist media, failed to occur, and within weeks, organisations such as the Jamaat were issuing denials that they had ever called for Nasrin's public execution.

### Subordinate courts

In several cases concerning offences against religion, the subordinate judiciary appear to have accepted complaints without any serious scrutiny. It is unclear whether this is due to support for the complainant's perspective, or whether it is symptomatic of the continuing

lack of separation of the judiciary from the executive, and perhaps more disturbingly, of the control or colonisation of state institutions, including those of the criminal justice system, by the religious right.

In all the cases concerned, magistrates took cognizance of complaints made before them, although these did not **meet the basic technical and procedural requirements** (for example regarding the obtaining of prior sanction, or more importantly an assessment of whether the allegations contained in the complaint disclosed even a *prima facie* case). Far from acting as a filter for vexatious or baseless proceedings, the lower courts have almost routinely treated every allegation with sufficient seriousness for warrants of arrest to be issued.

The climate of intimidation generated in many such cases, combined with the continuing lack of separation of the judiciary from the executive, means that the subordinate courts are **slow, and often unlikely, to grant bail**, in the first instance, to those accused in such cases. Consequently, Taslima Nasrin finally appeared before the High Court, rather than the trial court, to seek bail. Dr. Sharif was requested to seek bail before the trial court only after several years had lapsed following the original allegations against him.

Despite the intensity of public denunciations of the individuals targeted, extending to calls for their execution, the subordinate courts **did not order protective measures** to safeguard their personal security.

### Superior courts

Given that the lower courts have failed to provide effective redress, and indeed have in some cases themselves acted as vehicles of further oppression and harassment, those accused of offences against religion have been compelled to pursue remedies before the superior courts.

The **approach of the superior courts to the application** of section 295A and **of the procedural requirements** of applying section 99A CrPC has **varied considerably** from case to case. In some instances, they have given considerable latitude to the government regarding its proscription of publications on the basis of their containing matter which is 'hurtful to religious sentiment', and have allowed such restrictions on the operation of the right to freedom of expression. For example, regarding the banning of books containing *baul* verses (Sadruddin Ahmad Chishty case), the apex court held that the notification need not indicate the reasons for the satisfaction of the government,<sup>29</sup> and that the government could forfeit any publication purely 'if it appears to the government' that any publication falls within the purview of section 99A CrPC. In contrast, regarding the forfeiture of Humanyun Azad's book *Nari*, the Court held that the author and publisher had acquired a fundamental right (freedom of thought and conscience) and this right 'cannot be taken away arbitrarily and whimsically without giving them a chance of being heard'.<sup>30</sup>

The superior courts have also **varied** in their **approach to freedom of thought and conscience in the context of religious beliefs and views**. In some of the cases under section 99A of the CrPC, the superior courts accepted a monolithic vision of Islam. For example, in the Anjuman a Ahmadiyya case the Court effectively denied that there could be any divergence of views among Muslims, by dismissing summarily the petitioner's submission that since the Ahmadiyyas were also Muslims, it would not be correct to say their book had outraged the feelings of Muslims.<sup>31</sup> In contrast, in other instances the superior courts categorically upheld freedom of thought, stating, for example, in the Jonokontho case that 'The Constitution of Bangladesh also allows some liberty and freedom to make free and fair criticism of any religion or faith'.<sup>32</sup>

In several cases, the Court's intervention resulted in the maintenance of a kind of **political balance or accommodation** between the religious right and the liberal secular forces. For example, the national (and in former case, also significant international) attention generated in Taslima Nasrin's and Ahmed Sharif's cases meant that strong opposition by the government to judicial intervention would have exposed it to considerable embarrassment with the international community. However, withdrawing the charges would lead to further and direct confrontation with the religious right. Thus, the Court's decision to grant bail to the accused authors served to safeguard the individuals from any immediate threats to their security or rights of expression, while the cases remained pending in the system.

### **New strategies: catch-all laws and blanket bans**

While the religious right has used existing offences as a relatively effective tool to harass its political or ideological opponents, the review of the past ten years of court decisions clearly indicates that this strategy has its limitations. Perhaps a realization of this lies behind the renewal and intensification of their current demands to frame new, more far-reaching laws, with catch-all provisions and more severe penalties. The proposals for these laws, for declaring the Ahmadi as non-Muslims on the one hand, and for creating a new offence of 'blasphemy' on the other, are detailed below. These attempts at codifying intolerance have already achieved limited success in the January 2004 government announcement of a blanket ban on Ahmadi publications.

While not perhaps directly connected to these developments, the trend of recent prosecutions for sedition, rather than hurt to religious sentiment, of individuals who have highlighted violence against minorities, and the involvement of the religious right, is also worth noting. These cases may be an inevitable outcome of a deliberate effort to equate the state and the state religion, Islam.<sup>33</sup>

### **Anti-Ahmadi agitations**

Since the late 1980s, the religious right, again prominently including the JI and the IOJ, as well as an organisation known as the Khatme-Nabuat, has spearheaded a campaign to enact a law to declare the Ahmadi as non-Muslims, on almost identical lines to the steps already taken in Pakistan to this effect.<sup>34</sup>

Reportedly, draft legislation for this purpose was framed first in 1988 (the year of the constitutional amendment which made Islam the state religion), again in the late 1990s, and, most recently, in early 2004, but not debated in or tabled before any committee or on the floor of Parliament.

In the absence of legislation, efforts were also made to obtain court orders to this effect. A private lawyer unsuccessfully initiated constitutional litigation in 1993, seeking a declaration from the High Court Division that Ahmadis were non-Muslims. In support of his application he referred to the actions taken against Ahmadis in Pakistan, as well as to the constitutional provisions regarding Islam being the state religion (Article 2A) and the State's endeavour to strengthen fraternal relations among Muslim countries based on Islamic solidarity (Article 25(2)).<sup>35</sup> The High Court categorically held that in the absence of any law or Shariat Court in Bangladesh, it was not required to discuss or review the Pakistani decisions. It also stated that Art. 25(2) of the Constitution of Bangladesh 'has not empowered the Government to decide or declare who is Muslim and who is not'. It further stated: '... the Government has no obligation or power to decide or declare any persons or group of persons as non-Muslims in order to safeguard sanctity of [the] State religion'.<sup>36</sup>

Despite this clear rejection of attempts to legislate against the Ahmadi community, street demonstrations and physical attacks on individual members of the community and on their property and religious institutions continued throughout the 1990s, and became particularly intense in 1993/1994 and again more recently in 2003/2004. Since October 2003, such attacks have included orchestrated mass demonstrations against Ahmadi mosques, threats to individual Ahmadis, and demands that the government declare all Ahmadis as non-Muslims. In certain areas, Ahmadis have faced 'excommunication', 'house arrest' or occupation of their homes. One Ahmadi Imam has been killed, and several other individuals have been beaten and assaulted.<sup>37</sup>

Most recently, in January 2004, in the face of massive protests led by the IOJ and others, the Government declared a ban on all publications by the Ahmadi Muslim Jamaat Bangladesh, the representative body of the community. The government announced a ban on all publications of the Ahmadiyya community, including the Qur'an and its translations or interpretations. However, no information was sent to the Ahmadiyya community, and no official notification regarding this ban was published. The government press release said the ban had been imposed 'in view of objectionable materials in such publications that hurt or might hurt the sentiments of the majority Muslim population'.<sup>38</sup> The legal status of the ban remains unclear at the time of writing.<sup>39</sup> The Khatme-Nabuat has vowed to continue its movement until the Government concedes to its demand.

## Blasphemy bills

In 1993, Motiur Rahman Nizami MP, the then Secretary General of the Jamaat i Islami, tabled in Parliament a 'blasphemy bill'. Modelled on existing Pakistani laws, this would have resulted in the addition of two new sections, 295B and 295C, to the Penal Code, creating new offences of 'insult to the Koran' and 'insult to the Prophet', respectively carrying maximum

sentences of life imprisonment and death. Sustained criticism of this move from within civil society leaders, reinforced by the then Attorney General's publicly stated opposition to any such measure, stymied this initiative.<sup>40</sup> As noted by critics of the Bill, echoing analysts of these provisions in the Pakistan Penal Code, the proposed offences would have deviated significantly from the existing laws in at least four ways. First, they made reference to only one religion, Islam, whereas the earlier law applied across communities. Second, they made it an offence to insult religion, rather than to cause insult to the religious feelings of individuals. Third, they provided for significantly increased penalties, the death penalty, in place of a maximum sentence of two years imprisonment. And fourth, the new offences did not require proof of intent.<sup>41</sup>

Ten years on, the demands are again being reiterated, though in a somewhat modified form. In 2004, Abdul Mannan MP had prepared a private member's bill on *dhormo obomanona* (insult to religion) but was reportedly persuaded by a fellow MP of the ruling party not to table this in Parliament. According to news reports, this Bill provided that any speech, or gesture, by words or otherwise, or any picture, film or artwork, or behaviour, which insults the state religion, Islam, or Hinduism, Christianity, Buddhism or other religions, or which insults the Qur'an, Sunnah or Islamic Shariat, would be punishable by two years' imprisonment or a fine of one *lakh* (one hundred thousand) taka or both.<sup>42</sup> The Bill defined 'Shariat' as 'Islamic law and customs', and 'the Sunnah' as the 'Prophet Muhammad (Peace Be Upon Him)'s sayings, actions and precepts/practice'. It is unclear whether this Bill has garnered any official support.

### Responses: defending a shrinking space for dissent and difference?

The executive, the law enforcing agencies and the subordinate courts have been relatively slow to act in cases where the religious right have incited violence against writers and others. Thus no charges were laid by the state against those who directly or indirectly issued public incitements to violence and murder, through offering rewards for the execution of certain individuals, or naming others as *murtads*, thus implicitly making them subject to the death penalty. In almost all cases, such calls for the public execution of individual writers were widely reported in the press and repeatedly reconfirmed by those who issued them.

Even where individuals have taken steps to invoke the law against such threats or acts of violence, there has been little effective response from within the criminal justice system, with no investigations having taken place, let alone prosecutions initiated. So for example, investigations into the bomb attacks on the Ahmadi mosques and the killing of an Ahmadi Imam remain pending years and months after the incidents.

Further, where there have been efforts to prosecute those on the religious right for offences relating to speech, they have encountered a qualitatively different response from the courts. In one case, a leader of the Anti-Ahmadi movement, the *Khatib* of the National Mosque, was charged under section 501 BPC following his describing those who had supported the struggle for national liberation of Bangladesh as *gaddars* (traitors), and compelled to appear before the Magistrate; he was ultimately acquitted.<sup>43</sup>

This case was something of an exception. In most cases, the writers, poets and journalists who have been targets either of the fundamentalists, as the subject of a *fatwa*, or of the state, in a section 295A case, have rarely initiated or pursued counter proceedings. Although Taslima Nasrin made a complaint against a fundamentalist organisation which had issued a *fatwa* offering a cash reward for her execution, and the accused individuals gave a public statement denying that they had issued such a *fatwa*, she ultimately dropped the case. A relative made a separate complaint regarding another *fatwa* threatening her life.<sup>44</sup> Critically, it was left to the accused's family to initiate a private complaint, in the face of state inaction. Again, the case was not pursued to its conclusion, a combined result of the complainant's extreme vulnerability to further reprisals and the reality of the court's delay and continued inaction.<sup>45</sup>

Finally, even where an individual or group is willing to pursue a legal action to its conclusion, it may not be able to secure a remedy from the courts. The legal response to the cases has overwhelmingly favoured the option of immediately defusing the controversy or the furore rather than resolving the contradiction which underlies each case: the right to free expression *vis-a-vis* the right to religious freedom. Indeed, while the court's intervention has been critical in enabling the immediate protection of the 'blasphemer' from the fundamentalists, its role in protecting speech has been less clear-cut.

## Conclusion

The discussion above focuses on cases from the early and mid 1990s that relate to prosecutions of individuals for 'causing hurt to religious sentiment' or proscription of their books or articles on similar grounds. As noted, many of them were instigated by the religious right and were accompanied by public mobilization by the right and vilification of and threats to individual writers and artists. Despite the generation of such tensions, the courts were able to intervene effectively to defuse the situation and to safeguard individual liberties. However, with the exception of one or two cases (see Humayun Ahmad's case and Shamsuddin Ahmad's case, *supra*), it would be difficult to assert that the courts' intervention resulted in positive developments in the law.

While the impact of post-independence incursions into constitutional guarantees of secularism has not been critically assessed to date, it seems evident that if nothing else, it enables, in particular rightist and obscurantist forces to articulate their demands within a constitutional framework. The amended Constitution's reference to the primacy of Islam as the state religion is treated as a mandate by the religious right to argue in favour of the marginalization of other religions and religious practices, and indeed their eradication from national life.

In contrast to the failure of those committed to the principles of secularism and the freedom of religion to track systematically the impact of the constitutional changes in this area, the religious right have methodically invoked the amended provisions to buttress their arguments for restricting the rights of those of 'other religions'. As part of their strategy, and through their

instigation of criminal prosecutions and demands for changes in the law, they appear to have arrogated to themselves the authority also to define the content of Islam as a religion, and to constrain its diversities of faith and practice.

As the above discussion of reported judgments indicates, while the state is responsible for the conduct of prosecutions or for the proscription of publications in cases relating to 'causing hurt to religious sentiment', it is the religious right that mounts the necessary pressure for invoking the law in such cases. Even where trials are not held, or bans not fully enforced, the threat of legal action - accompanied by the religious right's public threats of violence and echoed through their media - serves not only to intimidate the individuals concerned, but also to inhibit broader democratic dissent by inculcating an atmosphere of fear and intolerance.

In most cases, there appears to be (with very few exceptions) little principled opposition by state agencies or the courts to the adoption of such intimidatory tactics by the religious right. However, in times of particular tension, or in respect of cases which generate particular public concern, the superior courts do appear to have played a key moderating role, to mitigate the impact of a compact between the religious right and sections of the executive. Their intervention has enabled protection of the life and liberty of individuals who have been threatened, sometimes for words put into their mouths, sometimes for what they represented: their capacity to criticise and question, or to present an alternative to the voices of orthodoxy. It is very rarely that the courts have gone further, beyond accommodation, to denounce those responsible for using and abusing the law for their own political ends. In other words, they have largely undertaken a necessary, but limited, problem-management approach, resolving immediate tensions rather than addressing the underlying points of tension between the religious right and those seeking to secure liberal secularism.

This dual approach of the superior courts - giving considerable latitude to the executive's proscription of publications and allowing such restrictions on free expression while safeguarding individual liberty - points to a combination of the courts' lack of distance from the executive, along with the strength of progressive civil society, and especially international solidarity. The combination meant that while in many cases, while the courts have not gone so far as to quash the cases, they have granted bail to the persons involved, thus finding a means for immediate defusion of the situation. The executive has pursued a similarly dual approach: in general it has not withdrawn proceedings, (perhaps for fear of a political backlash from the right) once they have been initiated in such cases, but it has also not opposed bail particularly vehemently (perhaps in consideration of the international response).

Recent developments point to shifting patterns in the initiatives adopted by the religious right. The set of judgments under section 295A BPC and section 99A CrPC could be seen as ultimately constituting a set-back for the religious right's project of resorting to the existing law. Hence the religious right's current project of pressing for more wide-ranging and draconian laws regarding 'blasphemy' and having Ahmediyyas declared non-Muslims, demands intended to restrict the fundamental freedoms of speech, expression and thought. Similarly, in order to preclude the scope for judicial intervention that existed in respect of

individual prosecutions and the banning of publications, the religious right has opted for a strategy of changing the law itself, to remove all scope for exercise of judicial discretion in favour of safeguarding the rights of those who dissent from or critique religious orthodoxy. In addition, they have engaged in threats or acts of violence, in particular against those representing secular cultural values. So the past few years have seen bombings of places and events which provide an alternative cultural space, such as cinema halls, a circus and even the *Pohela Boishakh* (Bengali New Year) celebrations, as well as bombings of religious institutions, such as several Ahmadiyya mosques, individual attacks on well-known writers, such as the poet Shamsur Rahman and, now most recently and most brutally, the murder attempt on the novelist Humayun Azad.<sup>46</sup> While these incidents all remain under investigation, years after the event, it is notable that many of the victims remain convinced of the involvement of the religious right.

Responses from within progressive civil society also merit some attention. In most cases, those who speak out in defence of the accused - whether in the courts, in the media or in public meetings and campaigns - generally focus on denying the allegations against them, rather than asserting their right to freedom of expression. Despite the independence struggle's objective of establishing a secular and democratic society, public discourse in Bangladesh now largely limits the discussion of religion within certain parameters, and there is little receptivity to views or statements which deny or even question the terms of religious beliefs or assertions. Thus representing or repackaging statements as part of an engagement within and about religion is seen as more politically effective and indeed palatable. This situation is likely to be reinforced with the increasing threats to those individuals known for their capacity for vocal, reasoned and persuasive dissent and critique of the religious right.

This review of the past decade's case law demonstrates that the superior judiciary has played a key role in safeguarding space for dissent against the forces of the religious right, and, as this paper argues, reported judgments indicate that to date the Bangladesh superior judiciary has to some extent fulfilled that role. Is it possible to expect a stronger stance from the courts in the current constitutional and political context? Can the courts be the ultimate guardians of liberal secular values, where these are not sufficiently safeguarded by the overarching political and cultural context? This is difficult to conjecture, but securing the genuine and effective independence of the judiciary from the executive, of particular significance for the lower judiciary, on the one hand, and continuing activism and engagement which challenges attempts to clamp down on diversity and dissent, may be key to furthering the scope for free expression of liberal and secular voices in Bangladesh.

## Endnotes

<sup>1</sup> The Jamaat i Islami, Bangladesh (JI), and the Islami Oikkyo Jote (IOJ), an alliance of seven parties, both call for the imposition of 'Islamic law'. Following the October 2001 general elections, the JI (17 seats) and the IOJ (2 seats) formed part of a coalition government led by the Bangladesh Nationalist Party (191 seats), headed by Prime Minister Begum Khaleda Zia. The JI holds two cabinet posts.

<sup>2</sup> On secularism in Bangladesh, see Asim Roy (1983), *The Islamic Syncretistic Tradition in Bengal*, Princeton University Press; Tazeen M. Murshid (1996), *The Sacred and the Secular: Bengal Muslim Discourses, 1871-1977*, OUP; and Rafiuddin Ahmed (1982), *Bengal Muslims, 1871-1906: A Quest for Identity*, OUP India.

- <sup>3</sup> A significant related amendment, made during General Ziaur Rahman's regime, was the repeal of the constitutional bar on religion-based political parties (Second Proclamation Order No. III of 1976, omitting proviso to Art. 38).
- <sup>4</sup> While the Fundamental Principles of state policy are not judicially enforceable, laws must be interpreted harmoniously with them: *Kudrat-e-Elahi v Bangladesh* 44 DLR (AD) 319.
- <sup>5</sup> Article 2A, as inserted by Act XXX of 1988. This phrase echoed the language of the Objectives Resolution adopted by the Constituent Assembly of Pakistan in 1949, which stated that 'adequate provisions shall be made for the minorities to freely profess and practice their religions'. Indeed, the Constitutions of Pakistan, of 1956, 1962 and 1973, all guaranteed freedom of religion, as does the current Constitution of Bangladesh. However, it should be noted that, unlike Pakistan, Bangladesh remains the 'People's Republic of Bangladesh' and has not been constitutionally defined as an Islamic state. Further, constitutional challenges to the 8<sup>th</sup> amendment regarding the insertion of Art. 2A remain pending before the Supreme Court.
- <sup>6</sup> See Mahmudul Islam (2003) *Constitutional Law of Bangladesh* (2nd Edn), Dhaka: Mullick Brothers, p. 263 .
- <sup>7</sup> Section 295A was inserted in the Penal Code by Criminal Law Amendment Act (XXV of 1927) section 2, after the agitation following the decision of the Lahore High Court in the notorious Rangeela Rasul case, in which it was held that polemics, no matter how scurrilous, against a dead religious leader, did not amount to an offence under section 153A.
- <sup>8</sup> See *Md. Jamir Sheikh v Fakir Md. A Wahab* and another 1990 BLD 452, discussed below.
- <sup>9</sup> Section 196, Code of Criminal Procedure 1898 (CrPC).
- <sup>10</sup> *WMN Trust Lahore v Crown* 7 DLR (WPC) 17, upheld in *Shamsuddin Ahmed v Bangladesh* 20 BLD (HCD) 2000 268 per Abu Sayeed J. See Ratna Kapur, 'Who Draws the Line? Feminist Reflections on Speech and Censorship', *Economic and Political Weekly*, for a discussion of Indian case law and recent developments.
- <sup>11</sup> *Jibendra Kishore v East Pakistan* 9 DLR (SC) 21.
- <sup>12</sup> *Ibid*, at para 39.
- <sup>13</sup> *Shamsuddin Ahmed v Bangladesh* 20 BLD (HCD) 2000 268 per Abu Sayeed J, at para 7.
- <sup>14</sup> *Bangladesh Anjuman-E-Ahmadiyya v Bangladesh* 45 DLR 185 per Sultan Hossain Khan J.
- <sup>15</sup> The superior courts refer to the High Court Division and Appellate Division respectively, which together comprise the Supreme Court of Bangladesh.
- <sup>16</sup> These prosecutions were all begun under the Bangladesh Nationalist Party (BNP) led government, elected to power in 1991. In October 2001, the BNP was again re-elected to office.
- <sup>17</sup> 16 BLD (1996) 141.
- <sup>18</sup> 16 BLD (1996) 141 upheld in part by 18 BLD (AD) (1998) 210.
- <sup>19</sup> 45 DLR (1993) 185.
- <sup>20</sup> Writ Petition No. 2553 of 1995.
- <sup>21</sup> (1990) 10 BLD 452.
- <sup>22</sup> 20 BLD (2000) 268; 52 DLR 497).
- <sup>23</sup> (17 BLD (1997) 235) and *Moulana Md. Yusuf v State* and another (3 BCLC (AD) 171).
- <sup>24</sup> Complaint Case No. 1315 of 1994, unreported.
- <sup>25</sup> A fictionalised account of the orchestrated attacks on Hindus in Bangladesh following the demolition by the Hindu right of the Babri Masjid in Ayodhya, India.
- <sup>26</sup> See for example the case initiated by Mohd Rafiqul Islam Rony MP against Prof. Ali Asghar for causing hurt to religious sentiment, regarding his alleged remarks that religious instruction need not be compulsory.
- <sup>27</sup> Currently pending cases include *Mesbahuddin Ahmed v Bangladesh* and others Writ Petition No. 681 of 2003, by the publisher/distributor of Taslima Nasrin's *Uttol Hawa* (Wild Wind), the second volume of her autobiography. In 2002, the Government confiscated the Indian edition and prohibited its sale in Bangladesh under section 99A CrPC, later including those published from Dhaka. Criticisms of the banning order in the press included A.H Jaffar Ullah, 'Banning Books in Bangladesh', *The Bangladesh Observer*, 7 September 2002;. The Writ Petition notes that the government order gives no reasons for the banning (merely stating that the book is likely to cause social and political disharmony, contains statements against Islam and would cause serious enmity and hatred within society, the state and among religious communities) and further that it was never communicated to the publisher or author. The petition challenges both the banning order, and section 99A CrPC itself as violating the right to freedom of religion under Art. 41 of the Constitution.
- <sup>28</sup> In late 2002, members of an amateur theatre group in Faridpur, a number of whom were prominent in the local Hindu community, were arrested for having committed the offence of 'causing hurt to religious sentiment' under section 295A BPC, regarding their dramatization of a play.

- <sup>29</sup>The reasons stated for the forfeiture were as follows: 'For publication of statements hurtful to the fundamental beliefs, that is the religious sentiments of followers of Islam', 18 BLD (1998) (AD) 210 at para 3.
- <sup>30</sup>Unreported judgement
- <sup>31</sup>See the *Anjuman e Ahmadiyya Case*, supra, per Sultan Hossain Khan J.: 'The petitioner's [submission that] Ahmadiyyas also being Muslim, the order stating that the book has not outraged the feelings of the Muslims' is not correct. The decision in the *Anjuman* case was upheld by the High Court in *Sadrudin Ahmed Chishty v Bangladesh* (44 DLR (1996) 39). Interestingly the *Anjuman e Ahmadiyya* decision was not reported in the DLR until 1993, although the judgment itself was delivered some 7 years earlier in 1986.
- <sup>32</sup>Para 9, per Abu Sayeed J.
- <sup>33</sup>See for example the sedition cases brought against the journalists/researchers Shahriar Kabir, Saleem Samad and Priscilla Raj in 2001/2002.
- <sup>34</sup>In Pakistan, President Bhutto's government passed a constitutional amendment in 1974 declaring Ahmadis to be a non-Muslim minority, and General Ziaul Haq then passed an ordinance in 1984 (inserting a new section 298B and 298C to the Pakistan Penal Code) criminalising any actions by Ahmadis calling themselves Muslims, using names and titles associated with Islam, using Muslim places of worship or propagating their faith.
- <sup>35</sup>*Alhaj ABM Nurul Islam v Government of Bangladesh*, Writ Petition No. 298 of 1993 (judgment dated 15 April 1993, per Md. Abdul Jalil and Mohammad Fazlul Karim JJ)(unreported, on file with author).
- <sup>36</sup>*Ibid*, p. 10.
- <sup>37</sup>Amnesty International, Bangladesh (2004) *The Ahmadiyya Community – their rights must be protected*, 23 March.
- <sup>38</sup>*Daily Star*, 9 January 2004.
- <sup>39</sup>Four civil society organisations, Ain-o-Salish Kendra, the Shonmilito Shamajik Andolon (United Social Movement), Mohila Porishod (the largest national women's organisation) and Naripokkho (For Women), have issued a legal notice on the government threatening a constitutional challenge to the ban on Ahmadiyya publications.
- <sup>40</sup>See ASK (1994) *Attack on Fundamentals*, Dhaka: ASK Publications, for a compilation of articles and the text of the Blasphemy Bill 1993.
- <sup>41</sup>See Sara Hossain, 'The Jamaat's Proposed Blasphemy Law: Destroying Secular and Democratic Space' in ASK, *Attack on Fundamentals*, supra, and Amnesty International (1994) *Pakistan: Use and Abuse of the Blasphemy Laws*, July, AI Index: ASA 33/08/94.
- <sup>42</sup>The *Daily Manob Jomin*.
- <sup>43</sup>An appeal against acquittal was filed before the High Court (ASK (1997) *Human Rights in Bangladesh*).
- <sup>44</sup>Mufti Syed Nazrul Islam had reportedly publicly offered a reward of taka 100,000 to anyone who killed Nasrin. Following a complaint by Nasrin's brother before the Magistrate's Court in Khulna for incitement of violence (section 506, Penal Code), the Court ordered a police inquiry. It is not known what further action resulted.
- <sup>45</sup>The perceived threat was so high that when Taslima's brother attended court to make the complaint, members of the Shonmilito Sangskritik Jote (United Cultural Alliance, a major network of cultural activists and organisations) stood guard to deflect any attack.
- <sup>46</sup>Azad tragically died while on an International PEN fellowship in Germany in 2004, which he took up only after his son was attacked and his family threatened, following his recovery from near-death after being savagely attacked as he emerged from the annual Ekushey Boi Mela (book fair).



## Introduction

The object of this paper is to examine the treatment of Taslima Nasrin by the media and its impact on the discourse of religious fundamentalism in Bangladesh. By religious fundamentalism, I mean extremist tendencies to radicalise society through the politicisation of religion, whereby an attempt is made to reconstruct an imagined religious state based on certain restrictive perceptions of God's laws, and whereby women, for example, stand to lose rights enjoined upon them by other interpretations of these laws and by liberal democratic societies. I argue that the media response to Taslima Nasrin, nationally and globally, coupled with the ban on her books, inadvertently contributed to rising fundamentalism, in the process of which the public space for secular liberalism was constrained in Bangladesh.

Two issues arise about the role of the media, apart from their potential ability to make or break people. Irresponsible media coverage can play into the hands of extremists and give rise to non-negotiable positions, opening up space for rising fundamentalism and limiting the voice and scope of moderate, liberal or secular ideas. On the other hand, it can quickly identify and report on events which warn of impending fundamentalist extremism. Media response to Taslima Nasrin has resulted in both, although she is also a product of the media, as her columns would testify.

## Taslima as writer

Taslima Nasrin, a feminist writer from Bangladesh, rose to prominence in the 1990s as a result of three developments: firstly, the rise of the religious right in Bangladesh, and, more particularly in 1994, the right's desire to create a distraction from the case of the *amir* of the *Jamaat i Islami*, Golam Azam, who was being accused of war crimes by citizen's groups; secondly, the provocative nature of Taslima's writings, which were critical of male lasciviousness and the hypocrisy of clerics, and condemnatory of violations of the rights of minorities; and thirdly, the response of the media to her, her work and the controversy she was giving rise to.

As a columnist, Taslima made her mark through her writings for the press. As a provocative writer challenging given social values, she rapidly earned both notoriety and fame because of the media coverage she received. It was the quick reporting, in the international press, of the bounty on her head pronounced by *mullahs*, that catapulted her onto the global stage. But this also invited a critical international eye on Bangladesh and the precarious internal politics that allowed such unconstitutional mechanisms of social control as death threats by *fatwa*. This was unwelcome to many Bangladeshis.

Nationally, the media brought Taslima both fame and infamy. Her columns in the Bengali press acquired a huge readership and made her a household name. But it was the irresponsible coverage of an interview with her published on 9 May 1994 in *The Statesman* in Calcutta, which claimed that she had called for a revision of the *Qur'an* to improve women's rights, that gave offence to many. For the *Qur'an* is held sacred as the immutable word of God. Taslima's clarification that she had only referred to the *shari'a*, meaning the *sunna* and *hadith* traditions, failed to redeem her image; the damage had been done. The religious right

erupted in Bangladesh in righteous indignation. The subsequent *fatwa* of death by clerics, that put a price of *Taka* 50,000 (US\$1,500) on her head for blasphemy, brought international attention to her and to Bangladesh.

As soon as the international media picked up the story, human rights groups, foreign governments and international writers' groups began to campaign for her defence and the right to free speech. Indeed, had it not been for the media attention, Taslima would not have achieved notoriety at home, or become a *cause célèbre* abroad, somewhat akin to Salman Rushdie. One could also argue that had it not been for the callous *Statesman* coverage, that made no distinction between the *Qur'an* and *shari'a*, there would not have been such a furore over Taslima. Nor would the religious right have found a pretext to claim the area of social relations and women's status as lying within their jurisdiction.

### Secular space has contracted

The space for secular Islam contracted in Bangladesh as a result of the controversy surrounding Taslima.<sup>1</sup> The religious right, which had been in the ascendant since 1991 through political alliances, began to assert its particular vision of an Islamic state more vigorously. It argued that Islam was in danger; that women's liberation and emancipation were hurtful to society; and that Taslima epitomised that threat, through both her pen and her person. Girls' schools were burned; women NGO workers were harassed as instruments of Christianisation. The women's movement suffered a setback, for women did not dare to speak out any further for fear of reprisals in both rural and urban areas. Death threats were announced against other liberal and secular figures, including the national poet, Shamsur Rahman. The religious right clamoured for the enactment of blasphemy laws as in Pakistan, through which detractors of the faith or ideological opponents could be eliminated. The public space for cultural expression in the performing arts, considered secular, was constrained by threats of, and actual, political violence.

There were certain damaging aspects of the hype regarding the self-perception of Bangladeshis, who felt wrongly portrayed internationally as a nation of fundamentalists rather than as moderates. This media presentation of Bangladesh persists to this day in certain contexts, much to the chagrin of many intellectuals of the left and right.<sup>2</sup> On the other hand, were it not for the media hype, international pressure on Bangladesh to pursue a moderate strategy might not have been forthcoming and Taslima's rescue could have been more problematic.

So, what was the nature of Taslima's offence and how were the media used to both highlight it and resist the extremist onslaught against her? For, in effect, the media were used by both sides of the argument to mobilise opinion in their favour.

### Taslima as product of the media

I have suggested that, in a sense, Taslima is a product of the media. She rose to prominence nationally because of her columns in the Bengali press and publications in both verse and prose, which reached a very wide audience. Taslima's writings were sharp, provocative and

uncompromising in language and style. They were in demand from all sections of the media, both liberal and conservative, because they helped increase the circulation of magazines and newspapers.<sup>3</sup> The conservative papers, such as the *Inquilab* group, gave her coverage repeatedly, using her photograph as well, if only to criticise her. The secular press welcomed the distinctive freshness of her themes and style.

Thus, despite some reservations about the rudeness of her language, she was permitted to voice her bold opinions in the public arena. Her *Nirbachita Column* (chosen/selected column) struck a chord in young people because she addressed social issues and taboos that concerned them; for example, romantic and sexual relationships, social and cultural restrictions, and religious hypocrisy. Her prime concern was the condition of women, rejected at birth in favour of sons, reviled as economic burdens, restrained from free social interaction, and punished severely for crossing spatial and cultural confines.

However, in articulating the hurdles that women face in society, she took on what only a few others had done before her: she addressed the subject of religious hypocrisy, inequality and intolerance. Like Begum Rokeya, a social reformer of Bengal nearly two hundred years earlier, she lamented the use of religion by men to keep women in subjugation. But unlike Rokeya, she took on the clergy directly as 'evil, worthless and tremendously lustful men'.<sup>4</sup> That she was going to be at loggerheads with the men of religion was thus a foregone conclusion.

In the meantime, in 1992 Taslima Nasrin published a book of essays entitled *Nashta Meyer Nashta Gadya* (The Dirty Essays of a Ruined Girl), and another book, *Lajja* (Shame). As the titles suggest, both dealt with controversial issues. In the former, she provocatively demanded 'freedom of the womb', or *jarayur swadhinata*. This has been interpreted by some as a call for unrestricted sexual freedom, whereas she was essentially campaigning for the right of women to determine the size of their families.

*Lajja* depicts the horrors of persecution suffered by a Hindu family at the hands of Muslim extremists during reprisals against Hindus for the destruction of a mosque by Hindu fanatics in Ayodhya in India in 1992. Essentially it is a tale about the precarious position of minorities that could be applied in any number of situations, including that of Muslim minorities in India who have suffered under Hindu extremism. The universal aspects of the message - the need for community harmony, and the responsibility of the religious majority to protect religious minorities - were lost on the many who argued that Taslima was pandering to Hindu fundamentalism and earning her country a bad name abroad.

Thus, within two years of her literary career starting, she managed to antagonise not just the clerics, but other social groups as well: a wider segment of society that jealously guarded the virtue of their women, and Bangladeshi nationalists who refused to submit to 'shame' regarding minority rights, but rather were indignant at her audacity. There were other detractors as well: men in general, whom she accused of being carriers of syphilis, and therefore as dangerous as rabid dogs. She warned women to keep away from them.

If her objective was social reform, then her method was counter-productive. If it was to achieve personal fame, then she succeeded in gaining notoriety. Taslima continued to be read despite the ban on her book *Lajja* and the death threats levied at her repeatedly from 1993 onwards.

## Role of the media

In the controversy surrounding Taslima, the media were used by all ideological persuasions to stake out their claims to right conduct. As I have indicated, the liberals and secularists were somewhat intimidated by the vigorous onslaught of the fundamentalists, not least because they were caught unprepared. Their response was therefore somewhat disjointed. Widespread opposition to the *fatwa* culture continued both in the English and Bengali liberal press. While there was general unease about the content and literary merit of Taslima's works and the brashness of her feminism, there was no support for the death threat, for example, in *Ananya*, *Robbar*, *Dainik Dinkal*, *Bhorer Kagaj*, etc.<sup>5</sup>

Here I wish to articulate how the media were used by the religious right in support of its position. The religious right includes the Islamist political parties, such as the *Jamaat i Islami* and its various front organisations and youth cadres, like the radical *Jamaat Shibir* and *Islami Chhatra Sena* (Soldiers of Islam). Their aim is to establish an Islamic state ruled by *shari'a* laws which would be determined by committees consisting of the *madrassah*-educated *ulama*. The right seeks to do this both by constitutional and extra-legal means; that is, through the political process and outside it. While the *fatwa* against Taslima is an example of the latter, the right also participated in electoral alliances to gain a wider political profile. During the elections of 1991, the *Jamaat* made a political comeback as a result of a political alliance with the Bangladesh Nationalist Party, which won a majority of the seats in the National Assembly. It won two key portfolios in cabinet, education and home affairs, through which the right continued to pursue its ideological objective.

Significantly, on 4 June 1994 the Home Ministry issued a warrant of arrest for Taslima under article 295A of the Penal Code, which makes insult to religion or religious belief a punishable offence.<sup>6</sup> The immediate cause of offence was her *Statesman* interview in May in which she had allegedly claimed that the *Qur'an* was written by man, that it was outdated and so required revision. Taslima immediately went into hiding and eventually left the country whilst still on bail. There was general dissatisfaction with what were said to be her vulgar writing and promiscuous disposition.<sup>7</sup> A more localised campaign demanding the confiscation of her works, and death by hanging, had already begun in Sylhet in October 1993, led by three groups: *Sahaba Sainik Parishad*, *Hafezi Huzur Sangsad* and *Shah Waliullah Smriti Sangsad*.<sup>8</sup> It took several months for this campaign to gather momentum elsewhere.

## The right mobilises

The month of June was a period of intense propaganda by the *mullahs*. They addressed gatherings at political rallies and in mosques. The intensity of demands for *shari'a* laws and death sentences for atheists increased. Some threatened street violence and destruction of public property as methods of protest. A decision was taken to launch a comprehensive

movement across the country to restore faith in Islam and secure its sanctity through the enactment of blasphemy laws as in Pakistan, so that atheists and *murtads* (apostates) could be punished. Thirteen religious and conservative groups came together to form a *Sanmilita sangram parishad* (organisation for united resistance).<sup>9</sup> The stated objectives of the component groups varied from death sentence to punishment for atheists and apostates, who were defined as *rashtradohi* (traitors to the state) and *dharmadrohi* (traitors to religion). The editors of several Bengali newspapers like *Bhorer Kagaj* and *Jai Jai Din*, that support a liberal disposition, were also charged and arrested under Section 295A, and subsequently released on bail. Various other intellectuals, writers and cultural activists were singled out as *murtads*: for example, the national poet, Shamsur Rahman, and the academic, Ahmed Sharif. According to one journalist an atmosphere of civil war was created by the '*dharmabyabsha*' (traders in religion).<sup>10</sup>

In this mêlée, Taslima was singularly targeted for demonisation through pamphlets and right-wing newspapers like *Inquilab*. In a pamphlet entitled *Dharmadrohi o deshdrohi nastikder rukhe darao* (Resist the religious and political treachery of the atheists), the country was asked to judge Taslima.<sup>11</sup> Her alleged offences ranged from her support for sexual promiscuity to apostasy and hurting the feelings of Muslims by wilfully attacking Islam and undermining it. Through rather frank media interviews about her personal life, Taslima had opened herself up to public examination and censure. Her revelations were now being directed against her.

Similarly, her writings and interviews were analysed to show that she had insulted Muslims. She was charged with accusing God of being a 'liar' in an interview;<sup>12</sup> and of making fun of the Day of Judgement in her poem *Israfiler jar hoyechhe*, where she writes 'Israfil has fever/ and Gabriel a cough'. Her book *Nimantran* (Invitation) was accused of showing she did not believe in Heaven, Hell or God, since she declares they are all man-made.<sup>13</sup>

In her poem *Udyane nari* she presents Eve as a rebel who plucked the forbidden fruit because she accepted no restraints: *Nishedh mani na kono/Srinkhal amar shash bandha kore ane* (I disobey rules/order stifles me). She was accused of showing disrespect to Bibi Khadija, the first wife of Prophet Muhammad, by suggesting in her book *Nashta Meyer Nashta Gadya* that it would be more useful for young girls to read about the lives of Joan of Arc, Sarojini Naidoo, Begum Rokeya, Lila Nag and Ila Mitra.<sup>14</sup>

Essentially, none of these are punishable offences, although a demand to revise the *Qur'an* can be considered objectionable by those who revere it as the sacred Word of God. So by repeatedly attributing this demand to her despite her denials, and mounting a campaign of calumny against her, the religious right attempted a psychological manipulation of the public. She was demonised as a monster which could then be destroyed.<sup>15</sup>

Taslima Nasrin no doubt played with fire and articulated the unthinkable. She opened herself up for attack on several fronts, leaving herself alone and isolated.<sup>16</sup> The political timing was such that the religious right could make an example of her. But by making death threats and enforcing a ban on her books, they ensured she would be read, and her case internationalised.

The papers of the *Inquilab* group failed to make this connection. Instead, they saw the international attention as a plot to undermine the sovereignty of the country. The USA and the EU, along with Amnesty International, urged the Bangladesh government to provide security to Taslima and let her leave the country if she so wished. The *Inquilab* papers questioned whether India would provoke a similar response if a Hindu had blasphemed.

They saw collusion between Christians and Hindus. Firstly, the Hindus of India awarded Taslima the Ananda Award for her *Nirbachita Column*. The Bharatiya Janata Party made revised copies of her book *Lajja* widely available at a nominal rate in order to prove that Islam is an intolerant religion. Secondly, the US and the West employed double standards in accusing Bangladesh of fundamentalism while failing to see Hindu fundamentalism in the destruction of the four hundred year old Babri Mosque, or in the communal killings that saw more than 2000 dead in India subsequently. The weekly *Purnima* accused India and the US of conducting a media war against Bangladesh, motivated by their search for a new enemy after the fall of communism; *Purnima* said Islam was the new enemy.<sup>17</sup> In their view, Taslima's implication in this plot stood revealed. One journalist argued that she had three assignments: the destruction of Islam and the institution of marriage, the elimination of social and ethical values, and the end of the sovereignty of Bangladesh.<sup>18</sup> Columnists of the *Inquilab* group argued that the Bangladesh government and the opposition party were both to blame for not having done enough to stop her. Now the country was in flames. The rule of law and democratic governance were under threat.<sup>19</sup>

## Conclusion

I implied earlier that what Taslima had said was neither radical nor new in terms of the way religion has been used by men to keep women in control. Two hundred years ago, when Begum Rokeya publicly articulated similar views and advocated education and economic independence for women, she faced no death threats. It was merely pointed out that men and women would never be equal. So what has changed since, and how can we account for the violent reaction to Taslima? The answer lies in the polarisation of ideology both globally and nationally. Globally, rising Islamophobia in Europe and the US has provoked suspicion in certain quarters, who fear that evangelical activities may be directed through foreign-funded NGOs and western education. Nationally, the religious right had just begun to make a political comeback after virtually two decades of oblivion. It had not only opposed the creation of Bangladesh, but also resented the secular ideology on which it had been founded. It therefore took every opportunity to challenge that ideology. Taslima Nasrin provided them with the opportunity.

The other relevant factor is the ever-growing involvement of the media in the making of celebrities. The media are constrained by readership, finance, the need for a story that sells, along with demands for responsible coverage. While Taslima would have been a controversial writer in any case, because of her language, style and content matter, it was the media interest that contributed to her fame and notoriety. It was the media interest that led to her *Statesman* interview, its misquotation and repetition, the *fatwas*, the warrant of arrest, and exile. But it was also the media that gave coverage to the fundamentalist backlash and led to her rescue. Ironically, in the twentieth century Taslima Nasrin has had to take shelter for apostasy in Christian lands, whereas in the eleventh century it was the exact opposite: apostates from Christianity sought shelter from the Inquisition in the lands of Islam.<sup>20</sup>

## Endnotes

- <sup>1</sup> A cursory glance at the newspapers of the time makes it very clear that the right was on the ascendant and very vocal. See, for example, *Inquilab*, 12 August 1994.
- <sup>2</sup> See Helal U. Ahmed's editorials in the internet editions of the *Weekly Holiday*, Dhaka, 1992.
- <sup>3</sup> Dailies such as *Inquilab*, *Prothom Alo*, and weeklies such as *Robbar*, *Ananya*, *Purnima*, *Bichitra*.
- <sup>4</sup> *Nirbachita Column*, Dhaka: Vidyaparakash, 1991, 1992, pp. 27-28. All translations are by this author.
- <sup>5</sup> *Ananya* editorials, 1-15 November 1993. Also see interviews with the novelist Humayun Azad, the historian Ahmed Safa, the academic Kabir Chowdhury in Farukh Faisal, 'Tarka bitarka ebong taslima', *Ananya*, 1-15 November 1993, pp. 25-40. Interview with writer and former state minister for Social Welfare in 1975, Mrs Noor Jehan Murshid, see Nazimuddin Manik, *Bartaman Dinkal*, Year 8 No.12, 15-25 August 1994, p. 19.
- <sup>6</sup> Md. Nurul Alam of Motijheel Thana filed the case under the instruction of the Home Ministry, *Sangbad*, 5 June 1994.
- <sup>7</sup> See local dailies of the period, as well as literature produced by the Islamic right, e.g. the leaflet 'Dharmadrohi o deshdrohi nastikder rukhe darao', produced in Dhaka, 26 June 1994, by the *Oitijhya Sangsad*.
- <sup>8</sup> *Ananya*, Year 6, No.2, 1-15 November 1993, p. 41.
- <sup>9</sup> The membership included the Pir of Charmonai, Syed Fazlul Karim, Azizul Huq, Young Muslim Society, *Jamaat i Islami*, Khilafat Movement, Pir of Sarsina, Maulana Ubaidul Huq the Khatib of Baitul Mukarram Mosque, etc., *Bikram*, weekly, Dhaka, June 13-19, 1994, p. 31.
- <sup>10</sup> Syed Borhan Kabir, 'Blasfemi ain: moulik o dhikarer sange jar shahabosthan shambhab noy', *Khaborer Kagaj*, 9 August 1994, p.17.
- <sup>11</sup> *Oitijhya sangsad*, *ibid*, 26 June 1994.
- <sup>12</sup> Interview in Bombay in November 1993.
- <sup>13</sup> *Nimantran*, p. 19.
- <sup>14</sup> *Nashta Meyer Nashta Gadya*, p. 121.
- <sup>15</sup> Interview with her defence lawyer, Dr. Kamal Hossain, 26 August 1994, Oxford.
- <sup>16</sup> Farukh Faisal, *Ananya*, *ibid*, pp. 25-40.
- <sup>17</sup> 'Special report: khaleda hasinar red signal: taslima nasrin', *Purnima*, Year 7 No. 47, 27 July 1994, pp. 19-25.
- <sup>18</sup> Mobayedur Rahman, 'Samprodayikata dharmadrohita o bibaha prothar bilope: taslima nasriner mission', *Purnima*, Year 8 No. 13, 17 November 1994, p. 24.
- <sup>19</sup> *Ibid*, pp. 22-23.
- <sup>20</sup> Mark R. Cohen (29 October 2002) 'Poverty and Charity in the Jewish Community of Medieval Egypt: the view from the Cairo Geniza'. Colloquium, *Wissenschaftskolleg zu Berlin*. Cohen recounts the story of a Jewish proselyte from Christian Spain who had left the faith to marry a Jew and was being hunted by her family to be burnt at the stake for apostasy. The lady eventually found her way to prosperous Egypt, where she was offered charity food rations till she remarried.



## Introduction

This paper looks briefly at signs of religious fundamentalism in the historical and social context of the Gambia. It also makes an analysis of how practices outside the media are manifested in public broadcasting in particular. In this discussion, fundamentalism is understood to mean individuals or groups using coercive means to force their interpretation of Islam onto others. Such an approach does not tolerate alternative views from other Muslims, for instance from some Muslim women, who may have a different interpretation of Islam, and whose rights as citizens should be respected. A similar view is noted by Norani Othman:

The current re-politicisation of Islam which began in the 1970s has seen the emergence into international prominence of Islamic fundamentalists voicing the claim that there is only one all-embracing culture, Islam, that is valid for all times, places and peoples. Yet these countries that call themselves Islamic are culturally diverse and until recently they have all subscribed to their own culturally distinctive variants of Islam.<sup>1</sup>

## The Gambian context

In the Gambia over ninety per cent of the population are Muslims, who have cohabited with the minority Christians and animists for many centuries. Having a non-Muslim neighbour or family member has never been perceived to interfere with one's spiritual duty. There continue to be marriages between Muslim men and Christian women.<sup>2</sup> Muslim converts continue to interact with their non-Muslim family members in non-spiritual events.

The Gambia's defence of human rights led to the African Centre for Democracy and Human Rights Studies being established here. The Gambia is a signatory to many international conventions to protect the rights of women and children, such as the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW), which it signed in 1984, and the Convention on the Rights of the Child, signed in 1990. Government and women's NGOs have represented the Gambia in most international fora to protect the rights of women and children as citizens of the state. In 1999, the Gambia's National Assembly ratified the National Policy for the Advancement of Gambian Women.

However, in 1994 the military government approved the building of a mosque at State House. Some saw this as licence for the State House *Imam* to wage war against women's empowerment in his Friday sermons, especially where such empowerment concerns women's self-determination over their sexuality - the right to use contraceptives and campaign against the practice of female genital mutilation (FGM), the right to access to information through awareness creation programmes and general empowerment themes.

Special broadcast times have been accorded to the State House mosque, separate from the traditional coverage of Friday prayers from the central mosque. This has allowed the *Imam* to give *hutba* (Friday sermon) on any issue without interruption, promote FGM as an Islamic act, equate the use of contraceptives to abortion and promotion of promiscuity,

promote early marriage of girls, and blame women's rights activists and western ideology for the increase in divorce. On the odd occasion when girls' education is promoted, the focus is on Arabic/Islamic education.

The State House *Imam's* views are relayed free of charge over both national radio and television. Frequently his sermons have contravened government policy on women's empowerment.

However, while extremist scholars demonstrate their hatred for anything to do with women's empowerment on the grounds that this is due to Western influence, what they preach over the media is different from the lifestyles they are engaged in. They enjoy modern technologies from the West such as the latest models of cars, and computer technology; their houses are furnished with modern facilities such as radio and television, and they flash around with mobile phones. Some of these scholars actually send their children to school in the USA and Europe, the very places considered a bad influence on Gambian women's rights activists.<sup>3</sup> Some of these extremist scholars are university graduates from the Arab world. However, they do not promote Islam's emphasis on the importance of education and seeking knowledge, even if it means Muslim women have to go up to university to gain it. Their main concern is that Muslim women should dress conservatively and restrictively, should acknowledge the over-archingly important role of marriage, and should not take decisions on issues such as control over their own reproductive health without the consent of their husbands. Their attempts to control women's freedom are couched in statements like 'a married woman should not go outside the marriage home without the consent of her husband, even to attend her parent's funeral'.

There are, however, other categories of Islamic scholars who are referred to as 'traditional religious leaders'. Most members of this group of scholars have not gone through the formal Arabic Islamic schooling. Most of them gain their knowledge from other known traditional religious scholars in the country or the sub-region, in countries like Senegal, Mali or Guinea. They create *karanta* or *dara* in their own communities.<sup>4</sup> These scholars are well respected by the public, yet they are not heard in public debates on women's issues. During the annual *gamos*,<sup>5</sup> their contribution comes in the form of sermons to the effect that Muslims 'do good and go to heaven, do evil and go to hell'. Until recently, these sermons were broadcast free over national radio. One does not feel that such scholars are controlling Muslims, women in particular.

### **The media and women's empowerment**

The national broadcasting service in the Gambia - Gambia Radio and Television Services (GRTS) - has always broadcast religious programmes for both its Muslim and Christian audiences. Muslim religious programmes have been part of national broadcasting along with non-religious programmes for over three decades. Their audiences were considered to enjoy traditional entertainment programmes as well as to want to be informed about religion.

However, since the State House *Imam* began broadcasting in 1994, radio and television space for anti-misogynist views has been very much reduced. Most vocal amongst the group of Islamic scholars who promote women's rights in Islam is the *Imam* of Kanifing Estate mosque. He is not accorded the privilege of having his sermons broadcast like the State House *Imam*, though newspapers such as *The Independent*, *The Daily Observer* and *The Point* do occasionally carry reports of his sermons. Sometimes he is portrayed as an opponent of the State House *Imam*, who has in fact accused him of being paid by women's groups or of being critical of the government. These accusations – made by the State House *Imam* during his broadcast sermons - have led the state intelligence, the National Intelligence Agents (NIA), to detain the Kanifing *Imam* at least once.<sup>6</sup>

Constitutional provisions are meant for all citizens, but in the state media women are being denied their rights. For instance, women activists were banned from discussing FGM on national state radio and television, but conservative Islamist scholars have been allowed to continue their broadcasts on the issue. Although private radio stations such as Radio One FM, Citizen FM and Sud FM give women activists the opportunity to share their views, these private radio stations also share the trend for popularising so-called 'Islamic' knowledge. The difference is that the private radio stations also allow other views to be expressed.

When issues are discussed in English, this is perceived to be less threatening than when activists advocate on issues like FGM in Gambian national languages. For instance, in 1997 GRTS broadcast a series of programmes in English in which Imam Al Badawi, an Egyptian-born Canadian, discussed FGM, marriage and other issues to do with women in Islam. During this period, GRTS staff were served with a directive not to broadcast any 'negative' alternative view to what some of the Islamist scholars were saying in the national languages - i.e. they were prevented from translating Badawi's comments into the national languages. This was a denial of information to non-English speaking women on the issues being debated. Those who could understand English and could benefit from Badawi's discussions are those who are likely to have access to other sources of information already, and therefore already in a better position to make informed choices.

### **Extremist discourses on women**

Extremist groups and scholars in the Gambia measure a 'good' Muslim woman by her dress. Consequently, there has been an increase in women wearing scarves in the style mostly associated with Arab and Asian women. More women are also accepting domestication. Some Islamists do argue that women can get paid jobs, or have their own businesses, but they emphasise that husbands must give permission for work outside the home. This denies women's right to employment as equal citizens with men, as well as implying that work outside the home is optional for women. Some young men spread this ideology through home visits and what they call *da'wa*.<sup>7</sup> Some young men believe they have rights of control over women, girls in particular. There have been several incidents of verbal harassment and the physical beating of girls in public places, including car parks in urban and peri-urban areas like Serekunda and Brikama.

On 4 August 2002, four young men assaulted three girls at Brikama car park for 'being indecently dressed'. The young men were bailed with a bond of ten thousand *Dalasi* with a Gambian surety, because the offences were 'bailable'.<sup>8</sup> The court proceedings continued for two months. The principal magistrate at Brikama court, Abubacarr King, ruled that all four accused be sentenced to three years with hard labour with no option or fine. In addition they were to compensate the victims five hundred *Dalasi* or in default spend an extra year in prison.<sup>9</sup> In an interview with a GRTS reporter, magistrate King stated that it was necessary for ...

... people who go about propagating Islam, or any other religion for that matter, to ensure that they do the propagation within the confines of the law. The law would frown on anyone who takes up such indecent acts in the name of religion, no one would tolerate it ... Islam is a religion of peace and tolerance. This is what we know and this is what we practise.<sup>10</sup>

This ruling is very important for gender activists and those Muslims who do not agree with the extremists' ideas of Islam.

But intolerance is a growing phenomenon. When the rains came late in 2002, some Conservative scholars blamed it on the immoral behaviour of women and girls and their un-Islamic way of dressing.<sup>11</sup>

The current focus of extremist groups and individuals is on getting women and young girls to wear *hijab*, interpreted as covering themselves from head-to-toe. A specific 'Arab' style is considered proper, and it is used by all girls in private Arabic schools. Even girls in non-Arabic schools have started wearing this particular style to school, as well as individual women in offices and in public places. There are also a few women dressed wholly in black who cover their faces with black veils. In programmes like *Islamic Forum*, in Mandinka, broadcast every Friday night at 11pm on GRTS radio, women are advised to stay at home and take care of the family, children and husbands. The traditional singing and dancing associated with naming ceremonies, weddings, circumcision ceremonies or merely for women and girls to entertain themselves are considered 'acts of Satan' and publicly castigated through the media.

After a meeting with a group of Muslim religious leaders in January 2001, it was reported that the President allegedly promised them he was going to change the Gambia into an 'Islamic' state. This was after a raid on young women at an alleged brothel. The President's statement prompted reactions from different groups: the Christian community, opposition politicians and activists.<sup>12</sup> The State House press officer at the time denied it, and the news editor at GRTS radio was dismissed for maintaining that the President *had* made the statement. The political wing of the government, the APRC, published on its website that the Gambia promotes the individual's right to practise their religion of choice: 'The constitution guarantees freedom to all to practise their religion of choice'.

However, the president's meetings with representatives of 'religious' leaders are seen by some people as politicising Islam, especially when the proceedings are broadcast over national media and he is shown telling the 'leaders' they have the power to set the moral standards for society in an 'Islamic' way. From the perspective of some observers, however, these broadcasts also enable the public to hear the unmediated statements of the head of state and draw their own conclusions.

## Conclusion

The use of communication technology by modern Islamist scholars is a priority for them to be heard and seen. They scramble for airtime on radio and television. Women's rights activists should be aware of the issues under discussion in the media, so they can counteract misconceptions. Does Islam allow women to be heard? Did the Prophet listen to the concerns of women? 'Yes' and 'yes'. Fundamentalists should be challenged on these and other issues so as not to silence women.

The unprecedented ruling by principal magistrate Abubacarr King demonstrates that individuals can make a difference in upholding women's human rights as citizens, and no man should take the law into his own hands to inflict bodily harm on any girl or woman. Women's rights activists in and outside the media need to be equipped in order to discern when so-called 'Islamic knowledge' is being used politically. We cannot afford to keep quiet until we are overtaken by events. However, with national broadcasting commercialised and in the absence of women-owned media houses, women are faced with more challenges to reach their constituency, most of whom cannot read or write and need programmes in languages they can understand.

## Endnotes

<sup>1</sup> Norani Othman (ed., 1994) *Sisters in Islam*, p. 124.

<sup>2</sup> There is unconfirmed information, but few publicly known cases, of Muslim women married to non-Muslim men.

<sup>3</sup> One is tempted to ask, why are they not sending them to Saudi Arabia?

<sup>4</sup> *Karanta* and *Dara* are Mandinka and Wolof respectively and mean an informal religious school in a community.

<sup>5</sup> Celebration of Prophet Muhammad's birthday, also called *Maulud Nabi*.

<sup>6</sup> *The Point*, 9 July 2001.

<sup>7</sup> Proselytising through persuasion and good works.

<sup>8</sup> *The Daily Observer* (Banjul), 29 August 2002.

<sup>9</sup> The pound sterling was thirty-five *Dalasi* in October 2002.

<sup>10</sup> GRTS-TV news bulletin in English, 24 October 2002.

<sup>11</sup> Friday sermons as reported in local newspapers.

<sup>12</sup> *The Independent*, 22 January 2001.



## Introduction

As the anniversaries of 11 September 2001 mount, and the event is increasingly sedimented in our understanding of the contemporary world, one calibration of the significance of meanings of the event is the place of religion in public discussions today. Paradoxically, while talk about religion peaks, one of the most important challenges we face today is to understand religion in necessarily complex ways. In one sense, on 11 September 2001 the world became suffused with the significance of the religious. Religion entered and was invoked in the public space in vastly expanded, yet, I would argue, fundamentally constricted ways.

Orientalism, which has created an opacity around Islam, has, less overtly, complicated the understanding of religion itself. The problem is an intriguing one: when one talks about religion, one is actually talking about Islam. This is because Islam has come to be seen as 'religion', with connotations of irrationality, anti-modernity and regressiveness. As a result, other forms of religion-based action seem to have eluded or disavowed the label. As the name for irrationality, religion seems to suit Islam perfectly. Other forms of religion, however, have not disappeared from this crude radar, not, arguably, because they have a claim to greater rationality, but because the opacity surrounding Islam clouds the term 'religion'. It has thus become at once commonplace, and very difficult, to speak about religion. In some ways, it may be argued that the basis of some of these misunderstandings is that religion itself is misunderstood.

The secular thesis which informs the conventional view of religion in the West assumes religion is most appropriately practised in a private enclave in contemporary life. In public spaces, the practice of religion is seen in very specific and carefully framed occasions. South Africa, for instance, has a hard-earned understanding of the dangers of an official state practice which placed religion in the service of *apartheid* ideology, and, subsequent to 1994, has ensured that in the public arena religion is practised in carefully measured spaces. On public television, for example, religion appears in specified timeslots.

While creating a necessary distinction between state and religion, one implication of such compartmentalisation is that it may privatise discussion of religion and religious exegesis, giving little value to intellectual work in the arena and service of religion, and may remove a crucial level of engagement and debate between social and intellectual forces on the one hand, and religious ones on the other. Effectively, this reduces the scope of discussion, exchange, complexity, contradiction, change and growth. The disengagement of religion from other parts of the social sphere may have unintended effects. Religion not only becomes a mark of otherness, but is itself othered.

Yet religion is not always absent from the public sphere. In fact, despite its repression from public visibility, religion continues to be profoundly present in crafting a sense of the contemporary world. And in one area of contemporary life, religion is often invoked prominently: in the case of crisis and conflict. At an obvious level, it has a significant role in providing an understanding of experiences of transgression and violence.

Religion has provided both the West and the Islamic world with some of its most convincing narratives about conflict, and seems to offer compelling answers to the complex questions of the day. Notions of right and wrong gain a level of clarity and conviction which can be traced, sometimes in surprisingly direct ways, to the force of religion. The contested thesis of Samuel Huntington - that the West and Islam are on a path of clashing civilisations - continues that very old, and very convincing-sounding rhetoric. The narrow formulation of right and wrong is deeply attractive in moments of crisis.

### The presence of others

In this section I consider the notion that the psychic is indisputably political, and that questions of subjectivity play a central role in history. French philosopher Julia Kristeva asserts that the unconscious dynamics by which we are formed into a self *that is not the other* is a profoundly political one. This self that is not the other embeds itself in the discourses, or symbolic order, of political epochs. Change comes about when we engage with this nexus of the unconscious and the social. This claim is particularly provocative when examining the fantasies that underlie visions of the East held in the West. Amit Rai analyses the psychoanalytical dynamics of colonialism, and concludes that the colonial project 'produced the Orient as pure alterity'.<sup>2</sup> Under the structure of relations under colonialism, the East became the Other of the West, simultaneously unknowable *and* also the very grounds of possibility for the Western subject. This structure has lingering implications for the contemporary era.

In the United States, part of the shock of the 11 September events was to realise how little was known about Islam. Islam was thus discovered by the US as a vast unexplored territory, and, since 11 September, has become the site of a hesitant yet overdetermined encounter in a postcolonial era. On the non-commercial National Public Radio, many Arab-American artists have been spending their time simply testifying to the humanity of Arabs and Muslims.

In South Africa it is unusual to find Muslims being placed in this position. The reason is that in South Africa, Islam has a long, complex and *visible* history. In addition, our national preoccupation with racism and division makes the notion of the humanity of Muslims both more explicable and more deeply interwoven into daily experience in significant parts of the country. Consequently, the range of representations of Islam in South Africa is broader, less fragile, and more open to contradiction and innovation. In the mid-1990s, the country had learned the costs of reductive media representations of Islam in dealing with the matter of People against Gangsterism and Drugs (PAGAD). With Pagad, the South African media faced the task of contextualising this group's use of Islamic iconography without resort to the conclusion that it *represented* Islam. The group itself was a creature of the media, partly because it learned the advantages of playing to the stereotypes which drew most attention. These familiar images too it learned from the media.

Visibility in the public sphere is not an uninflected virtue. Simply to call for increased visibility is not a sufficiently reflective or powerful political tool. The *context* in which one becomes visible is crucial. Tracking the profile of Islam makes for a revealing exercise, since Islam

has gained visibility in the West under very specific conditions. The theorist Mahmut Mutman shows that before the oil crisis of the 1970s, Islam rarely appeared in the US media. It was in the context of a 'threat to the American way of life' that Islam and Arabs became more familiar features in the media landscape.

The matter of representation is significant here because it is the way in which religion enters the public space of discussion. How things are represented shapes how they are understood. The persistent narrowing that results from patterns of constricting and reductive representations means that some people's lives seems less valued, their struggles less valid, the complexity of their choices less evident, their variety less imaginable. It is our role as members of a contested public sphere to ensure that religion, crucial to a layered and appropriate understanding of the contemporary world, is not veiled by otherness.

## Gender

In the twenty-first century, it is most interesting to look at representations of women in the Muslim world. The problems of such women have been among the most-ignored topics in an area that otherwise gains heavy attention. Discussions of women's rights under Islam (particularly inflected by attention to the Taliban) have gained vastly more attention since 11 September 2001. From being largely ignored, women in Afghanistan, for instance, were transformed into highly visible subjects. This 'rediscovery' of gender in Afghanistan was accompanied by an unfortunate absence of context, history and women's agency. In fact, gender was highly functional, and women there became a visible symbol of the reasons, and legitimacy, for declaring war on Afghanistan. Women were made part of the vocabulary of crisis. Subsequent to the war, the attention given to gender proved perfunctory, and attention rapidly moved elsewhere. In post-11 September 2001 discourse, women have been made into part of the vocabulary used to tell the 'real' story, which is not about them.

Historically, the image of the veiled Muslim woman has had heavily symbolic meanings in the West: it is 'an icon of the otherness of Islam and is denounced as a symbol of Muslim women's oppression'.<sup>3</sup> Thus, the image signals for the West the *problem* of Islam. However, Helen Watson points to an important ambivalence: 'Outrage at its signal of oppression, or a romanticized view of the veil as part and parcel of the exotic, sensual Otherness of oriental traditions'.<sup>4</sup> Thus, in Orientalist discourse, the veiled woman has also signalled something else. From the sixteenth century, Eastern women have been represented in colonial literature and art as mysterious and knowing, yet, importantly, also convertible and assimilable. Shahnaz Khan points out that:

While much Orientalist discourse focused on the liberation of Muslim women from Islam there was also an aspect of Orientalist/colonialist discourse that pointed to the availability of Muslim women.<sup>5</sup>

The veil drives the desire of the European coloniser to enlighten the Islamic world and deliver its women from oppression. This fantasy requires a certain kind of response from Occidental Man - a galloping certainty and unambiguous manliness, both to rescue the

helpless Oriental woman, and subdue the threat of the Oriental man. Criticism from the American right of George W. Bush's conduct of the war in Afghanistan as 'dainty', despite the use of cluster bombs and 'daisy-cutter' bombs, suggests that this fantasy is present at some level in the envisioning of the current conflict.

What happens to women as a result of such discourses is that we become the material for symbol. Our real struggles, desires and achievements are relegated to metaphor. Dangerously for women in situations of conflict, their actions and their bodies become part of the vocabulary for more powerful sectors to communicate with one another. So, in Algeria and Afghanistan, schools that teach girls are targeted for attack.

The challenge for gender activists and others is to return women to the realm of the real, and out of the exclusive domain of symbol. I argue that sustained and serious analysis of the impact of gendered assumptions that underlie media images can contribute to such change.

## Conclusion

The visibility of the events of 11 September 2001 poses a challenge in itself. After thousands of words and images, the events of that day ask us to imagine a human connection, the literal meaning of sympathy, with the 2,795 people who died in New York City, Washington DC, and Pennsylvania. Their deaths are achingly visible to us. That day also asks us to imagine their deep human connection with other people. Perhaps religion is most profoundly present in inviting human beings to imagine a connectedness with one another.

## Endnotes

<sup>1</sup> This is a condensed version of a much longer article, 'Revelation and Religion: Representations of Gender and Islam in Media, Recalling 11 September 2001 from a South African View'.

<sup>2</sup> Amit Rai (1998) "'Thus Spake the Subaltern ...': Postcolonial Criticism and the Scene of Desire', in Christopher Lane (ed.) *The Psychoanalysis of Race*, pp. 91-119.

<sup>3</sup> Helen Watson (1994) 'Women and the Veil: Personal Responses to Global Process', in Akbar Ahmed and Hastings Donnan (eds) *Islam, Globalization and Postmodernity*, London and New York: Routledge, pp. 141-59.

<sup>4</sup> Watson, *ibid.*, p. 153.

<sup>5</sup> Shahnaz Khan (1998) 'Muslim Women: Negotiations in the Third Space', *Signs: Journal of Women in Culture and Society*, 23, no. 2, pp. 463-94.

## Introduction

Since 11 September 2001, the world, and particularly the United States, seem to have suddenly realised that Muslim fundamentalism, in its extreme form of terrorism, is a real threat. It is only now that the US and many European countries recognise that they have to build strategies across the world to 'fight terrorism'. Many of us cannot help feeling bitter about such a new attitude, for we have fought fundamentalism and terrorism in isolation with our bare hands for a good number of years, while those fundamentalists who committed the most atrocious crimes in our countries were getting support from the same governments that are now dictating to the rest of the world how to 'fight terrorism'. Whatever the real reasons behind such a world policy,<sup>1</sup> we need to understand as women that we have to build our own capacities to promote changes that would deconstruct the repressive patriarchy that is the basis for all fundamentalisms.

For us, religious fundamentalism is a form of terrorism against women. Its manifestations are varied but its purpose is the same everywhere: the control of women and therefore the refusal to recognise them as autonomous human beings and citizens.

This paper discusses the 'strategies' that have been devised by women in Algeria to alert public opinion and the government about the threat of religious fundamentalism, not only to women, but to the whole society.

We need to note here that the term 'strategy' is not always appropriate because often, as will be shown later in this paper, women have had to take emergency action faced with threats from terrorist religious fundamentalists, acting more for *survival* than from a carefully planned *strategy*.

To understand women's responses to religious fundamentalism in Algeria, we need to bear in mind the context in which it developed.

## Historical background

After independence from French colonial occupation in 1962, the Algerian state chose the socialist model of development and was run by a one-party system. Up to 1989 the country was ruled by the National Liberation Front (FLN). It was only after the tragic street riots of October 1988, when hundreds of young people who were protesting against impoverishing social and economic policies, lack of freedom of speech, and corruption, were killed, that the state decided to amend the constitution and allow a multi-party parliamentary system.

It is within this context that, together with other parties, the Islamic Salvation Front (FIS) was created. In the 1991 local elections, the FIS won 54% of the seats: most people who voted for them were showing their rejection of the corrupted FLN. The FIS had promised to fight against injustice and corruption and provide people with jobs and housing. Very quickly they started to bring changes to the boroughs they were in charge of: they imposed the *hijab* (veil) on women employees, they organised separate offices for men and women, they threatened to stop cultural activities which were 'against the principles of Islam'. They ordered people

to get rid of the satellite dishes which allowed them to have access to foreign television channels, perceived by the fundamentalists as a source of evil and depravity. In the societal model they wanted to enforce in Algeria, women clearly were the losers. Abassi Madani and Ali Belhadj, then the two main FIS leaders, were quite explicit. In one of his speeches, Ali Belhadj said he didn't believe in democracy because 'the only source of power is God through the *Qur'an* and not the people'; therefore if people voted against the law of God they had to be killed, since they are not allowed to substitute their own authority for that of God.

When national parliamentary elections took place in December 1991, the FIS won the first round. This came as a real shock to many of us. Such an unexpected result was questioned by many people, particularly the left-wing parties. As the FIS seemed likely to win the majority for the second electoral round, the government decided to cancel the elections, and declared the FIS illegal in 1992. Whether this was the right decision to take or not is an issue for debate. However, what one needs to bear in mind is that the agenda of the FIS was to install an Islamic state and undermine all the vested rights that women had acquired since independence. Subsequently, the FIS went into hiding and waged war not only against all representatives of the Algerian regime, but also against the civilian population.

Since 1992 the armed groups, the Islamic Army of Salvation (AIS), the Armed Islamic Group (GIA), and other appendices of the FIS, have carried out a series of bombings, killings, slaughters, abductions, rapes, village massacres, beheadings etc. Thousands of people have been killed. In the first years of the conflict, armed groups of Muslim fundamentalists targeted people who symbolised the state, like members of the police, the army and the 'gendarmerie'. They then targeted intellectuals, heads of schools, teachers, journalists, artists - all symbols of thought. Later, they started to kill people on a large scale and resorted to urban terrorism. Up to now there are still massacres in villages.

This conflict, that has been going on since the early nineties, cannot be defined outside a social order. It is neither an ethnic nor a religious conflict. The Muslim fundamentalists are fighting for a social order based on theocracy and patriarchy. It is also important to note that it is not a conflict between Muslim fundamentalists and secular forces in civil society, as it has often been described by the media. In fact Muslim fundamentalists have long had influence in decision-making spheres. One only has to recall the national conference on education and reform which took place in 1989: conservatives within the FLN colluded with Islamists to introduce measures against the emancipation of women, for instance more religious education in primary schools; making sports not compulsory for girls; and so on.

Many factors contributed to the rise and development of Muslim fundamentalism.

The one-party state co-opted conservatives, and, later, Muslim fundamentalists, to safeguard their interests and stay in power. Various governments have many times made compromises and sacrificed women's rights and safety to keep peace with the fundamentalists. One of the

most telling examples is the Personal Status Law (Family Code), passed in 1984, which sets the legal basis for inequality between men and women and establishes patriarchal control over women.

Furthermore, severe restrictions on any form of criticism of the government and its policies since independence, and the lack of democracy, have favoured violence rather than dialogue and negotiation to reach consensus. Since the late 1970s and early 1980s, Muslim fundamentalists have used people's discontent to promote their ideas and offer a so-called alternative. Indeed Algerian people were very critical of the corrupt government and its unjust system, and have suffered greatly in the economic crisis that resulted from the IMF-imposed shift from a state-supported to a neo-liberal economy. During the 1970s and 1980s this resulted in further unemployment of young people, and impoverishment of the lower middle class.

With the complicity of the FLN, the educational system in Algeria has always been the preserve of conservatives and fundamentalists. The growth of FIS meant many more of their supporters became teachers, shaping young people's minds to accept very conservative ideas.

The patriarchal system was strengthened by the passing of the Family Law in 1984. For most women's rights activists, the Family Code represents institutional violence. No wonder that, with this sort of sanction from the state, Muslim fundamentalists found it legitimate to control the lives of women and use violence against them if they appeared to be defying *their* social order.

### **Gendered fundamentalist violence**

We need to bear in mind here that violence against women did not start with the terrorism of the early 1990s that followed the cancellation of the elections. Women were targeted by Muslim fundamentalists long before that.

In the early 1980s, when Muslim fundamentalism was already gaining momentum, the first victims of religious and political violence were women. Vociferous Friday sermons at the mosque focused on women and their bodies, describing them as prostitutes if they wore lipstick or 'western clothes'. Young male Muslim fundamentalists attacked female students on university campuses with the tacit approval of the police, who did not intervene to protect women. In some towns, like Blida for example, they organised campaigns to control public space: in buses, for instance, a space was reserved for women, and they were not allowed outside it. At school, little girls were separated from little boys; they were not allowed to sit or play together. Pressure was put on women to wear *hijab*. In Ouargla (a town in the south of Algeria) in June 1989, a group of fundamentalists set fire to the house of a divorced woman who lived alone with her children; her three-year-old son was burnt to death. Women's groups subsequently organised one of the first demonstrations in the streets of Algiers to denounce the crime, but also to warn public opinion and the authorities that this was a clear sign of creeping fascism.

As early as the 1980s, women were warning that although Muslim fundamentalists were targeting them first, this violence would soon reach men too if nothing was done. Yet the secular state did not do anything to protect women. In any case, conservatives and Muslim fundamentalists were sitting together in the National Assembly, and in the early 1980s, one of their debates involved the length of the stick men should be allowed to use to beat their wives. The silence and complicity of the state comforted and even encouraged Muslim fundamentalists in their virulent attacks against women.

Since 1992, thousands of people have been killed, and women were not spared. The first woman to be murdered was Karima Belhadj, who was working as a secretary in the General Office of National Security. There were many cases of women teachers shot dead in their classrooms in front of the children. Some women journalists were killed.<sup>2</sup> Political activists were targeted: Nabila Djahnine, the president of a women's organisation, was killed in the streets of Tizi Ouzou. Women were also targeted because they were hairdressers, owners of Turkish baths, seamstresses - all symbols related to the beauty of women. Muslim fundamentalists also attacked women who lived on their own (i.e. without adult males), whether they were widows, single or divorced. A good number of women were killed because they refused to wear the *hijab*; this was the case of Katia Bengana, a sixteen-year-old girl who was shot dead in the street on her way back from school.

Later the terrorists massacred whole populations in villages and remote areas. The crimes that were committed were just shocking. Women were attacked in their homes, brutally beaten, abducted, raped, taken as temporary wives of the 'emirs', or as slaves. They were shot dead, torn apart when they were pregnant and their fetuses smashed on the walls. These horrors are well documented in *Moi, Nadia, femme d'un émir du GIA* by Baya Gacemi.<sup>3</sup>

The list of atrocities is long and gloomy. The aim behind the description of such manifestations of violence is to show how gender is in fact at the core of the issue of Muslim fundamentalism. Their main objective is to control women through control of their bodies.

When the first woman was murdered, it came as a real shock to us women and to public opinion at large. How could women be targeted?

This hatred and violence were justified by the fact that women represented a subversion of the social order of the Muslim fundamentalists. They were defying a sacred patriarchal order by raising the issues of equality and civil laws.

What were women's responses and strategies to counter fundamentalism?

### **Strategies against fundamentalism**

When fundamentalist terrorists started to sow death everywhere, to threaten women in order to impose their social and religious order, there was not much choice left to women. They needed to be able to survive in an extremely hostile and dangerous environment. Women's 'strategies' against fundamentalism were twofold. On the one hand they had to

find immediate responses, in order to be able to carry on living their everyday lives. On the other hand, many women's rights activists tried to build a long term strategy to counteract fundamentalism.

During the most terrifying period of fundamentalist terrorism, women tried to live their everyday lives as they used to. Even if they were threatened with death if they went to work or if they refused to wear the *hijab*, for example, they resisted these violent pressures; most of them carried on going to work and sending their children to school in spite of the bombings in schools and colleges. Many women continued to go to Turkish baths, to seamstresses or hairdressers; they also celebrated weddings.

While we can consider such an attitude a 'survival reaction', we should also consider it a resistance strategy, since it was challenging the *diktat* of the fundamentalists.

In spite of the flyers and posters threatening women with death if they didn't wear the *hijab*, some women refused to wear it. Others who lived in dangerous areas used stratagems; for instance, they wore what was humorously called *le foulard décapotable* (the convertible scarf), which they could pull into place when it was necessary. In the same way, when teachers and students were asked not to resume school in 1994, many of them still went to college and university, but they would carry their books in plastic bags instead of using satchels and schoolbags. These means of everyday survival were also defying social pressures.

Women's rights activists tried simultaneously to build more planned strategies to counteract fundamentalism. At the national level, they carried on producing a counter-discourse at a time when everybody was just terrorised by the fundamentalists. In a very hostile environment, and in defiance of fundamentalist terrorists, women's groups occupied the streets and organised public meetings and demonstrations against terrorism, carrying photographs of people who had been killed and shouting anti-fundamentalist slogans. These were powerful moments of solidarity which gave courage to women to continue their fight against fundamentalism. Because they were public, they showed women's determination not to yield to fundamentalism.

The first women's public meeting during that period was organised by the Gathering of Algerian Democratic Women (RAFD) in March 1993. To celebrate March 8 (International Women's Day), they organised a mock tribunal against terrorism. They also organised cultural activities: a play about the issue of violence and the Family Code was performed, at a time when there was a lot of pressure to put a ban on cultural activities.

In 1999, the RAFD instituted an annual prize for resistance against fundamentalism, which is symbolically very significant and powerful. This prize, awarded every March on Women's Day, has so far gone posthumously to Katia Bengana, the 16-year old murdered because

she refused to wear *hijab*; to the young women workers of an electronics factory in Sidi Bel Abbes who were the targets of a terrorist attack; to Yemma Zahra, whose son was killed by fundamentalists and who decided to take arms and fight back; amongst others.<sup>4</sup>

Women's groups consolidated their links and organised many events together, which gave more strength to their actions. They continue to document cases of rape, killings, abductions and similar offences, to raise awareness about the dangers of fundamentalism. They used personal contacts in the media, especially newspapers, to inform people and win support for their actions. They also organised signature campaigns to denounce fundamentalist violence.

Such strategies at the national level were reinforced by other strategies at the international level. In the early and mid 1990s, the most important objective for women's rights activists was to change public opinion in the western world. Most foreign media portrayed the Muslim fundamentalists - who had started a war against the Algerian population - as victims, because their likely victory in the 1992 elections had been stolen from them. What was most important for Algerian women was to inform international public opinion about the atrocities committed by Muslim fundamentalists - who were being supported by the American administration as well as by most European governments in the name of democracy. Through personal contacts and networking, women activists participated in round tables, radio and television programmes, TV documentaries, interviews in newspapers (particularly in countries that were harbouring FIS leaders such as the US, the UK, Germany and France) and campaigns. They also wrote about violent crimes committed by fundamentalists in the international media. Women activists spoke out in meetings organised by human rights NGOs and the UN.

A women's rights organisation filed a complaint against one of the main leaders of the FIS, Anouar Haddam, who was seeking political asylum in the US. For that purpose they worked closely with a group of American women lawyers who were very supportive of their action.

Women's groups or feminist leaders, thanks to their links with women's NGOs abroad, often succeeded in getting important media coverage.

Ironically, the fundamentalists had managed to get support from the west because they knew how to use the international media, how to use the language of human rights and how to portray themselves as victims of repression by an undemocratic government. While the women's media campaign contributed towards making people in the west more aware of the danger of fundamentalism (particularly when it started to reach them), at the same time it helped the Algerian government, which was under a lot of criticism because they had stopped the elections in 1992 and because they had decided to fight the armed groups of fundamentalists.

What are the lessons to be learnt? What are the gains and losses for women in their fight against fundamentalism?

Some women would say there was a setback for the women's movement because, during all those years, most women's organisations focused all their energies on the fight against fundamentalist terrorism to save the country from fascism, rather than gender-specific issues. Others think this shift was necessary, and that if they had not done so, women would have found themselves in the same situation as that of Iranian or Sudanese women; in fact one of the women's mottoes in their demonstration was 'No Iran, No Sudan, Algeria is Algerian'.

It seems to us also that fundamentalist terrorism has taught us a political lesson. Interestingly enough, it is fundamentalist violence against women that has helped us reveal and write about a topic that has always been taboo: domestic violence. Now we see the link between the violence of these past few years, and the endemic violence that always existed in society and yet was not being addressed by women's organisations.

Women's groups have developed new strategies today. Some have chosen to focus on the rehabilitation of women survivors of terrorism. They started to network with doctors, psychologists, social workers and lawyers to help women. Some are doing more grassroots work and set up shelters for women (e.g. *Darna* and *SOS Femmes en Détresse*).

Furthermore, there is more action-research on the theme of violence. Many seminars have been organised by women's groups: *SOS Femmes en Détresse* has organised a seminar on rape and violence, RAFD and the *groupe interassociatif* have organised a seminar on violence and the Family Code. RACHDA<sup>5</sup> has organised a workshop on violence against women and shelters for women. Violence against women is documented in various publications such as: the booklet produced by a research group that works with the National Institute of Public Health (INSP), the book produced by *Maghreb Egalité* on violence in the three North African countries, and the recent *Livre Blanc* which contains around seventy testimonies concerning violence against women and children, produced by a network called *Réseau Wassila*.

There is also an effort on the part of women's groups to work more closely together because they have realised how important it is to network if they want to be more effective.

## Conclusion

*Silence means death.  
If you speak out, they will kill you.  
If you keep silent, they will kill you.  
So, speak out and die.*

### Tahar Djaout

Woman journalist, murdered by Muslim fundamentalists in May 1993.

## Endnotes

<sup>1</sup> And we are sceptical about the use of anti-terrorism ideology and accusations to attack all whose rule is disliked by the USA, as in the war against Iraq.

<sup>2</sup> They include Rachida and Houria Hamadi, Yasmina Drissi, Naima Hamouda, Malika Sabour, Yasmina Brikh, Raja Brahimi, Saida Djebaili, Khedidja Dahmani, Naima Illoul, Dalila Drideche, Farida Bouziane and Zoubida Berkane.

<sup>3</sup> Published 1998 by Le Seuil, Paris.

<sup>4</sup> In March 2004 the RAFD prize was awarded to Louiza Ighil Ahrez, a famous veteran of the liberation war against France, who recently spoke up about the rape she endured at the hands of French soldiers; and Louiza Sid Ammi, a young photographer who remained active during the years of terror.

<sup>5</sup> 'Rassemblement Algérien Contre la Hogra et pour la Démocratie'. RACHDA is a women's organisation working for democracy and against 'hogra' (shame).

### Context-setting

Identity politics - the political use of a collective group identity which instrumentalises ethnicity or religion to mobilise some populations and exclude others from access to power and resources - is not new in Nigeria. In the last period of colonial rule, identity politics was institutionalised in the British policies of 'indirect rule' and the 'tri-partite federation', in which each region had a 'majority ethnic group' that was expected to take power at independence on this basis, rather than on the basis of allegiance to party policies which may cut across ethnic identity.<sup>2</sup> Despite some political challenges and counter-efforts, this trend has continued to be reproduced in the post-colonial state.<sup>3</sup> The more sophisticated version of the pre-1999 transition to civilian rule was no longer parties that were openly regionally and ethnically based, but national parties within which contenders vied to deliver the votes of 'their' people - defined on the same ethnic/regional lines. Again, none of the parties made much effort, if any, to define and win public support for policies and proposed governmental programmes.

Nonetheless, despite the long history of identity politics, the period since 2000 has some qualitatively new features - in particular, it is the first time in Nigeria's post-independence history that laws have been enacted specifically on the grounds that they were religious. The features of the immediate context in which this happened include the religious resurgences and growth of both ethnic and religious identity politics which occurred with the obvious failures of independence promises, and a cynical disillusionment with the political arena as corrupt and self-serving. The economic and social exigencies caused by World Bank-type structural adjustment policies have also contributed to the conditions in which the religious and ethnic based right have been found more persuasive than they had been in the past.

Ironically, despite the growth of fundamentalist tendencies, the new religious laws were not the result of pressure from a right-wing religious party or group (see also Sanusi, this publication). The initiative came from the newly elected governor of Zamfara State, who claimed that it was part of his election platform, though apparently he made only one remark at one rally. It was certainly not part of his party's platform, nor does it seem to have been reflected in any of his written campaign materials or major campaign speeches, as reported by a national press that would certainly have found this grist to their mill. Faced with a small and recently created state with little infrastructure, few natural resources, relatively few people with high formal education and little capital (the states created recently did not receive the same large start-up grants as states created previously), Governor Sani had to find some way to make himself popular. He did it by claiming to undertake *shari'atisation*. The governors of eleven other states (most but not all Muslim majority states) either decided to follow suit or were pushed into passing similar acts for fear of being seen as anti-*shari'a*, as well as by demonstrations and threats (including of violence against their families).

### Reactions to *shari'atisation*

As might be expected, condemnations of *shari'atisation* were rife. Christian and other non-Muslim communities (especially those in the north) feared the imposition on them of Muslim religious laws. Human rights NGOs and others were concerned about rights to religious freedoms of non-Muslims, the violation of constitutional provisions of secularity in the state,

and the 'barbaric' nature of some of the punishments enacted. Women's rights activists were concerned that this would be a rationale to discriminate against women and restrict their rights (the first announcement of *shari'atisation* in November 1999 included a restriction on women's movements in public).

Amongst members of Muslim communities, reactions were varied. Ironically, amongst some of those who had consistently stood for the 'Islamisation' of Nigeria, like Ibrahim el-Zakzaky, there was opposition, on the grounds that passing and implementing harsh punishments without a prior transformation of society to more just socio-economic relations wherein the needs of the poor could be met was not Islamic. Some Muslims are, of course, also members of the human rights and women's rights NGO and activist communities, and reacted as described above. Others felt that, as Muslims, they could not simply oppose *shari'atisation*, because, lacking Arabic and years of study of *fiqh* (Islamic jurisprudence), they were inadequately equipped to critique what was happening, even if they were uneasy about it. This feeling was strengthened after the experiences of Lawal Batagarawa and others. Lawal Batagarawa is a much respected Muslim Hausa poet who was prominent in nationalist struggles of the late 1950s in the Northern Elements People's Union (NEPU). NEPU's anti-imperialist, socially egalitarian and social justice stand drew its justification from Muslim discourses as well as from anti-imperialist theory. Batagarawa pointed out the dangers of the political use of religion, reminding people that *shari'a* had been used to oppress the *talakawa* (common people) and nationalist activists during the colonial period. The reactions were so vitriolic and threatening that subsequently advertisement space was taken out in which to iterate his support for *shari'a*.

The dominant discourse was that to criticise - even in the mildest of ways - the *shari'atisation* project, was to be, by definition, anti-*shari'a*, anti-North and anti-Islam. This discourse was maintained both through reiterations in the mass media (electronic and print), and social sanctions, including the threat of and actual violence by vigilantes. Vigilantes sometimes act individually, sometimes as *hizbah* committees claiming the right to monitor and enforce *shari'a*, both as *ad hoc* groups and with overt local state support (especially in Zamfara) or tacit support.

Nonetheless, the new *shari'a* acts did have widespread mass support in Muslim communities in both the north and the southwest of Nigeria. This can be attributed to a number of factors. A strong element was the identification with a religious or regional community<sup>4</sup> that offered some hope, following the general loss of credibility and legitimacy of politics and politicians and the election as president of a 'born-again' Christian from the southwest (President Obasanjo). However, there was also the association of 'Islamic law' with morality, and the belief that strong punishments would result in a decline in both immoral behaviour and the violence which results in public insecurity. It was believed that strong punishments were needed to deal with widespread public acts of violence, armed robbery, inter and intra-community conflict and the lack of effectiveness of the police in ensuring public safety and security. The concern with immorality was not so much around sexuality, but very particularly around corrupt state and government practices - it is, after all, the poor who suffer most

from public embezzlement, 10 per cent-ing and similar corrupt practices, because it is they who most need the infrastructure and services (health, education, potable water, etc.) that are then not delivered. In addition, since the charity tithe (*zakat*) is one of the '5 pillars of Islam', many people had expectations of a serious social welfare programme resulting from *shari'atisation*.

It was also welcomed by some Christians as justifying a move toward 'Christian law' for Christians. Yet other people justified it as a rationale for their own support for increased local state autonomy *vis-à-vis* the federal state - especially in the oil-rich delta region and the south east of Nigeria.

In part, the rhetoric over *shari'atisation* - by both its proponents and its opponents - is overblown. Throughout its colonial and post-colonial history, Nigeria has had multiple and parallel legal systems - all of them administered through and implemented by state legal and judicial institutions - with family and personal status issues most often settled through Muslim or customary law. Thus Nigeria has always had different laws for different communities (by religious faith, by ethnicity). What the new acts did was to foreground the issue of religious laws, pass new criminal legislation creating some new offences (mostly around sexuality, like the *zina* laws and the prohibition of lesbianism)<sup>5</sup> and recognise whipping, stoning, *qisas* and *diyat*<sup>6</sup> as punishments for infractions. In addition, many vigilantes held the passing of the acts to justify the imposition of practices that often have no legal basis at all, such as restrictive dress codes for women, controls on women's movement and use of public transport, and music and dancing at private social ceremonies - including single-sex occasions.

This, then, was the situation in late 1999/early 2000 in which actors had to work to counter the political use of religion. BAOBAB for Women's Human Rights has been in the forefront of that struggle and closely involved with defending the rights of women, men and children - in particular of those convicted under the new *shari'a* criminal legislation acts passed in Nigeria since 2000. In fact, BAOBAB was the first (and for several months the only) NGO with members from the Muslim community who were willing to speak publicly against retrogressive versions of Muslim laws and to work on changing the dominant conservative understanding of the rights of women in enacted *shari'a*. BAOBAB was also the first, and again for some time the only, NGO to actually find the victims and support their appeals. The rest of this paper will focus on the strategies and activities of BAOBAB and its allies in the struggle to counter fundamentalism under the new *shari'a* acts since 1999.

### **BAOBAB for Women's Human Rights**

BAOBAB was established in 1996 with the mandate to defend, promote and develop women's human rights in customary, secular and religious laws. Thus BAOBAB has undertaken research and produced reports on women's rights and laws in Nigeria, including on access to justice, for the Oputa Human Rights Violations Investigation Panel, and (with other non-governmental organizations) on Nigeria's record in fulfilling obligations under the Convention for the Elimination of All Forms of Discrimination Against Women (CEDAW), as well as a series of legal literacy leaflets. BAOBAB draws public attention to women's rights

issues, for example through co-organising with the Civil Resource and Documentation Centre Nigeria's first National Tribunal on Violence Against Women; organising art competitions for young people on building women's human rights cultures; and co-ordinating and participating in both national and international campaigns and networks for gender justice, like the current national Domestic Violence Bill, the international solidarity network Women Living Under Muslim Laws (for which BAOBAB coordinates in Africa and the Middle East), and the International Criminal Court Gender Caucus. BAOBAB runs training workshops for paralegals, and in leadership skills for women and gender awareness in project management and research, amongst others. BAOBAB also supports women and girls to fight or redress rights violations in individual cases, ranging from domestic violence, forced marriage, rape and sexual abuse, to achieving custody and guardianship and maintenance rights for their children.<sup>7</sup> Here, however, I shall be concerned only with the programmes and activities that directly relate to countering the political use of religion to vitiate women's rights.

Even before 1999, a major part of BAOBAB's work had involved de-mystifying religious laws by documenting how historical, political, economic, socio-cultural and gender specificities mark the construction of all laws (customary, secular or religious), and the empirical diversity of Muslim laws historically and contemporarily, within Nigeria and in the Muslim world more generally. BAOBAB members had also participated in work on critiquing gender-bias and reviving and developing understandings of the *Qur'an* that are not misogynistic.<sup>8</sup> These understandings were reflected in BAOBAB's legal literacy activities (workshops, legal leaflet production, paralegal training), thereby providing a basis to oppose fundamentalist claims that *shari'a* is divinely given without human intervention, that it is timeless, or that their version is the only true form of *shari'a*.

Following the passing of the *shari'a* acts, from November 1999 on, BAOBAB continued with these activities, but also added new ones in a multi-pronged strategy. This strategy can be divided into two main areas - those focusing primarily on Muslim communities and within Muslim discourses, and those aimed at bridging community divides and developing mutual solidarity and support through shared understandings and critiques, objectives and strategies.

### **BAOBAB's work within Muslim discourses**

An immediate challenge was to the dominance of the view that it is inherently anti-*shari'a* or un-Islamic to criticise the passing of the new *shari'a* acts and raise questions about the nature of *shari'a* and its relation to the state. This obviously is the view that is preferred by those claiming to speak for *shari'anicisation* in Nigeria, as it immediately invalidates all criticism. It is maintained by ignoring criticisms from those who are not Muslim (as being infidels with no right to comment) and by accusations of being apostate (widely reported in the mass media - especially radio and the Hausa press)<sup>9</sup> for those who do identify as Muslim. These accusations are more than merely abuse, however - apostasy is linked with a death penalty. In the context of vigilantes and the failure of state authorities to maintain security and the rule of law, these accusations are a very real threat, and raise the likelihood of physical attack, if not actual death.

To counter this, BAOBAB works to ensure that countervailing views also enter the public domain. BAOBAB has made public statements criticising the nature of the passing of the *shari'a* acts (lack of open discussion, lack of democratic process, infringement on constitutional and human rights), siting the critique largely within Muslim discourses (such as referring to the verse which says the rule of Muslims is by consultation). BAOBAB has also pointed out the gender and class biases in the laws and their implementation. BAOBAB has also encouraged others to speak publicly, through organising joint statements with other NGOs and initiating a coalition of NGOs for the Protection of Women's Rights in Religious, Customary and Secular Laws (a coalition of over 60 NGOs across Nigeria, including many working in predominantly Muslim areas). BAOBAB's example encouraged other individuals and organisations within Muslim communities to intervene publicly. In addition, BAOBAB reached out to particular individuals and organisations to try to persuade them to engage in an open discussion about their reservations concerning what was being done in the name of Islam - sometimes without initial success, as in the case of the Federation of Muslim Women's Associations of Nigeria. Gradually, more and more Muslims, like Iman<sup>10</sup> and Sanusi Lamido Sanusi, have been willing to make known their reservations and concerns about the gender politics of *shari'atisation*.

The inhibition against speaking up however is not only due to intimidation. Many Muslims feel that they do not know enough to make a valid critique. BAOBAB's project here has been to make more widely available information about the nature of laws (including specifically Muslim laws as historical, context-laden, and changing human constructs), about critiques within Muslim theology of male-biased interpretations (both historical and contemporary), about the struggles of Muslim women for rights from early Muslim history onwards, and about the debate around 're-opening the doors of *ijtihad*'<sup>11</sup> (which permits considering justice, equality, the needs of the community, the principle of lesser evil, and so on, and draws on other discourses - e.g. international human rights covenants - that may throw light on these needs). Making this history, and the existence of these long-held debates, accessible outside the very small group of men who read Arabic, provides the basis for many to feel confident that their concerns are not traitorous to Islam, are shared by many within the Muslim world, and to reclaim a long and varied history of struggle for women's rights within the Muslim world. BAOBAB's work here takes a number of different forms.

In order to challenge the notion of a single (and misogynistic) Islamic law and provide a basis for the critique and reconstruction of particular laws in the *shari'a* acts, BAOBAB has made historical, empirical and *fiqh* knowledge more widely available. From BAOBAB's research and that of others in WLUMML, as well as secondary sources, BAOBAB publishes legal literacy leaflets and academic articles, and is in the process of preparing national analytical work, paralegal training manuals and other training material on women's rights in religious, customary and secular law in Nigeria. In addition, BAOBAB contributed towards the preparation of an international handbook published by WLUMML.<sup>12</sup> These publications are largely for the benefit of the relatively small proportion of people in Nigeria who read in English (with on-going translations of the legal literacy leaflets into Hausa and Yoruba).

However, BAOBAB also uses the national (and occasionally international) media, not only writing newspaper articles, but also giving radio and television interviews, as well as public lectures and talks, to make this information as widely available as possible.

In addition to writing and talks, BAOBAB has been working directly with people to equip them to engage. These training workshops include the paralegal training described above, and a series of legal and rights consciousness workshops run by BAOBAB staff and volunteers across Nigeria on a variety of topics (child marriage, women's rights in marriage, violence against women, women's political and civic rights and responsibilities, etc.). The work of the BAOBAB volunteers in outreach teams in the states affected has been impressive. For instance, despite quite overt surveillance and intimidation from the local state security agents, the voluntary outreach team in Zamfara state, with the support of BAOBAB facilitators and materials, has continued to engage in public education on women's rights and the importance of girl child education. The team feels that this strategy will change the situation so that instead of 'most women seeing the implementation of *shari'a* as meaning that they should keep quiet and accept whatever comes out of the *shari'a* implementation as it is ... it would help women to further develop themselves to the point of asking for their rights'.<sup>13</sup>

Most directly related are the bridge-building workshops (see below for description). The materials that have been most illuminating for participants in these workshops have been the bridge-building background documents and the Great Ancestors slide show. The Muslim background document contains quotations that relate to issues of women's rights from the *Qur'an* and the *hadith*,<sup>14</sup> along with different columns citing progressive and conservative interpretations, laws and practices in different Muslim communities around the world. During the workshops, participants take a topic (e.g. women's custody rights, or witnessing, or right of movement) and discuss the different constructions that have been and can be put on particular verses and the very different consequences they have for women's lives. By doing so, the participants demonstrate to themselves that different Muslim communities have interpreted diversely and emphasised different concerns in constructing Muslim laws and practices. Thus they understand that, while many of these interpretations do not respect the human rights of women, others have done so, indicating that non-recognition of women's rights is not a necessary feature of Muslim laws, and that change and diversity are features of all laws enforced in society rather than the uniform universality claimed by the political religious right.<sup>15</sup>

The performance of the Great Ancestors slide show<sup>16</sup> at training workshops has been effective in breaking down misconceptions about Muslim women's acquiescence in their oppression as women, whether in the name of religion or custom. This is a presentation of some fifty women in the Muslim world, including Africa and Asia as well as the Middle East, dating from 800 AD (i.e. after the very early history of the Mecca/Medina period) to the 1950s. It shows that there is a long history of Muslim women fighting for sexual and reproductive rights, for civil and political rights, and for economic, cultural and social rights, as individual women and for women as a group, as well as for their communities. Further, it reveals that while many used Muslim discourses to fight for rights in Muslim laws,<sup>17</sup> or presented arguments based

on appeals to Qur'anic *surah* and *hadith*, Muslim women have also struggled for rights in defiance of the religious constructions of their times or simply outside them. The effects of this have been to enable women (and men) from Muslim communities to reclaim a history of active struggle for rights in the Muslim world, which helps break down some of the inhibitions to present-day struggle.<sup>18</sup>

BAOBAB also challenges the specific implementation of laws by supporting the appeals of those convicted under the new *shari'a* criminal legislation, which, while gender-neutral in language, has been implemented as distinctly discriminatory to women and the poor. BAOBAB made the choice to pursue the appeals in the *shari'a* system (as opposed to the secular system in the first instance), thereby demonstrating that people have a right to appeal and to challenge injustices, including those perpetrated in the name of Islam. Every appeal in the local *shari'a* courts strengthens this process. Since the first cases - those of Bariya Magazu, where BAOBAB had to convince her family and various opinion-leaders in the village to agree to an appeal, and the Jangedi case, where a man convicted of theft refused to appeal and had his hand amputated - many victims have no longer acquiesced to injustices, but have actively sought help. Furthermore, in both Safiya Husseini Tungar-Tudu's and Amina Lawal's cases, members of their community have spoken about the abuse of *shari'a* and taken action to protect them from local vigilantes. These are actions that would not have happened when BAOBAB first started this work in 1999. At that time, even finding a lawyer from the Muslim community willing to represent the victim was not easy. Winning appeals in the *shari'a* courts, as BAOBAB and others have done, establishes that convictions should not have been made.

In carrying out the activities above, BAOBAB has drawn on and developed international links in the Muslim world to share argumentation (*fiqh*), case law and strategies, as well as to share empirical and analytical knowledge in order to challenge specific restrictions (such as dress code, movement restrictions, pregnancy as evidence for *zina*,<sup>19</sup> etc.). This has been a huge practical support, as well as a means of showing solidarity internationally.

### **Building bridges between communities and using other discourses**

Complementary to the Muslim community/Muslim discourse work that BAOBAB carries out, is the work to build solidarity and common visions for women's rights across different communities, thereby also providing the basis for a common front against all forms of fundamentalisms. In particular, BAOBAB has been holding a series of meetings, to clarify practices, beliefs and laws concerning women's rights, in communities of both Muslims and Christians. These workshops, dubbed the Bridge-Building Meetings, bring together groups of women and men rights activists and opinion leaders from Muslim communities, and, separately, from Christian communities. The groups are selected to include both those for whom religious community is a primary identity marker (for instance, *imams* or nuns), and those for whom it is one of a number of facets of identity. Each group also includes members of diverse groups within the overall community (e.g. Catholics, Anglicans and Pentecostals amongst Christian communities).

The aim of these meetings is to give each group space to examine their own community's practices regarding women's rights, especially where they are ascribed to religious beliefs and laws. In BAOBAB's experience it is counter-productive to begin with a joint group as each group often then feels it necessary to defend its own religious beliefs and practices, thereby missing the opportunity to examine critically the potential for abuse of women's rights in their own communities. The same process used in examination of the history and critique of women's rights in one's own religious community is then applied to other religious communities. Each meeting also incorporates discussions of the political uses of religion (often referred to as 'fundamentalisms' or 'religious extremism and bigotry') worldwide, and such tendencies as they are developing in Nigeria. A second stage of meetings brings together the participants from both Christian and Muslim backgrounds to develop joint understandings and critiques of the political use of religion and religious bigotry - noting the similarities, parallels and threats posed by fundamentalists, whether Christian, Muslim or ethnic. This is part of the process of developing a common broad agenda for promoting women's rights that would be acceptable to people from diverse religious backgrounds. The workshops then work to produce a common vision and agenda for women's rights, and common strategies to combat the political use of religious or ethnic identity.

So far, eight such meetings have been held. They have been extremely successful in clarifying issues of gender rights in religious establishments and practices, the history of the political use of religion in Nigeria and elsewhere, and in building a sense of trust for further work.<sup>20</sup> In addition, they have frequently been able to 'convert' some religious conservative opponents to respect for BAOBAB; others have become actual allies in the work of developing women's rights in all forms of laws.

BAOBAB has also initiated or been instrumental in setting up broad coalitions of NGOs and individuals that can work together from different regions, communities and interest groups in Nigeria. These include the Coalition for the Protection of Women's Rights in Religious, Secular and Customary Laws, already mentioned, which provides a platform where NGOs supporting a particular struggle could both explain the context and reasons for their strategy, and negotiate support and solidarity in specific ways from other NGOs in the coalition. Thus, for instance, while BAOBAB was initiating and supporting Bariya Magazu's appeal, Project Alert<sup>21</sup> and BAOBAB were also together supporting Stella Ekeke's petition for divorce and custody of her children following domestic violence (which blinded her in one eye) in Igbo customary law (in which children have been regarded as the property of the father). In taking these issues together, the Coalition members were educating each other about different forms of identity politics while noting the similarities of their effects for women's lives, thus negating the 'other/outsider/enemy' position that 'fundamentalisms' erect. During this period the Coalition worked on understanding two different contexts and situations, and on developing means whereby it could support the NGOs directly involved, rather than in initiatives that might prove counter-productive or divisory.

Similarly, national coalitions like the NGOs against violence against women, or around CEDAW, help to focus the attention of diverse groups on common issues affecting women, while simultaneously requiring that the different contexts in which these occur be taken into account. Again the links between groups (and the communities with which they work or are from), and the understandings that are promoted by working together on common issues, help prevent the 'othering' on which identity politics depend for successful mobilisation.

At the theoretical-political level, whilst drawing on Muslim (or other religious) discourses, BAOBAB also insists on the right to claim human rights discourses. BAOBAB points out that international human rights law and language are not solely the domain of the West, noting that, for instance, of the twenty-two countries who initiated what became CEDAW, eleven had Muslim communities and seven of the eleven were Muslim majority states. Furthermore, the other eleven were Third World or East European countries. Hence CEDAW should be seen as reflecting their concerns, rather than simple Western imposition. Importantly too, BAOBAB insists that the universality of human rights is a principle and a process through increasing recognition of diverse contexts and inclusion, rather than a given of current international human rights law (see Imam 2003).

### Why these approaches?

Approaches that rely on appeals to secularity and recourse to international human rights covenants have been criticised as being likely to be viewed by Muslim communities as western impositions. On the other hand, approaches that rely on working within religious discourses have often been dismissed as short-sighted because inherently limiting, and therefore both time-wasting and reactionary. BAOBAB has chosen to negotiate a strategy that is neither wholly secular nor completely circumscribed by religious discourses - and which in the process runs the risk of falling between two stools. Why has BAOBAB taken this risk?

There are a number of related reasons for engaging in contestations of religious discourse. First, there is the refusal to allow a few men to reserve, for themselves, the right to define the norms and rights of any community (in this case Muslim). BAOBAB insists on the rights of women as members of the community to participate in defining culture and community (including religious obligations and rights). Secondly, BAOBAB recognises that rights must be regarded by communities as part of their world view, not imposed upon them. Opposing Muslim fundamentalists on the grounds that their views are barbaric and contravene international human rights would simply not be heard by most Muslims, and may in fact make them defensive instead. Opposing them by pointing out their inconsistency, and the actual or potential rights developments within religious and cultural histories and experiences, is more likely to reach people. However, challenge from within religious discourses is not necessarily the 'safe' course in the context of possible physical, social and political danger from vigilantes or the Islamist state - rather more hostility is directed at the 'traitors from within' than at the 'infidels' from without.

On the other hand, rejecting human rights or other discourses is also limiting. Human rights discourse - especially in the arena of women's reproductive and sexual rights - is an international product, and claims based on it can be empowering. However, it is important to recognise diversity, and build supportive approaches to constructing shared platforms amongst different communities.

## Endnotes

- <sup>1</sup> My thanks to Mufuliat Fijabi for her extremely helpful comments on the draft of this paper.
- <sup>2</sup> Jibrin Ibrahim (1991) 'Religion and Political Turbulence in Nigeria', *Journal of Modern African Studies*, Vol 29 (1), pp. 115-36.
- <sup>3</sup> Ayesha M. Imam (1993) 'Politics, Islam and Women in Kano, Northern Nigeria', in Valentine Moghadam (ed.) *Identity Politics and Women: Cultural Reassertions and Feminisms in International Perspective*, Boulder, Colorado: Westview Press, pp. 123-44.
- <sup>4</sup> It should be noted, however, that although the north of Nigeria is often referred to as being Muslim, there are many non-Muslims. At least two states in the north are predominantly Christian, and several others are around 50:50 between Muslims and other religious adherents. The other area where there is a strong Muslim presence is the south west of Nigeria, which is also roughly 50:50 between Muslims and others (mostly Christian).
- <sup>5</sup> So far as I am aware, previous legislation prohibited sodomy (whether male-male or male-female), but not specifically homosexuality. The new *shari'a* criminal legislation also does this. However, it also for the first time adds specific clauses prohibiting lesbianism.
- <sup>6</sup> The payment of fines to the victim or his or her relatives, and the principle of retributive justice (an eye for an eye).
- <sup>7</sup> See [www.baobabwomen.org](http://www.baobabwomen.org) for more information on BAOBAB's mission and activities.
- <sup>8</sup> Both of these - the empirical legal work and the philosophical *fiqh* work - were primarily undertaken through the international solidarity network Women Living Under Muslim Laws, through participation in the Women and Laws and Qur'anic Interpretations Programmes - see [www.wluml.org](http://www.wluml.org) for publications that resulted.
- <sup>9</sup> This includes the western media - for instance, the Voice of America Hausa Service has more than once broadcast personal attacks on Ayesha Imam (first Executive Director of BAOBAB).
- <sup>10</sup> A woman lawyer in Abuja who writes under a *nom-de-plume*.
- <sup>11</sup> Re-establishing interpretative reasoning as a recognized and valid principle of *shari'a*, rather than considering changes as wrong innovations.
- <sup>12</sup> WLUML (2003) *Knowing Our Rights: Women, family, laws and customs in the Muslim world*, WLUML: Pakistan.
- <sup>13</sup> BAOBAB voluntary outreach facilitator in Zamfara State - personal communication via Mufuliat Fijabi, Senior Programme Officer, BAOBAB.
- <sup>14</sup> The *hadith* are accounts of events or situations in the life of Prophet Muhammad. Most scholars view them as second only to the *Qur'an* in defining the contours of Muslim law.
- <sup>15</sup> Similarly the Christian background document looks at scripture, arguments around interpretation and the diverse practices of Christian communities. Thus members of Christian communities also analyse and recognise misogyny in Christian discourses and the necessity to combat the Christian religious right.
- <sup>16</sup> Developed primarily by Farida Shaheed of Shirkat Gah, Pakistan, for WLUML, with contributions from others in WLUML's international solidarity network (including BAOBAB).
- <sup>17</sup> Some of which are unheard of in Nigerian *shari'a* in contemporary times, like the right to negotiate a monogamous marriage and have this upheld by a *shari'a* court.
- <sup>18</sup> Shown in other forums, it has also helped to break down the patronising and condescending attitudes that some Christian and secular activists have towards Muslim women, as eternally passive and downtrodden.
- <sup>19</sup> Extra-marital sexual relations.
- <sup>20</sup> Their reputation is such that BAOBAB has been asked to run similar workshops in other countries in Africa, and has begun doing so.
- <sup>21</sup> A Nigerian NGO that focuses on documenting and combating violence against women.

### **The Palestinian women's movement: new realities, old concerns**

A central feature of Palestinian politics in the nineties, and specifically after the signing of the Oslo agreement in 1993, was that while many Palestinians were enthusiastically debating laws and challenging their newly established government on the basis of equality, they were aware that the framework within which their new reality was constructed was an agreement which deprived them of their fundamental right to self-determination and independence. The Oslo Accords sustained Palestinian inequality with Israel; in fact, by virtue of being signed by Palestinian representatives and approved by the international community, they amounted to a written surrender to the state of Israel. Oslo thus established a new mode in international relations in the globalisation era, based on an acknowledgement of colonial relations by co-opted representatives of the colonised themselves.

Another important feature of Palestine is empirical. Anyone living in Palestine in 1995-99 would have been struck by the passion of its people in discussing every law submitted to the legislative council. A huge number of workshops was devoted solely to debating proposed legislation; there was regular media coverage of debates on law.

Participation in these activities was not restricted to professionals. Nor was it dependent on whether or not the participants knew the mechanism through which laws are formulated, or whether specific laws had direct or indirect effects on their lives. For the first time in their history, Palestinians had the opportunity to pass their own legislation. It was within this context that the Palestinian women's movement appealed for equal rights and equal citizenship for both genders, an exercise embedded in the larger trajectory of a nation still struggling for independence, yet celebrating limited self-rule.

The non-Islamist sections of the Palestinian women's movement engaged in a collective effort to negotiate their rights and articulate a new discourse for their involvement in the social and political spheres. The last two years of the first *Intifada* (1990-91) witnessed a growing emphasis on religio-national identity *vis-à-vis* the colonial occupier,<sup>1</sup> an issue which bluntly - and perhaps fortunately - implicated and confronted the nationalists with the most sensitive subject: the gender question. A clear indication of this development was the women's movement's bold expression of its dissatisfaction with the gendered views and approaches of the nationalists, who have persistently relegated women's interests to the bottom of the agenda, in favour of the national cause and, in the last years of the first *Intifada*, in favour of political compromise with the religious parties.<sup>2</sup>

Issues that are religiously, politically and culturally sensitive started being debated publicly, this critique going hand-in-hand with the movement's redefinition of gender interests and re-establishment and re-articulation of the very legitimacy of women's rights. Women's groups have powerfully brought to the fore the valid claim of equal rights for women on the basis of their equal participation in the struggle for self-determination and independence.<sup>3</sup>

Significant in the movement's politics is the historical moment of its appeal; the 'autonomous' Palestinian women's movement introduced into public debate issues related to equal rights and equal citizenship at a time when the national movement was at its 'lowest ebb'<sup>4</sup> due to international power shifts, regional political changes, local disputes over the Oslo agreement,<sup>5</sup> and the striking failure of the nationalists to 'address complex issues ... such as social rights, pluralism of worldviews, and freedom of speech'.<sup>6</sup> Palestinian women's activists were aware of the nationalist trend around the world to overlook women's contributions once national liberation was won; some women's activists expressed their disappointment with the post-Oslo Palestinian Authority (PA) attitude towards women: in the words of one woman activist, 'We have worked so hard for so long, but we do not see fruits of our work'.<sup>7</sup>

The debate about women's strategies *vis-à-vis* the state has arisen only in the last decade, with the establishment of the PA, which made possible the first meeting between 'Palestinian society and its leadership in exile'.<sup>8</sup> In this period, the Palestinian women's movement was the most active social movement; it brought up the question of equality and claimed its rights from the 'nonsovereign government'.<sup>9</sup> The claims of the Palestinian women's movement not only drew attention to new 'social agents', but also provided a different interpretation of old problems.

A key element in the movement's campaign is its political strategy. When the female participants in the Model Parliament (MP) for Family Law Reform (1997-98) were intimidated and labelled as western by the Islamists, as happened frequently,<sup>10</sup> their 'counterdefense to the Islamists was to ground [their] equality argument in the language of nationalism, state building and democracy'.<sup>11</sup> This political strategy, which links gender equality with the 'deep geopolitical inequalities of the Oslo period, not only reclaims nationalist ground from the Islamists, but opens up the possibility of a new democratic alliance' with the nationalists.<sup>12</sup> The same nationalists who were apologetic *vis-à-vis* the Islamists during the first *Intifada* became supporters of women's rights. It was the social question posed by the Model Parliament, which the nationalists had for a long time failed to advocate, that attracted public attention and nationalist support. A leftist leader commented on the Model Parliament campaign, saying that 'the parliament was like a light and we had to respond'.<sup>13</sup>

This shift in the nationalists' attitude does not signify a transformation in their discourse about women's rights; it is rather due to the political space created by the women's movement, which 'opened up a political debate that had been absent'.<sup>14</sup> The nationalists' support for the women's cause in this specific case confirms the fact that the women's question continues to be a matter of political pragmatism.<sup>15</sup> Nevertheless, it validates the movement's claim that their political concerns are not restricted to family law reform as such; the women's movement is concerned with the question of citizens' rights and political democracy in general.

Despite their different ideologies and heterogeneity, and even with the plurality of their political orientation and class background, a central element has emerged in non-Islamist women's organisations: a shift towards a public interrogation of gender relations in Palestinian society through employing the notion of equality. This process has been paralleled by a

gradual institutionalisation of the women's movement itself through the establishment of women's study centres, increased numbers of grassroots women's organisations focusing on empowerment and awareness raising, the setting up of women's departments within ministries, etc.

In this regard, Ameri<sup>16</sup> observes that there are two viewpoints within the Palestinian women's movement concerning the issue of institutionalisation.<sup>17</sup> One sees this development as a defensive action, which comes from the movement's fear of the Palestinian Authority's power to limit the scope of mass mobilisation, while the second sees it as a move away from the grassroots, which perhaps will weaken the roots of the movement and make it an easy target for the Islamists and the PA. In Egypt, professionalisation and institutionalisation were among the main effects of donors on the women's movement. This led, as Al-Ali observes, to what has been called careerism within the women's movement.

### **Model Parliament: a brief overview**

The Palestinian Model Parliament was a networking project between a number of human rights centres, women's centres, and women's coalitions. It was established in 1997 with the aim of bringing together all parties interested in proposing Palestinian laws and legislation based on equality and human rights.

The Model Parliament began with planning sessions in all regions of the West Bank and Gaza. The activities resulted in the election of 88 members from the West Bank and 120 members from the Gaza Strip. The parliamentary seats were divided equally between men and women. The participants were representatives of political parties, members of the Legislative Council, human rights activists, representatives of women's organisations and grass-roots organisations, as well as some sheikhs.

What was striking was the fact that the MP members worked systematically to examine, debate and challenge the very basis of the family law, namely the issue of frame of reference, a field which fundamentally questions the sources and consequences of any legal reform. Most women's groups view family law reform as a figurative indication of the state's policy towards not only the gender question but also towards what constitutes the identity of the state itself.

In order to provide MP participants with the opportunity to debate women's rights from different perspectives, training courses were conducted on issues related to human rights. These included contemporary readings in religious thought dealing with women's rights and the position of women in Islamic legislation. The training sessions compared the ideas of Muslim thinkers from many different periods and regions. The members of the MP were all conscious of the fact that the issues before them were basically a matter of power relations. Thus, their problem was to find solutions that would help to build a new, more balanced equation that would strengthen the 'progressive' discourse while keeping the realities of Palestinian society in mind.

There were two main approaches to doing this. Some participants argued that the Islamists should be confronted on their own ground and challenged on the basis of new and progressive readings and interpretations of the *Qur'an*. They called for a feminist interpretation of the *Qur'an* as a way to strengthen the feminist discourse.

The second viewpoint came from some 'secular' members in the MP, who said that Islam's position on women's rights in general is ambiguous at best, and that Islam's compatibility with women's rights cannot be resolved easily. They added that the *Qur'an* would have to be read selectively and subjectively to find supportive verses, and thus feminist interpreters would use the same methodology as the dominant religious institutions. Furthermore, the feminist interpreters would have fewer texts to support their perspective, while the 'traditional' Islamic school of thought has at its disposal an arsenal from the mainstream of the Islamic heritage. In addition, they described the women's battle within Islam as a losing one, not only because Islamic texts contain clear ideas of male superiority, but also because the authority of feminist interpreters of Islam would never be greater than that of the male-dominant institutions.

These members also argued that efforts to comb through Islamic texts for evidence of sympathy for women would be unfruitful from the 'liberal' viewpoint. Their strong argument was that women's struggle for their rights should be seen as a political struggle within the power structure of society and that any attempt to obscure this fact would serve the opposition. Therefore the battle should be conducted politically, taking into account the power relations of society and the dominant patriarchal relations in every aspect of life in Palestine and in the Islamic world in general.

A comprehensive evaluation was conducted at the conclusion of the MP's activities. One of the main achievements of the project was its success in reaching thousands of women and men in the West Bank and Gaza Strip. Other achievements included raising the awareness of political parties, especially the leftists, about issues specific to women, and lobbying them for better laws for a Palestinian society based on justice and equality. The MP initiative sparked a debate that had been missing from Palestinian society for a long time. The MP members were able to communicate their objectives to the people despite the counter-campaign. The project succeeded in ensuring the right of women to discuss their situation and the discrimination against them in the current laws. The MP members crossed the limits and taboos set by some Islamists that forbid people from discussing *shari'a*. Finally, in implementing the slogan that the national and social struggle have to be carried out side by side, the MP filled the vacuum left by the democratic movement.

### Longer-term implications

The movement's political strategy is very significant in terms of its relevance to the public/private discussion; it is quite instructive that the women's movement's attempts to enter the monopolised public space with new claims and demands actually opened up the same space to the voices of the 'stronger' political actors. Hammami and Johnson discuss these changes extensively.<sup>18</sup> They argue that the Oslo agreement produced a 'profound crisis of

political visions, language, and direction for the national movement, particularly as it was locked in the Palestinian Authority system of rule'. Thus the Model Parliament provided an exceptional opportunity to the political parties to make their voices heard.

The movement has not only challenged the state on the grounds of women's rights, but also thrown up profound questions about the rights of citizens *vis-à-vis* the state and the right of the whole nation to equality, citizenship, and independence at the international level. In other words, the movement has succeeded in making the links between the women's question and people's rights (men and women) *vis-à-vis* the state, and could link the two with the nation's right to independence and self-determination. Interestingly, this specific strategy of Palestinian women, as Petee<sup>19</sup> has pointed out, emanates from the movement's deliberate approach of locating their arguments within the human rights and democracy paradigm rather than situating the debate around issues related to sexuality. These three linkages made it clear that the Palestinian women's movement has begun to make the transition from the 'chorus' seats<sup>20</sup> to centre stage at the national theatre.

## Endnotes

<sup>1</sup> I have argued elsewhere that in the Palestinian context, the issue of identity is complex and should be understood in an historical framework. Palestinians have suffered many types of oppression and discrimination since the turn of the twentieth century, which have led them to view their past as the true expression of their nationalism. During the first *Intifada* (1987-91), Palestinian women were viewed as the symbolic 'container' of Palestinian identity. The glorification of women's fertility, the recognition of their bodies as the most important part of national resources, and the encouragement to bear more children as part of the national struggle, were explicit expressions in the Palestinian national discourse. A frequent popular slogan continues to be: she has a military womb, and thus she is responsible for producing more fighters. The Islamists, who have gained considerable popularity since the late eighties, have made powerful claims on religious identity; in their discourse, authenticity is viewed as being identical with Islam (see N. Sh'hada (1999) 'Gender and Politics in Palestine, Discourse Analysis of the Palestinian Authority and Islamists', ISS Working Paper no. 307, The Hague: Institute of Social Studies).

<sup>2</sup> The unified leadership of the first *Intifada*, which consisted of all secular and democratic forces, accepted the conservative social agenda of Hamas. The leadership called for national unity over divisive and 'marginal' issues such as the *hijab*, and tacitly supported its enforcement by the Islamists in the Gaza Strip. Thus the political interests of those parties were given higher priority than women's rights.

<sup>3</sup> It is worth noting here that there are no 'Islamist feminists' in Palestine, as they exist in Iran or Egypt. Provocative Islamist women's organisations (which are affiliated to Islamist parties) appeared only in 1997-98, after the Islamist counter-campaign against the strong women's drive for family law reform. Thus the role played by the Islamist sections of the women's movement in the campaign to reform the family law and attain equality for women could be considered in this context as being negative, with such organisations presenting obstacles to reform (see Hammami and Johnson, 1999). Generally, the women's movement in Palestine, as in other parts of the South, has emerged and been articulated from within the nationalist (secular) movement. Badran argues that the feminist discourse in Muslim states has been located through the nationalist, Islamic modernist, and 'more recently democratic and human rights discourse' (Badran 2001, p. 49). It is also important to differentiate between the prevalent Islamic culture in Palestine and the political (or women's) organisations which use Islam as a means for political gain.

<sup>4</sup> R. Abdulhadi (1998) 'The Palestinian Women's Autonomous Movement: Emergence, Dynamics, and Challenges', *Gender and Society* 12(6), pp. 649-73.

<sup>5</sup> For more details, see G. Usher (1995a) 'Bantustanisation or Bi-nationalism? An interview with Azmi Bishara', *Race and Class* (issue on the theme 'Palestine: Diplomacies of Defeat') 37(2), pp. 43-50.

<sup>6</sup> R. Hammami and P. Johnson (1999) 'Equality with a Difference: Gender and Citizenship in Transitional Palestine', *Social Politics*, Fall 1999, pp. 314-43.

<sup>7</sup> A. Ameri (1999) 'Conflict in Peace: Challenges Confronting the Palestinian Women's Movement', in A. Afsaruddin (ed.) *Hermeneutics and Honor: Negotiating Female "Public" Space in Islamic/Ate*, Cambridge: Harvard University Press, pp. 29-54.

<sup>8</sup> Hammami and Johnson, *ibid.*, p. 318.

<sup>9</sup> Hammami and Johnson, *ibid.*

<sup>10</sup> The Islamists were able to launch an extensive counter-campaign, which accused the MP of working against Palestine, Palestinian society, Islamic norms and Islam as a whole. The Islamists not only attacked MP members for their positions on women's rights, they also criticised their 'moral' and 'personal' conduct, describing them as prostitutes (M. Wurmser and Y. Carmon (1998) 'Uncaptive Minds: The Palestinian Women's Movement', *Middle East Insight* XIII(6), MEMRI: <http://www.memri.org/staff/mei.htm1>). The Islamists described the MP as the most serious danger to Palestine, one contributing to the 'Western conspiracy against Islam'. By linking the women's movement with a western conspiracy against Islam in general and Palestinians in particular, the Islamists try to turn the distrust of the West bred by historical experience to their own purposes. Under the provocative heading, 'Severe Upsets Among the Ulama and Muslims in the West Bank and Gaza; Due to MP Draft of Family Law', the *Al-Risala* (Mission) newspaper published an interview with Sheik Hamid Al-Bitawi, president judge of the Court of Appeal. In this interview, Sheik Hamid said: 'There is a conspiracy against Islam and Muslims, and against the current Family Law. The proposed law by the MP claims that there is no need for a bailee [marriage guardian]. This claim is un-Islamic, it is against the Hadith. The Prophet said, "No marriage, unless with bailee".' M. Sabri (1998) 'Severe Upsets Among the Ulama and Muslims in the West Bank and Gaza; An interview with Sheik H. Al-Bitawi', *Al-Risala* daily newspaper, 3 March (44), p. 5. See also Sh'hada, *ibid.*

<sup>11</sup> Hammami and Johnson, *ibid.*, p. 339.

<sup>12</sup> Hammami and Johnson, p. 337.

<sup>13</sup> Zakut, cited in Hammami and Johnson, p. 335.

<sup>14</sup> Hammami and Johnson, p. 338.

<sup>15</sup> The instrumentality of women's issues was best shown when the Egyptian parliament discussed the Family Law Reform Bill (2000); the leftists and the Islamists argued on the same lines, submerging the real substance of the issue into the political game of power and dominance (for more details, see Nadjé Al-Ali (2000) *Secularism, Gender and the State in the Middle East: The Egyptian Women's Movement*, Cambridge: Cambridge University Press, p. 75).

<sup>16</sup> Ameri (1999), *ibid.*

<sup>17</sup> There is a growing debate about the meaning and consequences of institutionalisation of women's movements as social movements. Diani (2000), for instance, believes that one of the main features of a social movement is its loose identity and un-institutionalised actions and activities. He even argues that once an organisational identity becomes overwhelmingly dominant, and thus institutionalised, it dies. M. Diani (2000) 'Networks and Social Movements: from metaphor to theory?', paper for the conference *Social Movements Analysis: The Network Perspective*, Ross Priory, Loch Lomond, 23-25 June 2000.

<sup>18</sup> Hammami and Johnson, *ibid.*, p. 338.

<sup>19</sup> J. Peteet (1999) 'Gender and Sexuality: Belonging to the National and Moral Order', in A. Afsaruddin (ed.) *Hermeneutics and Honor: Negotiating Female "Public" Space in Islamic/Ate*, *ibid.*, pp. 70-88.

<sup>20</sup> Nun (1989), cited in V. Vargas and C. Olea (1999) 'An Agenda of One's Own: The Tribulations of the Peruvian Feminist Movement', in N. Yuval-Davis and P. Werbner (eds) *Women, Citizenship and Difference*, London and New York: Zed Books, pp 246-62.

## Introduction

Over the past several years, women in Malaysia have seen a steady erosion of their freedom and rights in the areas of law and access to justice in the *shari'a* system, social rights in the family, dress, public participation, and socialisation between the sexes. We see increasing segregation of men and women in the public space. In one state there is a separate queue for men and women in the supermarket. Women come under tremendous pressure to conform to the dominant Islamic practice of what constitutes a good Muslim woman, in terms of her role as wife and mother, in terms of dress, conduct and behaviour at home and in public.

At both the social and political levels, the discourse of Islamic groups demands a return to the pristine Islam of the first Muslim community in seventh century Arabia, the establishment of an Islamic state, and implementation of Islamic laws as formulated by the classical jurists of those first centuries of Islam. This is what is dominating the Islamic agenda in Malaysia.

Its dominant influence can be seen in the several new laws, policies and amendments to existing Islamic laws that have been introduced during the 1990s in Malaysia. They reflect an increasing trend towards repression both of women's rights and the fundamental liberties of citizens living in a democratic country. In all these instances, it is women's groups, in particular Sisters in Islam, which have led the way in protesting against efforts to reverse the gains women have enjoyed in Malaysia.

I would like to share the experience of, and the role played by, Sisters in Islam in pushing the boundaries of women's rights within Islam and within the framework of a fast modernising country. Malaysia is democratic, has a constitution that respects fundamental liberties and the equality of persons before the law, is multi-ethnic and multi-religious. At the same time, it is caught up in Islamic revivalism and demands for women to play a more traditional role.

## SIS advocacy work

Our advocacy work takes several forms: as memorandums or letters to the government on law or policy reform; as letters to the editor on current issues to educate the public and build a constituency that will support a more enlightened interpretation of Islam on contentious issues; and public education.

Central to our advocacy work is our research into the interpretation of the *Qur'an*, since that work feeds into our writing and press statements on issues where the conservative religious authority or Islamic movements are pushing for laws and policies that discriminate against women or violate fundamental liberties.

This work is important, first of all because we are believers, and as believers we want to fight for change from within our religion.

Secondly, knowledge that the *Qur'an* supports the universal values of equality, justice and a life of dignity for women, is so empowering and liberating that it gives us the courage and conviction to stand up and argue with those who support discrimination against women in the name of religion.

It is this knowledge that gives us the confidence to tell them that there are alternative views on the subject and that their obscurantist view, which discriminates against women, is not the only view in Islam. Neither is it the view that best serves the interests of a modernising, industrialising, multi-racial and multi-religious society.

In making public our position we hope increasingly to expose Malaysians to alternative informed views on various issues from the Islamic perspective, and expose the fact that the fundamentalist/obscurantist view which discriminates against women is not the only position in Islam.

### **Advocacy through memorandums to the government**

As part of our advocacy work SIS has submitted memorandums and letters to the government on issues such as the appointment of women as judges in *shari'a* courts, the right of Muslim women to equal guardianship, the Domestic Violence Act, reform of the Laws on Polygamy, of the Islamic Family Law as a whole and the administration of justice in the *shari'a* system, and reform of the *shari'a* Criminal Laws.

In these memorandums and letters, we expressed our concerns on provisions in the law or policies that discriminate against women in substance or implementation, or violate fundamental liberties. We offered a justification for why they should be amended, and then provided specific wordings to make clear the changes we wanted to see.

### **Advocacy through letters to the editor**

Our memorandums to the government are often, though not necessarily, accompanied by letters to the editor which we send to major newspapers in the country to educate the public about alternative positions in Islam on a particular issue. Hopefully, through this process, we can help to engender more informed public discussion on the issue, and build a constituency that will support our advocacy for a more enlightened and progressive Islam to take root in Malaysia.

The major newspapers in Malaysia have been very supportive of our work and have given us much valuable space, most of the time without any editing, for our very long letters, some of which run to 4 or 5 pages (with single spacing!).

Another advocacy strategy we use is the writing of joint letters with other women's organisations to demonstrate that the women's movement is speaking with one voice on a particular issue.

One recent letter to the editor we submitted was on the issue of the implementation of *hudud* laws in Terengganu, one of the states in Malaysia. In a long letter, we questioned the rationale of their implementation. We argued that while it is true that human judgement cannot abolish the offences as stated in the *Qur'an*, human judgement can decide whether the conditions for enforcement of the penalty have been satisfied. We took the position that the *hudud* law should not be adopted and enforced in Malaysia for several reasons:

the discriminatory provisions in the act, such as: non-acceptance of women as witnesses; the usage of *al-li'an* (accusing one's wife of *zina*) to dissolve a marriage and deny paternity; obliging a survivor of rape to prove her claim by providing four male witnesses; and using pregnancy as evidence for *zina*;

the conflict between state laws and the federal constitution - in Malaysia the federal constitution provides that only the federal government can enact criminal laws;

the human rights framework - Muslim societies today face the challenge to examine the relationship between our understandings and practice of Islam, on the one hand, and human rights on the other. Muslims must first accept equality for women and not see women as second grade citizens;

the gender framework - for as long as the implementation of *hudud* law discriminates against women, the law cannot be implemented.

### Advocacy through public education

Throughout our years of advocating to the government and the media we found that many women are still not aware of their basic rights. We see the necessity of educating them, to equip them with legal knowledge and assist and support them in their struggle with the religious authorities and the *shari'a* courts.

In February 2002 we successfully negotiated with a leading newspaper to have a weekly column called Legal Literacy. We solicit questions from the public, and submit these questions to our panel of lawyers. On receiving the answers from the lawyers, we edit them to ensure they do not contain anything that could be discriminatory before forwarding them to the editor.

We have received many questions from readers - men and women - pertaining to their rights in distribution of property, matrimonial property, divorce procedures, maintenance for the wife and children, custody of children, and legal procedures in dealing with the religious authorities and *shari'a* courts. However, we found that many women prefer to talk rather than to write their grievances. We were flooded with telephone calls, and had to set aside time for answering them.

Education is the best tool to give to women. Armed with our research, we have started to develop two further advocacy tools - training and publications.

SIS has recently started to train women about their fundamental rights. Using a module that took us a year to formulate, we have begun training students and community leaders. We also train those who have been through our course to become trainers themselves.

Our publications have become an important advocacy tool, assisting us in disseminating information and educating the public on their rights. We have conducted research on those subjects which are traditionally used by the literalists to exert their influence in the public space. These topics include polygamy, women as *shari'a* judges, equality and reproductive rights.

### Public response

There are many who support the work we do, and of course many who don't - in particular the religious authorities and young activists in the vanguard of the Islamist movement in the country. We are now very used to attacks against women's groups like ours that challenge mainstream orthodox views.

There is a thunderous demand to silence any dissent, to silence calls for reform in response to changing times and circumstances, to prevent questioning of the interpretations propagated by religious authorities and the Islamist opposition movements.

In the context of Malaysia, SIS asks: How can a modernising democratic society search for solutions to the multitude of problems facing the *ummah* when that search is conducted in ways that are so exclusive, restrictive and intimidating, and sometimes even life-threatening? The world is far more complex today than it ever was. No one group can have the exclusive monopoly on knowledge. In a modern democratic nation-state, *ijtihad* must therefore be exercised in concert and through democratic engagement with the *ummah*. The experience of those who have traditionally been excluded from the process of interpreting, defining and implementing Islam must be included. The role of women, who constitute half of the *ummah*, must be acknowledged, and included in the process of dialogue, policy making and law making.

If we, as citizens of a democratic country, have the right to participate fully in the economic, social and political development of the country, why is it that when it comes to religion, we must suddenly shut up and be denied the right to participate in matters of religion? We pose this challenge to those in the vanguard of the Islamic movement that wants to turn Malaysia into an Islamic state: Why would Malaysians support the concept of an Islamic state which asserts different rights for Muslim men, Muslim women and non-Muslims and minorities, rather than equal rights for all? Why would those whose equal status and rights are recognised by a democratic system support the creation of such a discriminatory Islamic state? If an Islamic state means an authoritarian theocratic political system committed to enforcing androcentric doctrinal and legal rulings, and silencing or even eliminating those who challenge its authority and its understanding of Islam, then why would those whose fundamental liberties are protected by a democratic state support an Islamic state?

These are real dilemmas that must be dealt with by those who want to create an Islamic state in multi-ethnic and multi-religious democratic societies. If as believers we want to live a life according to the tenets of our faith, a simplistic call to return to an idealised golden age of Islam, that has little bearing on the realities of today's world, cannot be the answer. And yet the answers can be found within our faith - if only we have the intellectual vigour, the moral courage, and the political will to strive for a more enlightened and progressive interpretation of the *Qur'an* in our search for answers. For us in Sisters in Islam, this is not heretical; rather it is imperative, if religion is to be relevant to our lives today.



## Introduction

The history of the Egyptian women's movement is characterised by a variety of competing and sometimes overlapping discourses, including secular-oriented and religious voices. However, during the past decades, both the state and women's activists had to take into account increasing fundamentalist activism, discourses and demands. These days the discursive and political spaces of secular activism are becoming smaller and smaller. But how do secular-oriented women struggling for women's and human rights as well as changing gender relations counter Islamist constituencies and fundamentalist tendencies?

From the outset, I should clarify that I am not using the term 'fundamentalist' synonymously with 'Islamist'. In my view, Islamist movements and political activists comprise a variety of political positions, ranging from radical militant to moderate. Some Islamist groups are exclusionary and fascist, as is characteristic of fundamentalist movements all over the world. However, there are Islamist individuals and groups who pursue their political goals of establishing an Islamic state and implementing the *shari'a* (Islamic law) while considering the rights of religious and ethnic minorities. Some Islamist women also advocate women's rights within the family as well as in the social, economic and political spheres. Although I am suspicious of the term 'Islamist feminism', I do believe that, at least in the Egyptian context, there are Islamist women whose political culture and goals cannot merely be subsumed under the category 'fundamentalist'.

Acknowledging that women's activism in present-day Egypt encompasses a broad range of political and ideological frameworks, in my own research I have specifically focused on secular-oriented activists. By 'secular-oriented', I mean those who advocate a separation between religion and politics, which does not necessarily denote anti-religious or anti-Islamic positions. Furthermore, I suggest that secular women activists do not endorse *shari'a* as the main or sole source of legislation, but refer to civil law and human rights conventions as frames of reference for their struggle. However, this only presents a very general working definition.

It became obvious in the course of my political involvement with the Egyptian women's movement, and also in the context of my research, that Egyptian women, just like women in western societies, are eclectic and selective in their frames of references. Values and politics are shaped through a variety of factors, including family, education, religious frameworks, political ideologies, personal experiences, literature and so forth. What is important to stress is that there exists a broad continuum of secular approaches and religious practices, which, to my mind, challenges simplistic dichotomous notions of secular vs. religious. Also important to mention is the fact that about 10 per cent of Egyptians are Christians, that is particularly Copts. Several of the women I interviewed in Egypt were of Coptic origin. For Coptic women, secularism is often perceived as the only framework that would allow them equal citizenship, both as women and as members of the minority religion.

## Strategies of secular-oriented women activists

All secular-oriented women activists have experienced a whole range of legal, cultural and political restrictions that have seriously affected the way politics can be carried out. The question arises: What are their strategies in legitimising their ideas and activism in an environment where both the state and prevailing social and political movements are hostile to secular thinking? And how do they relate to western feminists who could be potential allies in struggling against fundamentalist constituencies? The short answer is that, unfortunately, many feminists reproduce the very same discourses as fundamentalist and conservative nationalist voices within Egypt. However, a small number of activists dares to challenge the points of reference and parameters of political discourse within the Egyptian national fabric. I am mainly referring to the culturalisation of political issues.

Rather than taking issue with specific political positions or concrete policies, fundamentalist forces tend to dichotomise the world into 'us' vs. 'them'. This dichotomy has become so natural in many parts of the world that it is very difficult to question its grounds. Egypt is a case in point. Many political debates are argued along the lines of 'our authentic culture' as opposed to 'Western culture'. Women activists constantly have to be on the defensive against charges ranging from being 'loose women' to 'aping the West'. The attempt to legitimise and justify their outlooks and activism is at the centre of many debates and can be detected in the various trends of the contemporary movement.

It is therefore not surprising that Egyptian women activists spend as much time asserting their authenticity, their Egyptianness, and sometimes Arabness, as they invest in the struggle for women's rights. My use of the term 'women's activism' rather than 'feminism' is related to the fact that many of the women I interviewed reject the label 'feminist' for pragmatic and ideological reasons. The English term 'feminism' evokes antagonism and animosity, and sometimes even anxiety. A great number of women seem to have internalised the way feminists are portrayed in prevailing Egyptian - but also European and North American - discourses, namely man-hating, aggressive, possibly obsessed with sex, and certainly westernised. The resistance of many Egyptian women to identify themselves with feminism is also related to the fact that feminism is often perceived to be a western concept that tends to distract from larger issues such as imperialism and Zionism.

But maybe more significantly than rejecting the term 'feminism', women activists engage in anti-western rhetoric in order to legitimise their politics and escape the accusations of being traitors. Several women activists I talked to referred to 'western culture' and its attempt to undermine local cultures as posing a threat to Egypt. Mass consumption, disrespect for the family, promiscuity, AIDS and drug addiction are presented as the characteristics of 'western civilization'.<sup>2</sup> Globalisation - understood as the spread of western (i.e. US) consumer goods and values - as well as western imperialism, are key concepts in the discourse of Egyptian women activists. In this context, culture becomes reified and essentialised.

Ironically, social class, which is generally of great concern within Egyptian political culture, becomes obliterated. So do political and cultural differences within the so-called West. In other words, many secular women activists use the same mechanism used by fundamentalists to construct an unbridgeable gap between 'East' and 'West'. It is difficult to assess whether the construction of 'our culture' vs. 'their culture' is more of a strategy than a deeply felt belief. What can be said with certainty is that these discourses seem to be ingrained in people's thinking and worldviews. However, there is also an obvious gap between people's anti-western rhetoric and their everyday lives as consumers.

Repeatedly the encounter with western feminists puts Egyptian women activists in a dilemma. While they might be arguing in the very same vein at home against a particular form of discrimination like Female Genital Mutilation, for example, abroad, in an international forum, when certain western feminists are outraged about 'the barbarism' practised in Egypt, activists often feel offended by their tone and its implicit racism.<sup>3</sup> So it could happen that a woman who is extremely outspoken against Female Genital Mutilation within Egypt, might find herself defending the practice during a confrontation with some western feminists. Most of the time, this is experienced as extremely unsettling and disturbing. For Reem M.,<sup>4</sup> this entails a Catch-22 situation, in which one is torn between arguing despite one's convictions and arguing in a way that confirms negative stereotypes:

I feel that when a western feminist makes a negative statement about my own culture, I should make a positive statement to counter it. Living across two cultures is very difficult. There is the danger of playing up to western expectations. But sometimes it might just appear like it, because you might be really just saying what you feel and believe in. It's a real dilemma. You have to acquire two tongues.<sup>5</sup>

It is obvious here that the verdict of 'betrayal' weighs heavily on any woman who carries the burden of the colonial legacy while struggling against contemporary forms of patriarchal oppression.

Yet some Egyptian women activists say explicitly that the notion of cultural specificity is used as a tool by men to reinforce their power over women. Nadia F., a researcher and activist in her fifties, deeply despises this attitude:

Amazingly they scream here about western theories concerning women's issues, but they have adopted other western theories, like Marxism. Or those concerning political structures. The problem with the Arab world is that we have been eclectic. We take some elements from western theory, which do not clash with our culture, but we disregard elements that clash with traditional beliefs and values, which, of course, are linked to specific political and economic interests. We scream: 'Our values!' when it clashes with power positions, but when it is beneficial to the same group, they adopt it, despite it being western.<sup>6</sup>

Nadia F.'s impassioned critique gives evidence to the fact that traditions are invoked in a politically selective manner: far from representing continuity with the past, traditions are actively constructed by political constituencies. Ideas and values of western thought are borrowed when it seems fit, and ferociously combated and perceived as western values when the struggle for women's rights is on the agenda.

### **Religious belief not antithetical to secular political outlook**

Women activists find themselves in a dilemma: fundamentalist and conservative forces in Egypt accuse them of adopting western agendas at the same time as western organisations and governments are trying to establish an absolute authority over issues related to women's and human rights. Caught in the middle, many activists are cautious and defensive, and therefore fail to challenge the discursive parameters of fundamentalist forces. However, a small, yet increasing number of women rejects this way of arguing and refrains from reproducing a dichotomy of 'us' vs. 'them'. They point to differences not only within their own national and cultural spheres but also with respect to the so-called 'West'. And they point to a long history of creative encounters between western and Muslim thinkers and activists.

It is these women who are also at the forefront of challenging the common notion that being secular equates to being against religion. It should be stressed though that even amongst those women reproducing dichotomous notions of culture, many challenge the fundamentalist rhetoric about secular constituencies. They point to the fact that religious belief and observance are not antithetical to secular political outlooks and activism. The specific content given to secular political activism, as well as the specific strategies used to promote the rights of women, vary significantly. One factor which might account for variations in attitudes and practices among the women I interviewed is age and generational affiliation. Different entry points into the women's movement influence political convictions and the type of activism a woman engages in. Similarly, generational differences may be discerned concerning a woman's specific perspective on secularism.

This was apparent throughout my research, but became particularly noticeable with regard to *Markaz Dirasat Al-Mar'a Al-Gedida* (the New Woman Research Centre), since the membership consists of two generations of activists: those who were part of the student movement in the 1970s and are now in their forties, and the younger activists, in their late twenties and early thirties, who have joined the group in recent years. Overall it appeared that the younger members were more observant of their respective religion than their elder counterparts. In the case of some of the younger members, it became particularly obvious that personal religious observance in and of itself was not a marker of political orientation. Even among the older women of the group, I could detect differences concerning their approach to religion: their positions were far from unanimous. Some of the older members rejected the idea of engaging in the reinterpretation of religion in order to counter conservative male interpretations; others, however, advocated this approach.<sup>7</sup>

Coptic women activists have a particular stake in debates about secularism. Nadia M., one of the oldest activists I interviewed and a self-proclaimed believer, defines her secularism in terms of a divergence from religious dogma articulated by the church. She views her faith as an integral part of her life, but rejects the idea that faith equals official doctrines or rulings by religious authorities: 'Religions as institutions are always trying to close the door on others. I look beyond the confines of parochial religion, accepting humanism, accepting pluralism, basing my decisions on what is good for all'. Nadia M. avoids the subject of discrimination against Copts in her account of secularism, and only hints at the issue of national unity in terms of her value of pluralism. Raga N., on the other hand, is more vehement about the relation between secularism and her Coptic religious affiliation:

Public figures in the Coptic community argue from a political religious context. It is not that I want to assert myself as a Copt, but if the whole society only sees you in this frame, you have two options: either you denounce it, or you say 'yes, so what'. But I never say, 'I am Copt first', I say, 'I am Egyptian'. When suddenly in the 70s a religious identity replaced the national identity, I still made the choice that I am Egyptian first and then a Copt. This is against the general trend though. I still feel that the only salvation of this country is to go back to the 1919 revolution slogan: 'Religion is for God, and the nation for its citizens'. I believe in a secular state where being Egyptian means to be a citizen. In an Islamic state, citizenship is based upon a particular religious denomination. That automatically discriminates against non-Muslims.<sup>8</sup>

Raga N. views herself as part of two minority groups: women and Copts, and feels that second-class citizenship is conferred on both groups. She despises the exclusionary nature and claim to truth of any religion, an aspect she compares to fascism: 'I do not even like the word "tolerance", because it means that you just bear with something. In the religious context, it means to bear the other's belief. It means that these people are really wrong, but you tolerate them. It is a condescending attitude. I do not want tolerance, I want respect!'

Aside from her conviction that only a secular state could grant her equality, justice and respect, she also stresses that her secular orientation is an outcome of a conglomeration of value systems. Her religious upbringing was tied to an exposure to humanist values, mainly through her readings and her conversations with her father. Later on, she developed a socialist orientation, which, as she recalls, was inspired by specific readings, but originated in her profound sense of justice. Raga N., like Nadia M., emphasises the need to recognize the mosaic nature of the backdrop against which values are shaped and decisions made. Religion, in her view, might play more significant roles in other people's lives, but for Raga N. there are other significant frameworks.

Often, like in my own assumptions prior to fieldwork, these other frameworks are presumed to derive from comprehensive world views and doctrines, like socialism, or specific documents, such as international conventions on human rights. Many of the leftist-nationalist activists explained to me that they would still take a Marxist approach in their analyses. However,

most emphasised that they had moved away from earlier certainties concerning the direct relationship between economic exploitation and women's liberation. Their own experiences within the political parties and with their 'progressive' husbands at home changed their outlook to such a degree that today they argue for the necessity of an independent women's struggle.

Other women, who mainly refer to international conventions of human and women's rights, emphasise that they do not believe in cultural specificity with regard to basic human rights in general and women's rights in particular. However, a number of the women I interviewed stressed that their values and concepts were not based on a specific doctrine or on the international declaration of human rights, but emerged out of their various experiences of collective and individual struggle. As Hania K. told me:

Islamists solely use the text and this is their framework. Their judgement of the value system comes through the text. My frame of reference is based on certain abstract concepts, such as egalitarianism, humanism, human rights, pluralism, tolerance etc., which have come from my every-day experiences. Of course, these concepts did not come out of a void, but emerged from different schools of thought. However, I do not uphold a certain ideology, because it would reduce the forms of oppression and the complexity of reality. My values and concepts are as much part of my personal development as they grew out of collective struggle.<sup>9</sup>

The tendency to frame human agency mainly in terms of collective ideologies - whether secular or religious - is problematic as it does not give space to individual improvisation and resistance. The individual level is significant in connection with women's own frames of reference: their relation to religion, but also their concepts and values. Hania K. argues that one has to start building one's own framework based on specific realities: 'The reality I see today is characterized by the existence of different oppressed groups of people: women, Christians, low-income classes. My reality is filled with all kinds of inequalities. Solutions have to be found taking these inequalities into consideration.'

## Conclusion

It becomes obvious that secularism in and of itself does not provide a remedy for these inequalities. Hania K., for example, recalls her own experience with socialism, which, as she thinks today, worked in many ways as a blinker limiting her ability to see other viewpoints and preventing her from considering new concepts. Secularism only provides a very broad umbrella under which a variety of discourses, practices and concepts may be accommodated, some reiterating old truths, others breaking with rigid paradigms. In the Egyptian context, secular women activists are engaged in the difficult task of subverting hegemonic discourses emanating from the state as well as from fundamentalist and conservative nationalist intellectuals. Trying to challenge fundamentalist political actors and thought, many women use a similar discourse, thereby unwittingly reproducing the very same categories initially coined by the colonisers and currently backed by the neo-liberal 'clash of civilization' advocates. Those women who challenge fundamentalists not only with

respect to their conceptualisation of secularism, but also with respect to their reification of 'authentic culture' as opposed to 'western culture', are simultaneously positioned at the margin of prevailing political culture and at the centre of the *avant-garde* which is attempting to challenge existing political structures and discourses.

## Endnotes

<sup>1</sup> This paper is based on a wider study published as Nadje Al-Ali (2000) *Secularism, Gender and the State in the Middle East: The Egyptian Women's Movement*, Cambridge: Cambridge University Press.

<sup>2</sup> Al-Ali, *ibid*, p. 48.

<sup>3</sup> Al-Ali, *ibid*, p. 210.

<sup>4</sup> All names in this paper have been changed.

<sup>5</sup> Al-Ali, *ibid*, p. 210.

<sup>6</sup> Al-Ali, *ibid*, p. 213.

<sup>7</sup> Al-Ali, *ibid*, p. 147.

<sup>8</sup> Al-Ali, *ibid*, p. 145.

<sup>9</sup> Al-Ali, *ibid*, p. 146.



### Tendencies after 5 October 2000

Milosevic used nationalism as a means of maintaining his power. The interests of the nation and fatherland were not only a means, but also a cover up for the criminal character of the former regime, marked with pillage, abductions, murders, death squads. After 5 October 2000, an 'authentic nationalist' came to power - Vojislav Kostunica. Not only did Kostunica fail to make a breach with the policy of war and war crimes of the previous regime, but, during his term in office (October 2000 - February 2003), nationalism was 'normalised', and even proclaimed to be one of the democratic attributes. Kostunica and his numerous followers created a spiritual and cultural climate of a normalised (i.e. anti-communist) nationalism, because one of the major objections against Milosevic was that his nationalism was of a 'communist and atheist' nature.

During that period, in order to achieve as high a degree of legitimacy as possible, 'nationalism without Milosevic' was embellished with a host of approving attributes: positive, democratic, civic, evangelistic, moderate, civilised, authentic, etc.

### What are the main features of such an 'authentic nationalism'?

- Clerical nationalism: as early as December 2000, president Kostunica visited the monastery of Chillandary in his capacity as president of the Federal Republic of Yugoslavia (FRY) - not as a private individual - thus marking yet another episode in the new wave of nationalism, where more and more political leaders are trying to win the favour of the Serbian Orthodox Church (SPC).
- Theocratisation of the state/de-secularisation of society: the political influence of the SPC has been on the rise; this brings into question the basic democratic principle and basis of the modern state - the separation of church and state. Many of the state's moves (e.g. the introduction of religious teachings in schools) are a direct consequence of the theocratisation of the state.
- Introduction of religious teaching in state schools as of the 2001/2 school year: from the formal point of view, this was an illegal move, because the church is separated from the state; from the spiritual and cultural aspect, this is devastating, because the Orthodox religion reproduces the pattern of submission of women, while the models of upbringing that are promulgated by the church draw a distinction between men and women. Besides, religious teachings emphasise ethnic divisions by favouring one church (the SPC) and discriminating against other denominations, especially the less numerous ones. Religious instruction is actually a training course in church rites and tenets, instead of disseminating knowledge about all religions. Apart from this, clerical-fascist organisations like *Obraz* (Face) and *Sveti Justin Filozof* (Saint Justin the Philosopher) hold panel discussions at the state university and - on the pretext of freedom of speech - propagate misogyny.
- Clericalisation of public life: religious rites are practised in state institutions: Milan St. Protic, FRY ambassador to the USA, had the embassy building consecrated, without consulting the competent ministry. Vladeta Jankovic, FRY ambassador to Great Britain, has put up a picture of the patriarch in the reception hall, the customary place for a picture of the head of state. Moreover, these officials represent only one denomination (the Orthodox Christian), thus pushing to the margins and insulting the members of

other denominations who live in this country, as well as the atheists. Nonetheless, the consecration of party premises, state buildings, schools and hospitals has, for a long time now, been regarded as a desirable 'democratic' ritual.

- Strengthening of clerical-fascist tendencies, with the support of one part of the SPC and the Yugoslav Army (VJ), but also of the State Security System (MUP), clerical-fascist organisations such as *Obraz, Krv i cast* (Blood and Honour), as well as numerous para-religious organisations, conduct their activities unimpeded. For example, late in 2002, Women in Black received several messages of an anti-semitic and fascist character, glorifying Hitler, Mladic, Karadzic and similar 'fighters for the purity of the white race and the Serbian nation'.
- The media cede much more space to the above mentioned tendencies than to their opponents; in this way, the media are boosting clerical-fascist and clerical-nationalist tendencies and, instead of diminishing the vilification of the 'others', it is being emphasised - in many communities the majority of citizens still regard the NGO sector as sects.
- The language of hatred and exclusion of others: many Democratic Opposition of Serbia politicians (the most clamorous being Velimir Ilic, whose party, *Nova Demokratija*, was until recently part of the coalition that took power after 5 October 2000) make note of people of a different national or religious affiliation, and attach less social value to them. Instead of deconstructing the language of war, it is being perpetuated.
- Revision of history: characterising as equivalent the World War 2 fascists and anti-fascists - the Chetniks and the Partisans - serves to relativise the crimes that were committed in the name of the entire Serbian nation during the 1991-99 wars.
- Religion is preached as the only form of spiritual culture: this tendency is becoming particularly alarming among the young, who are predominantly victims of various types of frustration and who, with no options before them, fall easy prey to the fanatics within the Orthodox church and para-religious organisations.

## What is fundamentalism?

In order to understand the meaning of the tendencies that have been outlined here, drawing a parallel with Islamic fundamentalism seems to be justified. The analysis published by Women Living Under Muslim Laws (WLUML) will be used for that purpose.<sup>1</sup> WLUML is one of the largest and most powerful anti-fundamentalist networks; Women in Black are members of this network. WLUML opposes not only Islamic fundamentalism, but all other forms of religious fundamentalism. In its analysis of practices that abuse religion and cultural heritage with political aims, WLUML provides an up-to-date definition and valorisation of fundamentalism. Only some of the elements that we consider to be symptomatic of our situation will be mentioned here:

- the fundamentalist movement is an intertwined action of retrograde conservative rightist forces (the so-called shadow fundamentalism) and religious fundamentalist leaders (flagrant fundamentalists);
- it is based on the growing power of conservative forces in the world and their mounting influence on public policy (e.g. attacks against women in many Islamic countries and attacks against abortion clinics in the USA);
- retrograde forces exert a tremendous influence on public policy and public opinion;

- the interdependence and interconnectedness of fundamentalist tendencies: fundamentalism in one country is related to changes in another one;
- fundamentalists allegedly hate one another, but they form strategic alliances and coalitions, both on the international and the national plane: Islamic fundamentalists, Vatican hard-liners, Jewish fundamentalists, and so on, enter planetary strategic alliances against abortion and women's rights. In our country, the most radical currents of the Islamic community and the SPC have been quite convergent as their opposition to sexual and reproductive rights has gained momentum;
- some international non-governmental organisations support and legitimise fundamentalist projects: USAID, for example, is forced to implement the Law on Global Obstruction brought in by the Bush administration as soon as it took office (therefore, USAID is not allowed to fund any organisation or programme that commits itself to abortion as a right). Hidden behind some non-governmental organisations, the Islamic fundamentalist organisations (particularly those from Saudi Arabia) finance one of the most extremist fundamentalist tendencies, *Wahhabism*, in Bosnia-Herzegovina and also in Sandzak.

The fundamentalists' main objective is to gain political power in order to control women's lives. Not only Orthodox fundamentalists, but all the others as well, prefer to conduct their activities in the sphere of intimacy, morals, the family, sexuality and reproductive rights. Over the past two years, one of the spokesmen for the SPC, Ljubivoje Stojanovic, professor at the Department for Pastoral Theology of the Faculty of Theology of the SPC, editor in chief of *Pravoslavlje* (*Orthodoxy*), the publication of the Serbian patriarchate, has appeared relentlessly in all the media, printed and electronic, preaching strictly prescribed roles for women (as mothers and wives), pre-marital sexual abstinence, and denouncing adultery as the greatest sin, the equality of men and women as a manifestation of 'ideological obstruction', and so on.

The representatives of the Islamic community are waging a similar battle: 'The society is increasingly confronting its own impotence to solve the problems of marriage, family, morals, drug abuse, sexually transmitted diseases, sects and other deviations through its secular mechanisms. This is bound to open up space for religion'.<sup>2</sup>

### **Educational summer camps and the Mobile Cultural Container: Thorns in the eye of the guardians of chastity, virtue and morality ...**

Within the framework of the reform of education that is being conducted by the Ministry of Education and Sport, programmes of interactive and participatory methods are being introduced in the form of summer camps. One of these camps was organised in Sremska Mitrovica in the summer of 2002. Unfortunately, some of the teachers, predominantly guardians of conservative morals, who were accompanying the students during their stay in the camp, expressed their 'astonishment at the methods aiming at breaking away from authority' and their bitterness over the 'sexual harassment' that 'our children' were exposed to. What did this 'harassment' consist of? 'Sexual harassment was contained in the fact that, during the game of breaking loose, two boys and a girl stripped their clothes briefly. No one had forced them or talked them into doing that', said Sanja Pejin, director of the camp. But conservative teachers at the camp accused the education authorities of being

'sectarian', and asked that workshops on sexually transmitted diseases be discontinued and that educators from JAZAS (Yugoslav Anti-AIDS Association) be sent away. 133 of the students who were attending the camp in Sremska Mitrovica signed a petition threatening to leave if the JAZAS educators were removed.

These 'shadow fundamentalists' were joined by open fundamentalists from the SPC. After the 'shameless scandals' in the summer camps, the SPC synod made a public announcement on 1 September 2002: 'The modern education and the development of a new consciousness that is taking place in educational workshops is submitting the children to perfidious brainwashing ... We are witnessing, unfortunately, a marriage of post-communist atheism and western capitalist hedonism ... such a monstrous marriage can only foster monsters'. The synod asked the Ministry of Education, but above all, the parents of these children, 'not to allow anyone and on anyone's behalf to pervert the children's innocent souls, and therefore to bury the legendary dignity of the Serbian people [as if there had not been students of other religious and ethnic affiliations in the camp?!] ... And to stop undermining the spiritual and cultural values of their people', and so on and so forth.

For years, workshops and other participatory educational methods have served as crown evidence for fundamentalists of all hues that non-governmental organisations are a sect and part of the anti-Serb conspiracy. This is a permanent tendency, both in the church and in the para-religious, clerical-nationalist organisations. One of these organisations investigates the school syllabus under the rubric 'a mission to recover children's souls', spreading the belief that any psychological workshops and psycho-techniques used in schools are 'a form of manipulation in order to recruit victims of totalitarian and destructive sects'. For this organisation, the proof that this is all a conspiracy against the Serbian people lies in the fact that the author of the programme on non-violent communication for the subject called 'civic education' is of Jewish origin: 'Marshal Rosenberg is not Christian, which seems to be the most important fact'.<sup>3</sup>

An ethnocentric, xenophobic, paranoid and anti-semitic disposition is the chief element of clerical-fascist organisations and this can easily be perceived from their publications and demonstrations. All these organisations, both from the church or the para-religious ones, continually and unanimously demand the introduction of religious teaching in schools as the only way to fight against 'ape-like shamelessness and Satanist immorality',<sup>4</sup> claiming that religious teachings are the only way for parents 'to save their children from atrocious desecration'.<sup>5</sup>

### **The Mobile Cultural Container**

The case of the Mobile Cultural Container in Novi Pazar serves as an example of the practices of Islamic fundamentalists. The Mobile Cultural Container is a European Union project aimed at fostering inter-culturalism and establishing links among the young, especially in multi-ethnic communities. The project consists of acquiring knowledge in various areas: film direction, photography, journalism, creative activities, etc. It usually remains in one place for several weeks. It was installed in Novi Pazar on 12 October 2002, and the problems

began on 15 October, when condoms were being distributed following a panel discussion on AIDS, facilitated by JAZAS educators. MOK (the Muslim Youth Club), which works under the auspices of the Islamic community of Sandzak, denounced this action, and the entire project of the Mobile Cultural Container, as follows: 'The Mobile Cultural Container injects harmful ideologies into the subconscious of the youth in this area, while the distribution of condoms represents the legalisation of debauchery'.<sup>6</sup> They said that the Container was 'contrary to the morals, religious principles and tradition of this people', because 'what Bosnian or Islamic elements can be found there?'. Such programmes and projects, they said, encourage 'lesbianism, homosexuality, drug abuse, sexual promiscuity, pornography'. In their opinion, the workshops taught the young 'disrespect for their parents and repudiation of faith'.

MOK thus demonstrated that it is an instigator of cultural racism. Its president, Midhat Mujovic, said: 'The programmes brought by the Mobile Cultural Container are not for us, but for African tribes'. MOK kept making obstructions all the time, stirring up the young against it, so that some workshops that started with 70 participants ended up with no more than three, after the MOK offensive. MOK also organised the stoning of the Container on 12 November. After that incident, the Mobile Cultural Container was closed down in Novi Pazar. MOK's campaign was successful primarily because the *mufti* of the Islamic community of Sandzak, Muamer Zukorlic, is a declared enemy of the Container. Mufti Zukorlic has long been leading a campaign against those committed to inter-cultural and inter-ethnic solidarity and sexual education. URBAN-IN, an organisation which works with the young in Novi Pazar, has been the target of many attacks by the Islamic community: 'During prayers in several mosques in Novi Pazar, lies are being spread about the activities of our organisation and about the people who work in it. These lies range from the accusation that we are all Jewish and American mercenaries (which means enemies of all the Muslims) to claims that we are narco-dealers, drug-addicts and homosexuals'.

The fundamentalists resort to various strategies and mechanisms in order to disseminate their ideas. URBAN-IN reports: 'Unfortunately, the Sandzak mufti appears with a very tolerant attitude and uses his young well-instructed followers for exerting this type of influence. Besides, a large number of personal followers are involved in these perfidious games because they are privately connected with the private businesses of mufti Zukorlic and the Islamic community. The increasing numbers of Wahhabis, the most militant Islamic sect, are a cause of serious concern. It is through them that the leaflet of the Organisation of Active Islamic Youth (OAIO) from Sarajevo, with pro-fascist contents, was distributed in our town.'

Mufti Zukorlic enjoys the support of the authorities for pragmatic reasons and with the aim of satisfying the need for multi-culturalism according to the models and needs of the worldwide centres of power. According to URBAN-IN, an even greater danger than the fact that organisations like OAIO are lavishly financed by the most aggressive Islamic countries is the 'support that the Sandzak mufti is receiving from the highest representatives from the authorities of the Republic of Serbia and of FR Yugoslavia and from the representatives of important international institutions and diplomatic missions'. Aida Corovic, coordinator of

URBAN-IN, complains of 'the indifferent and restrictive attitude of international organisations and diplomatic missions towards us. I do not have in mind only financial support, but all kinds of public support for our efforts to create a civic society'.<sup>7</sup>

It is worth mentioning that mufti Zukorlic is also rector of the newly founded private university, which is strongly influenced by retrograde Islamic tendencies, and was also a member of the Serbian state delegation in a visit to Arab countries. All these various forms of support make it possible for the mufti, as well as other declared and undeclared fundamentalists, to succeed in expanding the circle of their influence. And, of course, similar tendencies in the Orthodox Church have never been in collision with the tendencies of the Islamic community (and vice versa). This confirms the thesis on strategic alliances.

### **Guardians of chastity, virtue and morality – rapists and paedophiles**

Let us go back to the Serbian Orthodox Church! The crime of paedophilia has often been covered up by silence, but over the past few years, several cases have come to light. One of them troubled Serbia for months. In January 2003, a boy accused Bishop Pahomije of Vranje of sexual harassment. The bishop immediately pressed charges against the local newspaper *Vranjske novine*, claiming they were fabricating 'a sex scandal'. Two more boys appeared with the same accusations of sexual harassment by Bishop Pahomije and filed criminal charges against him. After a three-month investigation, in April 2003 the court in Vranje indicted the bishop for 'debauchery', which does not seem to be a source of concern for the SPC: far from distancing itself from the bishop, it has been showering him with praise. The latest instance of this was in the Easter epistle, in April 2003, i.e. after the bishop had been indicted, when it said support for him was a matter of principle. This is consistent with the SPC's actions during the 1991-99 wars, when the SPC invariably blessed Serbian patriots/warriors/murderers/rapists.

### **Conclusion**

The influence of retrograde para-religious forces from the SPC and other religious communities has not diminished since 5 October 2000. On the contrary, they have been allowed more public space and are being treated - primarily the Serbian Orthodox Church - as equal political collocutors, whose views must be taken into consideration. The church can try to win a monopoly over morals, and to exert influence on public opinion, but the civic authorities (the politicians and the institutions) are accountable for the adoption or rejection of such attempts and tendencies. If the separation of the church from the state is to be fully respected, church teachings must not have a bearing on public policy, on political processes and decision making. SPC and its representatives will continue to hold a monopoly over spiritual life, chastity, virtue and morality as long as the civilian authorities and the civic society in particular allow them to do so. They will continue to influence public affairs as long as they are given space. This space must not be provided for them, not only because they do not deserve it in the least, but because it is incompatible with the secular state and the principle of separation of church and state.

## Endnotes

<sup>1</sup> WLUML document source.

<sup>2</sup> Mufti of the Islamic community in Sandzak, *Danas* newspaper, 7–8 July 2002.

<sup>3</sup> *Blagovesnik Despot Stefan*, one of the countless para-religious organisations that are more than aggressive in their agitation and propaganda, leaflet, April 2003.

<sup>4</sup> Statement by the synod of the SPC, September 2002.

<sup>5</sup> *Blagovesnik Despot Stefan*, April 2003.

<sup>6</sup> *Danas*, 16 October 2002.

<sup>7</sup> *Danas*, 9 October 2002.



### Notes and snapshots

*At the WLUML conference in London in November 2002, Harsh Kapoor, then a co-worker with WLUML in their office in France, presented a set of overheads and notes describing some of the activities of fundamentalist organisations on the world wide web.*

*For this publication, WLUML has updated his research. What follows is an amalgamation of Harsh Kapoor's original presentation and WLUML's update, conducted March to May 2004. The update could have gone on forever, because the internet is so volatile - some sites located in March were no longer available in May, and typing different search-words into Google produced rafts of previously undiscovered sites.*

*This does not, therefore, pretend to be a comprehensive list of fundamentalist websites. But it does, as Harsh said, give a few snapshots of what's out there, accessible to anyone with a modem and a working phone-line. What is unfortunately evident is that the internet is awash with racists and extremists of all hues.*

### The Muslim right (and some of its opponents)

Many of the Islamist websites have gone off air since 9/11. What is surprising, in the present climate, is how many are still available. The beheading of the unfortunate Nicholas Berg in Iraq in May 2004 was shown on the website of Ansar al-Islam: [www.al-ansar.biz/vb/](http://www.al-ansar.biz/vb/); according to the index on [www.islamicfinder.org](http://www.islamicfinder.org), the Ansar website received 4586 hits between 19 December 2003 and 13 May 2004 (though by the latter day - 2 days after Berg's murder was shown - the site was unavailable). There is much conspiracy theorising over the whole Nick Berg episode - was he dead before he was beheaded? Why was he wearing the orange jumpsuit the US prison system uses? Did US agents stage the atrocity to divert attention from the Abu Ghraib torture scandal? Many of the theories can be found on [www.kuro5hia.org](http://www.kuro5hia.org).

Harsh Kapoor's presentation on *transnational Islamist groups and networks* began with the following URL: <http://jihaadulkuffaarin.jeeran.com>. This is no longer available, but putting the search-word 'jihad' into Google produces any number of sites which have in common a powerful sense of victimhood and powerful appeals to readers to stand up against the 'kuffaar/kufr/kaffir' (non-Muslims). These are some of the sites:

#### (i) [www.missionislam.com/mission/index.htm](http://www.missionislam.com/mission/index.htm)

This site has as its mission statement: 'To increase awareness as to the extent of oppression against Muslims throughout the world and the conspiracy that exists to exterminate Muslims and the religion of Islam from the face of the Earth'.

The site's discussion board links to <http://forums.gawaher.com>, where on 28 August 2003, in response to a white racist who'd written in, 'Soldier of Islam' (a woman) writes: 'It is quite funny or more like sad 2 see how dumb the kaffir are. May Allah burn them with no mercy for what they have/and are doing (or shall I say trying 2 do 2 us) in the hell'.

**(ii) <http://alhaqq.jeeran.com/operations.html>**

Argues in favour of martyrdom attacks, and is pro-Taliban, but there is nothing on the site about the US/UK invasion of Iraq, which suggests the site is no longer live (though most of the articles are signed 'Abdul Aziz', and as late as 16 August 2003 'Abdul Aziz' has a contribution on the discussion site at *IslamicAwakening.com*, with a link back to *alhaqq.jeeran.com*).

In an article headlined 'Our Simple Choice', 'Abdul Aziz' says:

It seems that in the near future, there will be three types of Muslims: (1) those who passively accept the world-role which America has given to itself, and who accept America usurping that which rightly belongs to Allah (SWT); (2) those who actively aid the Kufr State of America and its Kufr ways; and (3) those who oppose America and its allies and who thus strive in the way of Allah (SWT) for the creation of an Islamic society, ruled only by Shari'ah, where Muslims are free to follow the example of Muhammad and obey the words of Allah, the Almighty (SWT).

In 'The Tughyan of the Kuffar', 'Abdul Aziz' says:

We Muslims have to accept that Islam ... is not compatible with the following:

1. The Western concept of the sovereign nation;
2. The Western concept of democracy;
3. The Western concepts of law and justice;
4. The division of everyday life, and Institutions, into secular, political and religious;
5. The overlordship of a kuffar organisation like the UN ...

**(iii) <http://www.2600.com/news/mirrors/harkatmujahideen/>**

[www.harkatulmujahideen.org/jihad/o-jihad.htm](http://www.harkatulmujahideen.org/jihad/o-jihad.htm)

which says, under the title, 'Jihad: The forgotten obligation':

What is wrong with the Muslim Ummah today? When the kuffar lay their hands on their daughters the Muslims do not even raise a finger to help them!! ... Muslimeen in these days bring up their children unprepared and unprotected against their enemy, the kuffar. These children don't have the heart to fight back. The consequence is that the kuffar are free to assault the Muslimeen, brutally shed their blood and mercilessly rape the Muslim women ...

(iv) Even a respectable site like that of the Islamic Information and Support Centre of Australia says, in its section on jihad at [http://iisca.org/knowledge/jihad/meaning\\_of\\_jihad.htm](http://iisca.org/knowledge/jihad/meaning_of_jihad.htm), that it has translated a section of relevant teaching by Sheikh Abdullah Azzam 'so that it may be beneficial to the Muslims in general and a final blow to the obstacles in the paths of the youths seeking martyrdom in the way of Allah'. Abdullah Azzam was the teacher of Islamic law who became a powerful figure in organising Arab participation in the Afghan resistance

to Soviet occupation. He also very much influenced the young Osama bin Laden, who described him as 'a man worth a nation'. In a pamphlet called 'Defending Muslim Territory is the Most Important Duty', Azzam said: 'This duty will not end with victory in Afghanistan; jihad will remain an individual obligation until all other lands that were Muslim are returned to us so that Islam will reign again: before us lie Palestine, Bokhara, Lebanon, Chad, Eritrea, Somalia, the Philippines, Burma, Southern Yemen, Tashkent and Andalusia'.

**(v) [www.allaahuakbar.net/jihaad](http://www.allaahuakbar.net/jihaad)**

In contrast to the racism of the sites which characterise all non-Muslims as *kuffar*, [www.allaahuakbar.net/jihaad](http://www.allaahuakbar.net/jihaad) prints an unambiguous denunciation of terrorism: 'Islam strongly opposes kidnapping, terrorism, or hijacking against civilian targets, even at the time of war'. It quotes the opinions of many sheikhs to condemn suicide bombings. One of its articles, by Aboo Khadeejah Abdul-Waahid, from the University of Essex Islamic Society, is called 'In Response to the Devil's Deception of Hizb ut-Tahreer and al-Muhajiroun' (for both these organizations, see below).

**(vi) <http://www.hizb-ut-tahrir.org/english>**

Hizb ut-Tahrir al-Islami (the Islamic Party of Liberation) was established in al-Quds (Jerusalem) in 1953 by Palestinian sheikh an-Nabhani. In an otherwise critical and premonitory article about Hizb ut-Tahrir as a 'threat to US interests in Central Asia', the Heritage Foundation's Ariel Cohen says: 'The genius of an-Nabhani was to marry Orthodox Islamist ideology to Leninist strategy and tactics' ('Hizb ut-Tahrir: An Emerging Threat to US Interests in Central Asia'; 30 May 2003; available at [www.heritage.org/Research/RussiaandEurasia/BG1656.cfm](http://www.heritage.org/Research/RussiaandEurasia/BG1656.cfm)).

Hizb ut-Tahrir organises through a cell structure: no more than 8 people to a cell, with only one person in the cell having links to any other part of the organisation. On its own website, Hizb ut-Tahrir says it 'is a political party that does not use material actions', and (undoubtedly for political and strategic reasons of their own) both the British and US governments have stated they consider the organisation to be non-violent. On its website, Hizb ut-Tahrir says it is involved in 'a struggle against the Kufr colonialist states which have dominance and influence on the Islamic countries ... A struggle against the rulers in the Arab and Muslim countries ... The prisons of Jordan, Syria, Iraq, Egypt, Libya and Tunisia are full of [our] members'. According to Ariel Cohen, Hizb ut-Tahrir has 'over 10,000 members active in Pakistan, Syria, Turkey and Indonesia' and operates clandestinely in forty countries.

However, Hizb ut-Tahrir's 'core membership', according to the Heritage Foundation, is in former Soviet Central Asia - Uzbekistan, Krygystan, Tajikistan. It has been the target of particular repression in Uzbekistan; Uzbek president Islam Karimov is said to have scalded some Hizb ut-Tahrir members to death in 2002 (they sustained many terrible injuries during torture). An interesting article by Alisher Khamidov, dated 21 October 2003, on the informative website [Eurasianet.org](http://Eurasianet.org), says that while Hizb ut-Tahrir has previously been non-violent, the ruthlessness of Uzbek repression is provoking an internal split in the party in Central Asia, with some members advocating the adoption of military methods.

Hizb ut-Tahrir's success as an organisation can be measured by the fact that at least one website is devoted to attacking it. <http://www.htexposed.com> could be a creation of the Saudis, the Uzbek leadership, or indeed the Heritage Foundation. It takes Hizb ut-Tahrir to task firstly for what it says is its position on *hijab*: 'Hizb ut-Tahrir ... do not order their wives to dress Islamically, since they say that men do not have any authority over women until the Khilafah has been established - and of course this is contrary to the laws of Allah'. However, on its own English website, Hizb ut-Tahrir is happy to prove this wrong, with a stern article entitled 'The Islamic Attire for Women is obligatory according to the Shari'a'. [www.htexposed.com](http://www.htexposed.com) is also virulently anti-Shia, and criticises Hizb ut-Tahrir for accepting the Shia as part of the *Ummah* (after the bloody attacks against Shia in Kerbala and Baghdad in March 2004, Hizb ut-Tahrir issued a statement condemning sectarianism and attempts to stoke it up).

[www.paktribune.com/forums/index.php?showtopic=923](http://www.paktribune.com/forums/index.php?showtopic=923) carries a comprehensive list of different Hizb ut-Tahrir websites: for instance, [www.khilafat.org](http://www.khilafat.org) for **Bangladesh**; [www.khilafa.com.pk](http://www.khilafa.com.pk) for **Pakistan**; [www.khilafa.com](http://www.khilafa.com) and [www.khilafah.org](http://www.khilafah.org); and [www.mindspring.eu.com](http://www.mindspring.eu.com), the site for 'Islamist thinkers', with a postal address in London: 'Western democracy takes its final breath' was one of the articles on the site in May 2004.

**(vii) <http://www.as-sahwah.com/discus/messages/6/4943.html?1072574123>**

prints a long message dated 18 April 2003 (nine days after the toppling of the Saddam statue in Baghdad) from someone signing themselves Abu Iyad, Emir of the Mujahideen in Baghdad. It says there are '8000 Mujahideen in Iraq (from Syria, Sudan, Yemen, Algeria, Pakistan, Bangladesh, Malaysia, Albania, Bosnia etc.)', and that some 500,000 members of the Iraqi army have dug themselves in to underground bunkers to resist the American advance. (A December 2003 posting in response says, 'Oh yeah mate? 500,000 people underground? This is all b\*\*\*\*\*'.) In further discussion on *IslamicAwakening.com* about the killing of Iraqi civilians by the Iraqi resistance, very anti-Kurd opinions are expressed.

**(viii) [www.tabligh.com](http://www.tabligh.com)**

is the website of the Tablighi Jamaat (literally, 'a group that propagates the faith'). Harsh Kapoor characterised them in his presentation as 'peddling ritualised Islam across the globe'; they organise huge prayer gatherings internationally, and have bases and schools in Pakistan, Britain and Canada. Tablighi Jamaat were reported in July 2003 to be under investigation by the FBI's 'international terrorism' section. Tablighi Jamaat control mosques and command considerable resources, and are more commonly under attack for espousing 'non-political Islam'. For instance, an article called 'Tablighi Jamaat Exposed', on [www.islamicacademy.org/html/Articles/English](http://www.islamicacademy.org/html/Articles/English), attacks them for having been pawns of the British Raj in India and for not espousing jihad. There is nothing in their programme, says the article, 'which might even slightly inconvenience a kaafir government'. And the website of the Muslim Public Affairs Committee of the UK ([www.mpacuk.org](http://www.mpacuk.org)), whose primary focus appears to be getting out the Muslim vote (see below), also attacks the Tablighi for practising what it calls 'non-political Islam'.

**(ix) [www.jihadonline.com](http://www.jihadonline.com)**

has no postings after December 2003. [www.jihadonline.net](http://www.jihadonline.net) exists as an address but not as a site.

(x) There are a number of sites devoted to monitoring 'jihad' websites. For instance, [www.internet-haganah.us](http://www.internet-haganah.us), based in the USA, announces itself as 'Confronting the Global Jihad Online'. It specialises in naming the people behind the various jihadi websites, publishing their work or home addresses (particularly if they are in the USA) and taking measures to block the websites. It appears to be the work of one person, Aaron Weisburd. The site links to the Israeli Center for Special Studies ('in memory of the fallen of the Israeli Intelligence Community') and the Friends of the Israeli Defence Forces. On 23 May 2004, four days after the Israeli army had fired one or several tank shells into unarmed demonstrators in Rafah, the site carried the distasteful image of an Israeli soldier cleaning his automatic weapon, with bullets prominently in the foreground, and the caption 'A workman is only as good as his tool ...'.

**(xi) [www.antijihad.cjb.net](http://www.antijihad.cjb.net)**

is an explicitly racist (and illiterate) site, even though it claims to 'fight Islamism, not Muslims'. The contact from this address is [Israeli\\_guy@hotmail.co.il](mailto:Israeli_guy@hotmail.co.il). The formal site, at [www.geocities.com/antijihad/home.html](http://www.geocities.com/antijihad/home.html), boasts that it has founded a growing 'kafir unity' movement. A post on the discussion site on 27 March 2004 rejoices at the death of Turks in an earthquake, because it happened in the Armenian region and the people who died were therefore 'illicit Turkish occupiers'. [www.littlegreenfootballs.com](http://www.littlegreenfootballs.com), a weblog, is another site with an alarmist discussion board; on 30 March 2004, for instance, 'Donna' was much exercised that 'if you look at a map of London, you'll find that the neighbourhoods of Golders Green, St Johns Wood and Hendon, where the Jewish population of London is concentrated, are located in North London right next to Finsbury Park. It alarms me that the London Jews live in such close proximity to such anti-Jewish nutcases ['Sheikh' Abu Hamza, currently preaching on the pavement outside the Finsbury Park mosque]'.

(xii) [www.jihadwatch.org](http://www.jihadwatch.org) is run by someone called Robert Spencer, who also uses the site to promote his book, 'Islam Unveiled'. Jihad Watch sponsors Dhimmi Watch, whose statement of intent says: 'The dhimmi attitude of chastened subservience has entered into Western academic study of Islam, and from there into journalism, textbooks and the popular discourse'. This site has many links, including to [www.rightwingnews.com](http://www.rightwingnews.com), an apparently jokey site that's deadly serious in support of George W. and the neo-conservative agenda; and [www.fathfreedom.org](http://www.fathfreedom.org), an interesting website which says it represents 'the Movement of ex-Muslim secularists and humanists to lead Muslims out of faith of hate and into the fold of humanity'.

## Islamist sites by country

### Afghanistan

TalibanOnline was hosted for a time on [www.muslimthai.com/talibanonline/text/taliban](http://www.muslimthai.com/talibanonline/text/taliban). Though Internet-Haganah reported it available on 1 March 2004, it certainly wasn't available by the end of March.

At the site for the Hezb e Islami, [www.hezb-e-islami.org](http://www.hezb-e-islami.org), a message says the address is for sale -- minimum \$800.

### Algeria

Neither of the original sites for the Islamic Salvation Front (FIS) seems to be available: neither [www.fisalgeria.org](http://www.fisalgeria.org) nor [www.ccfis.org](http://www.ccfis.org). But unexpectedly, on a page for a website that specialises in Arab-German business and consulting links, you are given an opportunity to make contact with FIS; the address of this page is [www.arab.de/cgi-bin/arab/recoadd.cgi?ID=792](http://www.arab.de/cgi-bin/arab/recoadd.cgi?ID=792).

There are many websites with comment about the Islamic Armed Group (GIA), but no sign of a website of their own. For instance, on <http://www.eurolegal.org/terror/terror3.htm> an organisation called Eurolegal publishes interesting and up-to-date information about the GIA. (Eurolegal describe themselves as committed 'to the principles of liberalism and multilateralism, to the rule of law and the values of the European Convention on Human Rights'. Their home-page carries, in the aftermath of the 11 March 2004 bombings in Madrid, a big advertisement that says: 'Coming Soon to a European Venue Near You ... Another Sketch in the Millennium World Series ... Bush Crusaders -v- Bin Laden Jihadis'.)

An edition of the *Review of African Political Economy* published in March 2000 (Vol. 27, No. 1) has a very helpful review of websites relating to the Maghreb, with an important section on Algeria: [www.roape.org/www\\_maghreb.html](http://www.roape.org/www_maghreb.html).

### Bangladesh

The Jamaat-e-Islami are on [www.jamaat-e-islami.org](http://www.jamaat-e-islami.org), calling for 'an Islamic transformation of society' (see Sara Hossain's article, ' "Apostates", Ahmadis and Advocates: Use and Abuse of Offences Against Religion in Bangladesh').

Hakat-ul-Jihad-i-Islami, the parent organisation of Jaish e Mohammed in Pakistan, are also active in Bangladesh: [www.icps.org](http://www.icps.org) (website of the Institute of Peace and Conflict Studies) has a useful description of their activities. A report carried on [www.hrwf.net](http://www.hrwf.net) (website of the Brussels-based Human Rights Without Frontiers) says: '64,000 madrassas have been established in Bangladesh in recent years, most funded by Islamic charity groups in Saudi Arabia and the Arab peninsula'.

[www.sacw.net](http://www.sacw.net), website of the South Asia Citizens Web, carries the statement by Bangladesh human rights organisation Ain o Salish Kendra of December 2003 on Ahmadiyya persecution (ASK themselves are on [www.askbd.org](http://www.askbd.org)), and World Wide Religious News on [www.wwrn.org](http://www.wwrn.org) appears to be both non-sectarian and up-to-date.

## Egypt

The Muslim Brotherhood site is based in the UK, [www.ummah.org.uk/ikhwan](http://www.ummah.org.uk/ikhwan), and carries a huge disclaimer: 'This page has no political purpose of any kind and no connection whatsoever to any organisation or institution'.

## Indonesia

[www.geocities.com/salafyoononline](http://www.geocities.com/salafyoononline) is not available in English. Laskar Jihad, the paramilitary organisation rising out of the Sunni Communication Forum, FKAWJ (possibly with the support of elements in the Indonesian military) is no longer available on its own site, [www.laskarjihad.or.id](http://www.laskarjihad.or.id), but can be reached via [www.geocities.com/kesui2001/jahad\\_evil.htm](http://www.geocities.com/kesui2001/jahad_evil.htm), which greets you, 'You are visiting official site of Laskar Jihad'.

## Lebanon

The English website for Hizbollah is on [www.hizbollah.org/english](http://www.hizbollah.org/english). The site is incredibly slow, and does not appear to have been redesigned since the Israelis withdrew their occupation of south Lebanon. Hizbollah has MPs in the Lebanese parliament and says on its home-page, 'Hizbollah does not wish to implement Islam forcibly but in a peaceful and political manner, that gives the chance to the majority to either accept or refuse. If Islam becomes the choice of the majority, only then will it be implemented'.

Sayed Fadlullah, the spiritual head of Hizbollah, has a separate website at [www.bayyinat.org/www/english](http://www.bayyinat.org/www/english), with up-to-date comment, for instance a press release from 30 March 2004 deploring the decision by Arab heads of government to postpone the Arab summit. Fadlullah says: 'The Arab peoples should take to the streets and follow the model of the Spaniards and the French. Staying silent in the face of all these catastrophes means that we are facing death and advancing towards the darkness of the unknown'.

In the 'Women and Family' section of the site, Fadlullah, responding to questions, says 'any person, male or female, has the legal right to get married to whom he/she sees his/her life with', and says that 'in principle' women are 'not prohibited' from working in the theatre or films.

[www.moqawama.tv/page2/main.htm](http://www.moqawama.tv/page2/main.htm), the website of the Islamic Resistance Support Association, carries an article about the March 2004 murder of Sheikh Ahmed Yassin in Gaza, but otherwise doesn't seem particularly up to date.

## Malaysia

The Islamic party PAS (roundly defeated in the March 2004 general elections) has its own website at [www.parti-pas.org](http://www.parti-pas.org).

## Pakistan

The website of the Jamaat i Islami Pakistan is on [www.jamaat.org](http://www.jamaat.org). The website of the Islami Jamiat Talibat Pakistan, [www.jamiattalibat.org](http://www.jamiattalibat.org), expresses the Jamiat's concern with 'girl students' and its desire to 'arrest the growing tendency towards neglecting of the veil'.

Lashkar e Toiba ('the army of the pure') and Jaish e Muhammad (both described in the *Kashmir Herald* - which may not be neutral - in February 2002 as 'major instruments of Pakistani state policy') were banned by the Pakistan government in November 2003. Jaish e Muhammad renamed themselves Khuddam ul Islam (no website found), and Lashkar e Toiba, Jamaat-ul-Dawa. [www.satp.org](http://www.satp.org), the website of the South Asia Intelligence Review ('SATP' stands for 'South Asia Terrorism Portal'), carries up-to-date information about these organisations.

Sipah i Sahiba - described by the *Kashmir Herald* as 'a sectarian Sunni gang' (with, says *The Tribune* in March 2003, 'a record of countless pogroms against Shias') - has become the Millat-e-Islamia Pakistan. No website found, but a reference to them in a discussion board on [www.balochistan.org](http://www.balochistan.org), where 'Waleed K. Baluchi' in California sends greetings to 'all my baluch brother (sic) and to tableeghee jamaat and sepahay sahabe, millat e islamia pakistan ... '.

Jamia Binoria Pakistan, an anti-Ahmadi organisation based in Karachi, has a site at [www.binoria.org](http://www.binoria.org). Other anti-Ahmadi sites are based elsewhere: [www.irshad.org/idara](http://www.irshad.org/idara) is based in the USA, and <http://alhafeez.org/rashid> - 'home page of the Anti-Ahmadiyya Movement in Islam' - is run by Dr Sayed Rashid Ali from the United Arab Emirates.

## Palestine

[www.hamasonline.com](http://www.hamasonline.com) is a very up-to-date site with a live link to [www.ezzedeen.net](http://www.ezzedeen.net), the site of the Al Qassam Brigades, where you can view a 'Qassam Martyrdom Flash Animation' of the final statements of volunteers who've died in martyrdom operations.

The website of the Islamic Association of Palestine, [www.iap.org](http://www.iap.org), is not jihadist, and is a good site for up-to-date news.

## Senegal

<http://news.stcom.net> calls itself 'La Voix des Opprimés' (The Voice of the Oppressed), and expresses support for Moqtada al Sadr, the Shia militia leader in Iraq; Ansar al-Islam in Iraq; and Bin Laden. The editors also say they believe Bin Laden died in December 2001, and that Saddam Hussein was captured by the USA and smuggled out of Iraq in April or May 2003 (months before his capture was shown on television).

## South Africa

The website for People Against Gangsterism and Drugs (PAGAD) doesn't appear to have been revised since 19 March 2000: [www.pagad.co.za](http://www.pagad.co.za).

Recent visits to South Africa by WLUML researchers suggest many more women are wearing *hijab* and there are new mosques in African townships. How much of this activity is reflected on the web requires further investigation.

## Sweden

Stockholm is the base for the rabid [www.radioislam.org](http://www.radioislam.org), run by Moroccan exile Ahmed Rami (he is said to have made an attempt on the life of the King of Morocco in the 1970s and sought refuge in Sweden). Rami's website is virulently anti-Jewish, publishing the Tsarist forgery, 'The Protocols of the Elders of Zion', articles like 'How the Jews dominate the world', 'USA's Rulers: They are all Jews!' and 'Judaism's War with Islam and the Muslims and Islam's Resistance', and work by Roger Garaudy (amongst other Holocaust-deniers).

## United Kingdom

[www.muhamajiroun.com](http://www.muhamajiroun.com), 'The Voice, the Eyes and the Ears of the Muslims', is run by Sheikh Omar Bakri Mohammad ([www.obm.clara.net](http://www.obm.clara.net) - though this had become unavailable by May 2004). 'The vision of al-Muhajiroun ... is the world-wide domination of Islaam as an ideology' (stated over a picture of the front door at 10 Downing Street, the residence of the British prime minister!).

Al-Muhajiroun's press statement on the site on 30 March 2004, immediately after the dawn arrest of eight British citizens (said by the press to be al-Muhajiroun supporters) and the confiscation of a large quantity of potentially explosive material, indicates the sort of psychological war being fought on these websites:

The most responsible action the Blair regime could take right now would be to take a lesson from Madrid and completely withdraw their forces from Iraq. Raiding hundreds of Muslim homes ... will just fuel anger in an already intimidated and oppressed Muslim community and lead to widespread civil unrest if and when London is targeted by the Mujahideen.

On 11 May 2004, after the pictures from Abu Ghraib prison had begun to appear in the press, [www.muhamajiroun.com](http://www.muhamajiroun.com) carried a press statement entitled 'Bush's Whores Practise Their Freedom'.

Harsh Kapoor said in his presentation that Islamic Revival, on [www.islamicrevival.has.it](http://www.islamicrevival.has.it), has links with al-Muhajiroun; their home-page carries the banner 'Khilafah [restoration of the Islamic Caliphate]: the Mother of All Obligations'. However, another website on the revival theme, <http://the.revival.proboards8.com>, which announces itself as 'The Voice of Muslim Youth', carries a discussion on the subject 'Should Omar Bakri and Abu Hamza [reputedly a former nightclub bouncer now active as an Islamist preacher in north London] be kicked out of the United Kingdom?'. Contributors to this discussion were overwhelmingly hostile to Omar Bakri and Abu Hamza.

[www.mpacuk.org](http://www.mpacuk.org) is the website for the Muslim Public Affairs Committee of the UK, whose primary interest is electoral politics but which uses the language of Islamic revivalism. For instance, in its comment on the fact that in September 2003, voters in London constituency Brent East overturned the Labour Party's 10,000 majority in favour of the Liberal Democrats, MPAC says Robert Evans, the Labour candidate, was vice-chair of the 'anti-Muslim, BJP-supporting Indian lobby', and goes on:

MPAC made history in the UK, as the first ever candidate was defeated by a Muslim Bloc vote. The Ummah had taken up a political jihad and delivered a bloody nose to the Government that attacked Iraq ... Allah has granted us this victory ... We would like to remind Muslims that the Mosques in the area still did not lift a finger to help. The next battle must surely change this.

MPAC appeals to Muslim voters to come out in the June 2004 elections to the European parliament, since the Far Right is organising vigorously, and the site links to Chomsky, Amnesty International, the Green Party, as well as to Palestinian Islamist charity Interpal.

## USA

Apart from hosting many of the websites mentioned above and below, the USA is also the home of the Nation of Islam, presently run by Louis Farrakhan: [www.noi.org](http://www.noi.org). In March 2004 the website concerned itself predominantly with what Farrakhan calls 'the sickness' of America - white supremacist thinking - and the failure of black Americans to follow the example of Jews and say 'never again' to the 'holocaust' of the slave trade (a mixed sort of message, since 'never again' in Israeli terms legitimizes a great deal of brutality against the Palestinians).

Progressive Muslim views are articulated on [www.altmuslim.com](http://www.altmuslim.com) - 'Cleared by airport security', it says on the banner. This site espouses *ijihad* - the process of intellectual inquiry and freedom in Islam; is sympathetic to the Ahmadis; discusses HIV/Aids as an issue; and so on.

## The Christian right in the USA

(i) [www.cc.org](http://www.cc.org) is the website of the Christian Coalition of America (see Elfriede Harth's article, 'America's Mission of Saving the World from Satan: Christian Fundamentalism in the USA'). As Harth indicates, the Christian Coalition is very focussed on electoral politics and the voting intentions of specific members of the US Congress. 'America's Leading Grassroots Organisation Defending Our Godly Heritage' - 'Let's Take America Back' says the homepage - publishes an easily downloadable 'Voter 2004 Guide and Congressional Scorecard', and the site directs you to specific 'Action Alerts' regarding particular members of Congress. Headlines on the site in March 2004 proclaimed hostility to Israel being brought to the World Court over the construction of the separation wall, and support for anti-abortion legislation.

(ii) The old Pat Buchanan site, [www.buchanan.org](http://www.buchanan.org), is now an archive of the 2000 presidential campaign. The new site - 'God-Family-Republic' - is at [InteractBrigade.com](http://InteractBrigade.com), and it's supporting someone called Michael Peroutka for president.

(iii) [www.godhatesfags.com](http://www.godhatesfags.com) is the website of 74-year old Fred Phelps, a virulently anti-gay Baptist minister. 'Sodomy is an Abominable Sin, Worthy of Death', says Phelps, who publishes a constantly updated schedule of pickets (for instance, against the New Paltz municipality, which as of March 2004 was still performing gay marriages, in spite of almost daily demonstrations by Phelps and his fellow Christians).

(iv) [www.family.org](http://www.family.org) appears to be the relatively blameless site of the Family Research Council until you stumble on an article defending creationism, 'Why is Evolution Believed?'

(v) <http://home.Christianity.com> (featured 'hot topic': The Role of the Wife). This site links to [www.foi.org](http://www.foi.org), The Friends of Israel Gospel Ministry, Inc. For some hundreds of dollars FOI will take you to Israel: 'The Bible alone provides accurate information about the course and destiny of this planet. With our Bibles in hand, we will see with our own eyes how prophecy is being lived out in Israel today' (see Nira Yuval-Davis' discussion of this phenomenon in her paper, 'Jewish Fundamentalisms and Women').

(vi) [www.holywar.org](http://www.holywar.org) really belongs in the next section, since on examination it announces that it exists to 'Combat Jewish Terrorism'. The site opens with a big picture of Jesus; somewhere further down is the slogan, 'Jews are Jesus Killers'. In the middle are pictures of the US government with the slogan, 'Racist Jew' -- viz. 'Colin Powell, racist Jew; George W. Bush, racist Jew'. At [www.holywar.org/prot/fra/france.htm](http://www.holywar.org/prot/fra/france.htm) you can find a French translation of the Protocols of the Elders of Zion with an introduction by Ahmed Rami of Radio Islam.

## The white supremacist right in the USA and Europe

(i) [www.stormfront.org](http://www.stormfront.org) leads to a home-page with Gothic lettering announcing 'White Pride World Wide'. Stormfront is based in West Palm Beach, Florida, in the home of Don Black; *The Guardian* newspaper in Britain describes him as 'a Ku Klux Klan member and convicted mercenary'. The site lists who is visiting at any moment by country of origin; on 30 March 2004 the highest number of visitors was from England, followed by the Netherlands, Germany, Serbia. It has 'subforums' in Serbia, Russia, South Africa, the Baltics/Scandinavia, 'Netherlands and Flanders', Italy and Spain, Ireland, Australia and New Zealand, Germany and Britain. Some of the regular users include 'English Martyr', 'proudkraut' and 'White Waffen'. Sample article: 'Who Rules America?' -- why, the media, of course. And who owns the media? - four-letter word, begins with 'J' ...

(ii) [www.nationalist.org](http://www.nationalist.org) is extremely dismissive of outfits like Stormfront, which it regards as failing - as most other white nationalist organisations do, in its view - because they 'worship Hitler'. The Crosstar Nationalist Organization (the Crosstar symbol is not a million miles from a swastika) claims to be a white working-class organisation that doesn't go in for dressing up like the SS, but aims to take power: 'We view America as having the

premier bloodline, geography and heritage, which must be advanced over both foreign and domestic foes'. Used to support Pat Buchanan (see below), but no longer does so since he 'repudiated nationalists' and chose 'a Negress', Ezola Foster, as his running-mate for the 2000 presidential campaign.

(iii) [www.newnation.org/NNN-USA-web-links.html](http://www.newnation.org/NNN-USA-web-links.html) publishes a vast list of 'white unity' organisations and publications.

(iv) [www.vanguardnewsnetwork.com](http://www.vanguardnewsnetwork.com) is a venomous anti-black, anti-Jewish site. An item called 'The Browning of America' denounces 'the jew-led campaign to unleash jungle animals on helpless Aryan Americans'. A direct descendant of the *Völkischer Beobachter*, the Nazis' newspaper, as is [www.jewwatch.com](http://www.jewwatch.com).

(iv) **France.** Jean Marie le Pen's organisation, the Front National, doesn't appear to be available on its regular website, [www.frontrnational.com](http://www.frontrnational.com). However, it was easily found through his daughter Marine's campaign website for the June 2004 European elections: [www.marine.2004](http://www.marine.2004), which links to the youth site: [www.frj.info](http://www.frj.info); Jean Marie's own site: [www.jeanmarielepen.info](http://www.jeanmarielepen.info); and [www.francaisdabord.info](http://www.francaisdabord.info); plus the website of the Front National weekly newspaper, [www.national-hebdo.com](http://www.national-hebdo.com).

A rather surreal FN website is [sosenfantsdirak.org](http://sosenfantsdirak.org), which appears, under the presidency of another le Pen daughter, to have campaigned against sanctions against Iraq and to be continuing to raise funds for Iraqi children who have become victims of an 'illegal war'. On 23 May 2004, under the patronage of Jean Marie le Pen, Monseigneur Edmond Haddad, just returned from Baghdad as an emissary of the Vatican, was due to speak at a fundraising lunch in support of 'a thousand little Christians driven out of Iraqi towns'.

(v) **Britain.** The British National Party - 'Building a Future for British Children' - is on [www.bnp.org.uk](http://www.bnp.org.uk). Because the BNP is aiming for electoral credibility, the language of the site refrains from the nakedly murderous racism expressed by something like [www.vanguardnewsnetwork.com](http://www.vanguardnewsnetwork.com). One of the links is to [www.rhodesiawassuper.com](http://www.rhodesiawassuper.com); the BNP's revealing comment (as devoted national socialists): 'It will forever remain a crime that the productive British minority was undermined by global financiers to make things easier to make profits for their mining and agribusiness operations'.

## The Zionist right in the USA

(i) Meir Kahane was a Brooklyn rabbi who set up a Jewish self-defence organisation in the USA, the Jewish Defence League, and founded a violent settler organisation, Kach, in Israel. He was assassinated in 1990. [www.kahane.org/home.html](http://www.kahane.org/home.html) is based in the US, but Kach has, the website announces, recently been designated 'a Foreign Terrorist organisation' by the US State Department - 'an anti-Jewish decree', it says, 'by the blatantly anti-Israeli State Department'. Some of the links off the site don't work any more - like to [Judaea.org](http://Judaea.org) - but the one to [HinduUnity.com](http://HinduUnity.com) is still live ('Soldiers of Hindutva! Awake!'. Hindu Unity in turn has a link to Kafir Unity ... ).

(ii) <http://masada2000.org/kahane.html> salutes Meir Kahane and his most famous book, *They Must Go*. 'They' are the Palestinians living as citizens within Israel, and the Palestinians of the occupied West Bank and Gaza Strip; Kahane advocated - as do many Israelis today - driving them out. From the *masada2000.org* home-page, one can click, for instance, on an article about 'Israel's Growing Cancer' - the Arab citizens of Israel - or read another article about 'the filthy animals of Ramallah' who killed two Israeli army reservists in 2000 - 'the act of a primitive and savage people'. More echoes of the Völkischer *Beobachter*.

(iii) [www.jdl.org](http://www.jdl.org) is the website of the Jewish Defence League, the vigilante group Kahane established in Brooklyn in 1968, with the slogans 'Every Jew with a .22' and 'Keep Jews alive with a .45'. At some point the JDL claimed a membership of 18,000, but current reports suggest membership in the USA is down to a few hundred. In 1995 the US Nazi website [www.stormfront.org](http://www.stormfront.org) (see above) was outraged that the JDL had claimed responsibility for the fire-bombing of Toronto publisher Ernst Zündel's house; Zündel is the North American publisher of the booklet, *Did Six Million Really Die?* In December 2001 JDL chairman Irv Rubin and a colleague were arrested on charges of plotting to blow up the King Fahd mosque in Los Angeles. Rubin committed suicide in November 2002, before the case came to court; his colleague subsequently pleaded guilty. On the present site, the 'Armchair Activist' section urges supporters to 'uncover Anti-Israel "Jewish" sites', which it then lists: all of the organisations are active in peace, anti-occupation and refusenik actions.

## The Hindu right

(i) The Rashtriya Swyamsevak Sangh is on <http://www.rss.org>. (For background, see Chayanika Shah's article, 'Hindu Fundamentalism in India: Ideology, Strategies, and the Experience of Gujarat'.)

(ii) The Hindu Svayamsevak Sangh has sites at [www.hss-uk.org](http://www.hss-uk.org) and [www.hsworld.org](http://www.hsworld.org). In March 2004, ASAW (Awaaz: South Asia Watch) asked the British charity commissioners to revoke the charitable status of the HSS. ASAW's report alleging that millions of pounds raised for Gujarat earthquake victims was funnelled to Sangh organisations is available on [www.stopfundinghate.org](http://www.stopfundinghate.org).

(iii) The Vishwa Hindu Parishad is on [www.vhp.org](http://www.vhp.org). This is the organisation that gave the initial call for the 'liberation' of the Babri mosque (it was destroyed by a Hindu mob on 6 December 1992). The British site, <http://www.vhp-uk.com>, wasn't available in May 2004, but the US site was: <http://www.vhp-america.org>.

(iv) [www.hinduunity.org](http://www.hinduunity.org) claims to be 'the most hardcore Hindutva group on the net'. It has a 'Paki Jokes Archive', and links to endless anti-Islamic sites. On 17 May 2004, a few days after the election of Sonia Gandhi and the Congress party to government in India, the 'Hindutva Hot Topics' page was awash with vituperation from people like 'Saffron Warrior': 'Antonia Maino as PM would be a disgrace to the nation'; 'Christians [have been] let loose on the nation to feed on the Hindus', and so on. The home-page publishes a cartoon of a woman in a white sari, in chains and being attacked by four men: a Muslim with a sword, a Lenin

figure with a hammer and sickle, a man with a moustache (racial origins not immediately discernible), and a figure resembling the Pope. The caption says: 'Bharat will now bleed endlessly. Oh you shameless Hindus! Get ready to be raped, looted and converted by the new Sonia regime in India. Get ready to give up your daughters to Islam, your wives to Christianity, and your own pathetic selves to Communism'.

Under the heading 'Hindu Girls Beware!', an article says, 'Thousand pound rewards are being given to Muslim youths by Islamic organisations in the UK to any Muslim boy who can convert a Hindu or Sikh girl'. The article reproduces a leaflet claiming to be from the 'Real Khilafah Movement' in the UK, which says, 'It is easy to take the Sikh girls out on a date as they generally like a good drink and from there gradually they can be brought into Islam'.

HinduUnity.org links to the Shiv Sena on [www.shivsena.org](http://www.shivsena.org), the VHP, and the Hindu Holocaust Museum [www.mantra.com/holocaust](http://www.mantra.com/holocaust), amongst many other sites.

(v) The website for the Bharatiya Janata Party, voted out of government in India in May 2004, is [www.bjp.org](http://www.bjp.org).

(vi) 'Soldiers of Hindutva' - one of whom is Nathuram Godse, who killed Gandhi - are on <http://www.geocities.com/CapitolHill/Senate/7153/soh.html?mipyh8.html&2>.

(vii) <http://hindutva.org> is a news and opinion site, very anti-Muslim and pro-Israeli. In the aftermath of the BJP electoral defeat, it urged, 'Hard Hindutva needs to come back fast in to the BJP outlook'.

(viii) <http://www.geocities.com/hindutvapics> offers Flash Video of the Hindutva Brotherhood and the Kashmiri Hindu Liberation Army in action. Between revolving automatic rifles, the home-page announces, 'Hinduise the politics and militarize the Hindus!'.

(ix) [www.geocities.com/jairama1/posters.htm](http://www.geocities.com/jairama1/posters.htm) offers Hindutva posters, many festooned with blood. You can download or buy a *Ram Temple* poster, a *Sword of Hindutva* poster, a *Hindu-Jew Unity* poster, and so on.

(x) [www.hindunet.org/hindutva](http://www.hindunet.org/hindutva) offers a very sympathetic explanation of Hindutva.

(xi) Two anti-Hindutva sites are [www.foil.org/politics/hindutva/hindutva.html](http://www.foil.org/politics/hindutva/hindutva.html), and the website for a Dalit journal, [www.dalitstan.org/journal](http://www.dalitstan.org/journal) (which denounces Hindutva as 'a modern variant of Brahminism, a virulent ideology of hatred and fascism').

### 1. Louisa Ait-Hamou (Algeria)

Louisa Ait-Hamou is a university lecturer based in Algiers, teaching African literature. Louisa has been involved in women's organisations for the past twenty-five years. She is one of the founding members of a grassroots NGO called "SOS Femmes en Détresse" (SOS Women in Distress) that takes care of homeless and abused women. Her main area of interest is the issue of violence against women. Louisa is presently working as a volunteer in a network called 'Réseau Wassila' which takes care of women and children victims of violence.

### 2. Nadjé Al-Ali (Iraq/Germany/UK)

Nadjé Al-Ali is a lecturer in social anthropology at the Institute of Arab and Islamic Studies at the University of Exeter. She has carried out research on women and gender in the Middle East as well as Muslim migrants and refugees in Europe, and has authored, amongst other publications, *Secularism, Gender and the State in the Middle East* (2000, Cambridge University Press). Nadjé was involved in the Egyptian women's movement and is now a member of Women in Black London (WIB), Women against Fundamentalisms (WAF), and Act Together: Women's Action on Iraq.

### 3. Zainah Anwar (Malaysia)

Zainah Anwar is the Executive Director of Sisters in Islam (SIS), a non-governmental organisation working on the rights of Muslim women within the framework of Islam. She is also a member of the Human Rights Commission of Malaysia. She has been key to the high public profile of Sisters in Islam. She is its main spokesperson, and gives public talks on Islam and women's rights, politics, and fundamental liberties.

Her other work experience includes: Chief Programme Officer, Political Affairs Division, Commonwealth Secretariat, London; freelance writer; Senior Analyst, Institute of Strategic and International Studies, Kuala Lumpur; political and diplomatic writer, *The New Straits Times*, Kuala Lumpur. Her book, *Islamic Revivalism in Malaysia: Dakwah Among the Students* has become a standard reference in the study of Islam in Malaysia. She was educated at the Fletcher School of Law and Diplomacy, Tufts University, Boston University and the MARA Institute of Technology, Malaysia, in the fields of international relations and journalism.

### 4. Gabeba Baderoon (South Africa)

Gabeba Baderoon is completing her PhD on images of Islam in South African media at the University of Cape Town, with the title 'Ambiguous Visibility: Representations of Islam in South African Media and Culture'. She holds the John Sainsbury/Linbury Trust Fellowship. Gabeba writes on Orientalism and the media, on art, and is also a poet.

### 5. Amie Bojang Sissoho (The Gambia)

Amie Bojang Sissoho is a long-standing broadcaster, writer and editor of radio programmes in the Gambia. She has used radio as a tool for her activism, broadcasting on Radio Gambia-GRTS (her employers). She has used other privately-owned radio stations in the Gambia, Radio 102.1 FM Stereo, Citizen FM 105.7 The Voice of the People and FMB, a

community radio station. Amie has focused her work on women's empowerment issues such as female genital mutilation (FGM), in collaboration with Gamcotrap, an NGO committed to the eradication of harmful traditional practices against women, of which Amie is a member.

## 6. Anisa de Jong (The Netherlands/UK)

Anisa de Jong is an activist within the Safra Project, a UK-based resource project working on issues relating to lesbian, bisexual and transgender women who identify themselves as Muslim culturally and/or religiously. Anisa is experienced in human rights research and activism, with a particular focus on women, sexual orientation and asylum issues.

## 7. Elfriede Harth (Colombia/France)

Elfriede Harth is the European Representative of Catholics for a Free Choice (CFFC), an NGO with special consultative status within the Economic and Social Council (ECOSOC) of the United Nations (UN). CFFC shapes and advances sexual and reproductive ethics that are based on justice, reflect a commitment to women's well being, and respect and affirm the moral capacity of women and men to make sound decisions about their lives. Elfriede was born in Colombia to a Colombian mother and a German father. She spent the first part of her life in Colombia before moving to Germany for secondary education and then eventually to France, where she lives today. Elfriede is a leader in the Roman Catholic Church reform movement. She is a member of the steering committee of the International Movement 'We Are Church'. She holds a Diploma from the Institut d'Etudes Politiques de Paris and a postgraduate degree in sociology from the Ecole des Hautes Etudes en Sciences Sociales, Paris.

## 8. Sara Hossain (Bangladesh)

Sara Hossain is a lawyer and has been practising in Dhaka as an advocate at the Supreme Court of Bangladesh since 1991. She has been involved in *pro bono* casework and research on human rights issues (forced evictions, censorship, prisoners' rights, minority rights) through *Ain o Salish Kendra* (ASK, the Law and Mediation Centre), a Dhaka-based human rights organisation, of which she is a member. She has also worked closely with several Asian regional human rights and women's rights networks. She earlier served (1997-2003) as a Legal Officer at INTERIGHTS (the International Centre for the Legal Protection of Human Rights) in London, where she set up the South Asia programme, and was involved in providing advice on international and comparative human rights to lawyers and judges across the region in connection with cases before national and international courts, and also for coordinating a project on 'honour crimes', including advocacy and research on the 'right to marry'. Sara has written and spoken widely on women's rights, including on forced marriage. Her interest lies in women's human rights, personal law reforms, public interest litigation and access to justice.

## 9. Ayesha Imam (Nigeria)

Dr. Ayesha Imam is the founding executive director of BAOBAB for Women's Human Rights in Nigeria. BAOBAB has been involved since 1993 in the WLUML Women and Law Programme Nigeria project and was formally established in 1996 as an organisation

focusing on women's human rights under customary, secular and religious laws in Nigeria. BAOBAB is also the regional coordination office of WLUML for Africa and the Middle East. Ayesha Imam has been a lecturer and researcher in women's studies, research and gender analysis at universities and research institutes in Nigeria, UK, Canada and Senegal. She is on the board of several feminist organisations, and, together with BAOBAB, is the recipient of the John Humphrey Human Rights Award for 2002.

### **10. Harsh Kapoor (India/France)**

Harsh Kapoor is an Indian national based in France and has been associated with WLUML since 1985-86. Harsh is a sociologist, also the founder of various listservs: South Asia Citizens web, South Asians Against Nukes and Indian Pakistan Arms Race and Militarisation Watch. Harsh is interested in the study of communalist and right wing movements in South Asia and their links elsewhere. He is also interested in the social implications of new technologies.

### **11. Sanusi Lamido Sanusi (Nigeria)**

Sanusi's academic background is in economics and Islamic Law. He has strong interests in the study of Muslim politics and political theory, and many of his writings have been attempts at delinking Muslim law and the historical milieu in which it evolved - Sanusi stresses the need for reinterpreting law in modernity. Many of his papers can be found on [www.gamji.com/sanusi.htm](http://www.gamji.com/sanusi.htm). He was a university lecturer before joining the banking industry. Sanusi Lamido is now the head of Risk Management in UBA, the third largest bank in Nigeria.

### **12. Ziba Mir-Hosseini (Iran/UK)**

Ziba Mir-Hosseini is an independent consultant, researcher and writer on Middle Eastern issues, specializing in gender, family relations, Islam, law and development. She is a Research Associate at the Centre for Near and Middle Eastern Studies, SOAS, University of London, and currently Hauser Global Law Visiting Professor at the School of Law, New York University. She is the author of *Marriage on Trial: A Study of Islamic Family Law in Iran and Morocco* (I. B. Tauris, 1993) and *Islam and Gender: The Religious Debate in Contemporary Iran* (Princeton University Press 1999 & I. B. Tauris 2000). Ziba is a co-director of two feature-length documentaries: *Divorce Iranian Style* (1998), and *Runaway* (2001).

### **13. Nora Murat (Malaysia)**

Nora Murat is a legal officer for Sisters In Islam (SIS) in Malaysia. Nora was a practicing lawyer and holds LLb and Diploma in Syariah and Legal Practice. She is responsible for SIS legal services and coordinates a weekly legal column in a leading newspaper in Malaysia.

### **14. Tazeen M. Murshid (Netherlands/Belgium/Bangladesh)**

Dr. Tazeen M. Murshid is a Professor teaching on issues of Islam in world politics, and human rights and governance, for the Masters of International Politics at the Free University of Brussels (ULB). She taught South Asian studies at universities in London and Oxford for several years. She was a Fellow of the Wissenschaftskolleg zu Berlin in 1999-2000 and a Visiting Professor at the Ecole des Hautes Etudes des Sciences Sociales in Paris in 2003, researching and lecturing on gender and law in colonial India. She obtained her D. Phil.

degree in Oriental Studies from the University of Oxford (St Anthony's College), where she was awarded the Frère Exhibition for Indian Studies. Her research interests include Islam and secularism; gender issues such as female autonomy and gender violence in relation to family; and criminal law in relation to the role of the state and civil society activism; ethnicity; and migration; as well as contemporary political and educational concerns in Asia and Europe. Tazeen is currently writing on the social construction of *shari'a*, and on law, crime and morality in colonial India. She is the author of *The Sacred and the Secular: Bengal Muslim Discourses, 1871-1977* (Oxford University Press: Calcutta, 1995 and UPL: Dhaka, 1996).

### 15. Niloufar Pourzand (Iran/Afghanistan/Canada)

Niloufar Pourzand has completed her PhD thesis at the University of Greenwich with Professor Nira Yuval-Davis. Her PhD focuses on 'Identity, Gender and Education Amongst Educated Afghan Refugee Women in Pakistan'. Niloufar is a member of the Women in Conflict Zones Network and, at the time of the Conference, was a visiting pre-doctoral scholar at the Center for Refugee Studies at the University of York, Toronto. Niloufar has worked with the UN for many years, mostly on human rights issues, and is currently based in Tajikistan.

### 16. Gita Sahgal (India/UK)

Gita Sahgal is a filmmaker and writer. She is a founding member of Women Against Fundamentalisms (WAF), a UK based organisation which was established in 1989. She is co-editor (with Nira Yuval-Davis) of *Refusing Holy Orders: Women and Fundamentalism in Britain*. Gita has written on fundamentalisms, secularism, and multiculturalism as social policy.

She has also made a number of films on gender issues: on *sati* (the Hindu practice of widows burning with the corpse of their husband at cremation); dowry murders; women who kill their husbands because of domestic violence; and on war crimes in Bangladesh. Her latest films are *Love Snatched: forced marriage and multiculturalism* and *Tying the Knot*.

### 17. Chayanika Shah (India)

Chayanika Shah is a feminist activist and has worked and written extensively on issues of the politics of population control and reproductive technologies, feminist studies of science, and sexuality and sexual rights. She has been an active member of Forum Against Oppression of Women, a voluntary, non-funded, autonomous women's collective in Bombay, for more than twenty years. Over the years, Forum has actively worked on issues of legal reform, violence against women, communalism and rights of minorities, and was part of organising the International Initiative for Justice in Gujarat after the carnage in March 2002. Chayanika Shah has a doctorate in physics and teaches graduate students at a college affiliated to the University of Mumbai.

### **18. Michaela R. Told (Switzerland)**

Michaela R. Told is a freelance consultant and activist fighting against racism and for human rights of women. She has been actively involved in lobbying on these issues at different International UN Conferences. She holds a Master's Degree in Commerce of the University of Economics and Business Administration in Vienna, Austria and in Women & Development from the Institute of Social Studies in The Hague, The Netherlands. Currently, she is working on her PhD dissertation with Prof. Nira Yuval-Davis at the University of East London, UK.

### **19. Nahda Younis Shehada (Palestine)**

Nahda Younis Shehada is a PhD student affiliated with the Institute of Social Studies, The Hague, Netherlands. Her research focuses on exploring the various issues related to the process of Islamic family law reform and specifically the gap between Palestinian women's discourse and the concrete experience of the 'common' woman in the religious courts. Her MA paper was derived from her experience as a chairperson for the Model Parliament for women and legislation in the years 1997-98. Nahda's involvement with Palestinian political life dates back to the early 1980s, when she joined the Palestinian struggle for independence and self-determination. Since she returned to Gaza in 1994, Nahda has been working with various Palestinian women's organisations such as WCLAC (Women's Centre for Legal Aid and Counselling), WATC (the Women's Technical Committee), *Mashriqiyat*, etc.

### **20. Nira Yuval-Davis (Israel/UK)**

Dr. Nira Yuval-Davis, an Israeli diasporic Jew living in London, is a Professor and post-graduate Course Director in Gender, Sexualities and Ethnic Studies at the University of East London. Nira is one of the founders of Women Against Fundamentalisms (WAF) and Women In Black (WIB) in London, and the current President of the Research Committee on Ethnic, Race and Minority Relations of the International Sociological Association. Her publications include, among others, the book *Refusing Holy Orders: Women and Fundamentalism in Britain*, co-edited with Gita Sahgal, recently reprinted by WLUML, and *Gender and Nation*, Sage 1997.

### **21. Stasa Zajovic (Yugoslavia)**

Stasa Zajovic holds a degree in Romanic Languages from the University of Belgrade, and was employed as a professor and translator, being fluent in Spanish, Italian and English. Stasa founded Women in Black Belgrade in 1991 and is active in the Network of Women's Solidarity Against War. Stasa has been involved in organising feminist and peace workshops, staging anti-war demonstrations, campaigning for conscientious objection, running social programmes in refugee collective centres and contributing to various publications on the aforementioned issues.

