

Gender, National Identity and Citizenship: Reflections on the Middle East and North Africa

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ABSTRACT: *Feminists have identified the gendered nature of nationalism, state-building, policy-making, and citizenship. In this paper, I focus on the implications of "national identity politics" for women and gender relations in countries of the Middle East and North Africa. I also describe contemporary struggles around women's citizenship in a number of countries in the region. Finally, I reflect on the larger theoretical and political implications, such as the importance of a gender perspective in discussions of nationalism, identity, and citizenship, and the central role of "modernizing women" in the process of democratization and the construction of civil societies in the Middle East.*

This paper¹ examines the gendered nature of national identity-formation and of citizenship in Middle Eastern and North African countries. Several cases of "national identity politics" and their implications for women and gender relations are offered to illustrate the way that gender is inscribed in political movements and state-building processes.² I also describe contemporary struggles around women's citizenship in a sample of countries. Finally, I reflect on the larger theoretical and political implications, such as the importance of a gender perspective in discussions of nationalism, identity, and citizenship, and the central role of "modernizing women" in the process of democratization and the construction of civil societies in the Middle East.³

Theoretical and Historical Perspectives

Feminist scholarship and women's struggles alike have drawn attention to the incomplete nature of certain political projects such as liberal democracy, social democracy, and socialism; to the differential gender outcomes of revolutionary movements and nation-state construction; and to the implicit or

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2 I am using the concept of "national identity politics" to refer to movements and political processes organized around national, ethnic, or religious identity. For an elaboration, see Moghadam (1994).

3 "Modernizing women" is deployed in the dual sense of women as the objects, and more recently as the subjects, of modernity and economic development. See Moghadam (1993).

explicit second-class citizenship of women (e.g., Applewhite and Levy, 1990; Kruks, Rapp, and Young, 1989; Reynolds, 1987). Casting a gender lens back on the rise of Western capitalism and modernity, we see that the definition and organization of the public sphere and the private sphere, so central to both projects, were infused with formal and informal rules pertaining to gender (and to class). For Pateman (1988:x), "the social contract presupposed the sexual contract, and civil freedom presupposed patriarchal right". Moreover, modern civil society "is constituted through the 'original' separation and opposition between the modern, public-civil world and the modern, private or conjugal familial sphere" (Pateman, 1988:102). As Yuval-Davis (1997: 47) notes, women were long excluded from the collective "we" of the body politic. Not until the early 20th century, when the right of universal suffrage was institutionalized in Western countries and women's movements emerged and spread, did citizenship begin to assume a more inclusive frame of reference. As second-wave feminism spread in the second half of the 20th century, women's citizenship rights in Western countries were politicized and further elaborated through demands for full civil rights (particularly with respect to reproductive rights and rights within the family), political rights (such as greater participation through political-party quotas), and social rights (more economic security and entitlements demanded of the welfare state).

In Africa and Asia, the modern projects of national independence, state-building, and economic development have had distinctive gender implications and outcomes. Earlier in this century, nationalist ideologies offered a window of political opportunity for the advancement of women and their incorporation into the national project. Indeed, in the early 20th century, nationalism and feminism were compatible, shared the same objectives, and were allied. Many national leaders of the colonial world embraced nationalism and socialism as paths to modernity. Jayawardena (1986) has documented the parallel movements for national liberation or identity-formation and for women's emancipation in south, east, and west Asia. During the period of decolonization, political rights, including voting rights, were granted to women and men alike. More recently, however, some nationalist projects and most fundamentalist movements have drawn on and reinforced concepts of male-female differences. They have constructed men as breadwinners and economic providers, and women as housewives and mothers who are the symbols of culture and tradition and the carriers of the collective "honor". The movements or the new states have formulated rights and obligations in ways that strengthen the masculinity of the public sphere and the femininity of the private sphere. In so doing, their policies and discourses ironically and unintentionally recall the early Western model of exclusivity and male privilege.

At the same time, women's struggles in various parts of the "modernizing" world for equality, autonomy, and empowerment – struggles that originated in the early 20th century but took a global and more ambitious turn in the late 20th century – have been directed at laws, policies, and cultural understandings that

exclude women or privilege men. Women's movements in Africa, Asia, and Latin America have sought the elaboration or extension of civil, political, and social rights for women.⁴ These have often taken place in a national context less congenial than that in the early part of the century, but in a new global context that provides opportunities, support, and legitimation for the advancement of women. Women's movements and non-governmental organizations operating across national boundaries are also helping to create a "global civil society" and concepts of "global citizenship" (Lister, 1997).

The Middle East has not figured prominently in the scholarship on citizenship, but an emergent literature has focused on liberalization, democratization, and civil society in the region (Kandil, 1995; *Middle East Journal*, 1993; Norton, 1994, 1995). In Egypt, sociology professor Saad Eddin Ibrahim publishes the magazine *Civil Society*, dedicated to promoting democratization and human rights. Among Iranian expatriates, as well as liberals within Iran, discussions of *jameh-e madani* (civil society) dominate many conferences and seminars. The question of women's rights lies both at the heart and at the intersection of these issues. In many ways the Middle East and North Africa offer a rich terrain for exploration of the ways in which national-identity formation and citizenship intersect, and are gendered, contested, and subject to change.

In this paper, gender refers to a structural relationship of inequality between women and men based on perceived sex differences, which is manifested in the economy, the polity, and in cultural production.⁵ Gender is also conceptualized as a system of social relations and ideologies that influences other social relations, institutions, and processes. Lorber (1994:1) defines gender as "an institution that establishes patterns of expectations for individuals, orders the social processes of everyday life, is built into the major social organizations of society, such as the economy, ideology, the family, and politics, and is also an entity in and of itself." Yuval-Davis (1997) argues that the influence of gender relations may be seen in national reproduction (biological, social, symbolic), national culture and citizenship, and national conflicts and wars. National identity-formation is the process of construction of shared meanings regarding the nation-state, the national culture and heritage, and members of the community. In this process, notions of the Ideal Society are often linked to notions of the Ideal Woman (Papanek, 1994). Citizenship refers to a legal status as well as to a practice. I adopt T. H. Marshall's definition of citizenship as "full membership in the national community", encompassing civil, political, and social rights and responsibilities (Marshall, 1952). Feminists have pointed out

4 They have also sought to inscribe women's personal and social rights into definitions and understandings of human rights.

5 Put in another way, gender relations are embedded in the public/private divide, and in the organization of the state, economy, family, and civil society.

that citizenship, certainly for women, concerns social standing, political participation, and national membership (Narayan, 1997). Empirically, women's citizenship is reflected in their legal status, in access to employment and income, in the extent of their participation in formal politics, and in the formation of women's organizations.

Much has been written about the problematical nature of women's citizenship rights in Middle Eastern societies. It results partly from the absence or underdevelopment of democratic institutions in the region. It is also a function of the discrepancy between constitutions that award equal rights to men and women and family laws derived from the Sharia (Islamic canon law) that undermine this equality. Women's second-class citizenship has long been institutionalized, but as this paper will show, it is being challenged by women's organizations throughout the region. In general, they are challenging women's location in the private domain and men's control of the public domain. In particular, they are calling for modernization of family laws, criminalization of domestic violence, greater access to employment and participation in decision-making, and the right for women to retain their own nationality and pass it on to their children. They are also pointing out that existing family laws are at odds with the universal standards of equality and nondiscrimination embodied in international instruments such as the Convention on the Elimination of All Forms of Discrimination Against Women. These gender-based demands for civil, political, and social rights would not only extend existing rights to women but also, and more profoundly, would broaden the political agenda and redefine citizenship in the Middle East and North Africa. Lister (1997:35) has pointed out that "citizenship rights are not static but are always open to reinterpretation and renegotiation." The veracity of this statement is vividly demonstrated by recent political processes in the Middle East, and by the demands of the women's organizations.

National Identity Politics and Women

In an early formulation, Yuval-Davis and Anthias (1989) noted that women's roles in the biological reproduction of members of nations and ethnic groups, and the socialization of the young, impart upon them the assignation of transmitters of culture and signifiers of ethnic/national differences. This can be magnified during certain historical or social processes. Women may become the sign or marker of political goals and of cultural identity during processes of revolution and state-building, and when power is being contested or reproduced (Moghadam, 1997). Representations of women assume political significance, and certain images of women define and demarcate political groups, cultural projects, or ethnic communities. Women's behavior and appearance – and the range of their activities – come to be defined by, and are frequently subject to, the political or cultural objectives of movements, states, and leaderships (Moghadam, 1994b:2). For example, in the history of many Muslim countries, the unveiled modern woman has signified modernity, progress, and development,

while the veiled and domesticated woman has symbolized the search for authenticity, cultural revival, and reproduction of the group.

In previous work, I identified two types of revolutions, national-liberation movements, and state-building projects from a gender perspective: the emancipatory and the patriarchal (Moghadam, 1993, ch. 3; 1997). In the emancipatory model, national liberation and the emancipation of women are of a piece, and women's equality is equated with national development and progress. In the patriarchal model, all that is associated with the colonizer is rejected; religion, culture, and traditions are exalted; and the construction or restoration of the rights of men, or their empowerment, is predicated upon the domestication of women. In the first model, men and women are constructed as equal in rights and obligations. In the second model, men and women are constructed as different in their rights and obligations.⁶

Below we consider the cases of Democratic Yemen and Afghanistan (exemplifying the emancipatory model), and the cases of Algeria and Iran (exemplifying the patriarchal model). As we shall see, discourses about national identity, as well as constructions of rights and obligations of men and women in constitutions, family codes, and labor laws, reflect and reinforce egalitarian or patriarchal understandings of gender.⁷

Socialism and Women's Rights in the People's Democratic Republic of Yemen

In November 1967, after five years of guerrilla fighting, the National Liberation Front came to power and terminated 128 years of British colonial rule in South Yemen. The People's Democratic Republic of Yemen (PDRY) was born, and soon came to be known as the Cuba of the Middle East. In June 1969, the revolutionary government deemed it necessary to attempt to "destroy the old state apparatus", create a unified, state-administered legal system, and effect rapid social transformation (Molyneux 1989:195). Tribal segmentation and the local autonomy of ruling sheikhs, sultans, and emirs had resulted in a country devoid of a unified national economy, political structure, and legal system. The PDRY deemed such a social order to be an obstacle to economic development and social reform. The party also viewed the active participation of women necessary to accomplish these goals. Kin control over women and the practice of seclusion thus had to be transformed. In this context, the Constitution of 1970 outlined the government's policies toward women, and a new Family Law was proposed in 1971 and passed in 1974. Both the political stance and the legal reforms were inspired by the Soviet Union and other socialist experiments.

6 In my previous work, I have located the origins of these two models in the French Revolution (signifying patriarchal outcomes for women) and the Bolshevik Revolution (signifying the emancipatory model).

7 This material is based on ch. 3 of my book, *Modernizing Women*. Full references may be found there.

The National Liberation Front of Yemen described itself as “the vanguard of the Yemen working class,” and its official doctrine was inspired by the writings of Marx, Engels, and Lenin. Article seven of the Constitution, which described the political basis of the revolution as an “alliance between the working class, peasants, intelligentsia and petty-bourgeoisies,” went on to add that “soldiers, women, and students are regarded as part of this alliance by virtue of their membership in the productive forces of the people”. The Constitution recognized women as both “mothers” and “producers” and, therefore, part of the “working people.” In giving all citizens the right to work and in regarding work as an obligation in the case of all able-bodied citizens; the Constitution called upon women not yet involved in “productive work” to become involved (Molyneux, 1989:203).

Although the traditional heading for a document in the Islamic world is “In the Name of God”, the PDRY Family Law began “In the Name of the People”. According to the preamble of the Family Law, the ‘traditional’ or ‘feudal’ family is “incompatible with the principles and program of the National Democratic Revolution ... because its old relationships prevent it from playing a positive role in the building up of society.” The law began by denouncing “the vicious state of affairs which prevails in the family,” and proclaimed that “marriage is a contract between a man and a woman who are equal in rights and duties, and is based on mutual understanding and respect” (all quotes from Molyneux, 1989: 205). The Family Law established the principle of free-choice marriage, raised the minimum legal age of marriage to sixteen for girls and eighteen for boys, abolished polygamy except in exceptional circumstances such as barrenness or incurable disease, reduced the dower (*mahr*), stipulated that both spouses must bear the cost of supporting the family's economy, ended unilateral divorce, and increased divorced women's rights to custody of their children. Indeed there was a rise in the number of divorces initiated by women immediately after the law was adopted. In 1978, a new civil law awarded the house to a divorced wife with children from the marriage. According to the Family Law, “marriage is a contract between a man and a woman, equal in rights and responsibilities, based on mutual understanding and respect; its purpose is the creation of the cohesive family which is considered to be the foundation stone of the society” (Boxberger, 1998: 130). The General Union of Yemeni Women became especially active in the literacy campaign and in the campaign to gain support for the Family Law.

Both the new constitution and the family law defined women in new ways – as workers, national subjects, and political subjects – in order to help construct the new order (Molyneux, 1989: 211). The rearticulation of gender was an integral part of the restructuring of state and society. Gender redefinition was both a reflection of the new regime's political agenda *and* the means by which the new state could establish its authority and carry out its revolution.

The Yemeni revolutionaries encouraged women's entry into the political realm, and women were given the vote in 1970 when universal suffrage was implemented. A special effort was made to ensure that women candidates stood

for election in the first national poll of 1977. Women were also drawn into political activity through organizations such as the Women's Union, the Yemeni Socialist Party, and neighborhood associations. At that time, the Women's Union had a membership of 14,296, which included 915 women workers employed in factories and workshops, 528 agricultural workers and members of co-ops and state farms, 253 employees of various government agencies, students from secondary schools and universities, and housewives (Molyneux, 1987).

In fact, not all women were able to enter public life. Notwithstanding some socioeconomic development and expansion of state authority, the PDRY government could not implement its vision of a literate and productive society and emancipated women citizens. South Yemen remained poor, and among many families there was still a cultural stigma attached to women performing income-generating activities outside the home. A women's conference held in April 1984, a decade after the Family Law had been passed, concluded that there were problems with the implementation of the law. Disagreements within the party and pressures from surrounding countries forced a change in the PDRY. In 1990 the PDRY merged with its northern half, the Republic of Yemen, which was politically and culturally conservative as well as tribal dominated. A retreat from full citizenship rights for women was inevitable. Upon unification, the PDRY Family Law was abolished, principles of Sharia became the legal standard for family law, and women judges appointed by the PDRY were removed from the bench (Boxberger, 1998).

Among other things, the case of the PDRY illustrates the reversibility of laws and policies without the backing of a social movement. And yet, women's activity as candidates, voters, and monitors in the 1997 elections, in which two women from Aden won parliamentary seats, suggests a continuing struggle to redefine women's citizenship in the new Yemen.

The Saur Revolution and Women's Rights in the Democratic Republic of Afghanistan

In April 1978, the People's Democratic Party of Afghanistan (PDPA) seized power, in what came to be called the Saur (April) Revolution, and established the Democratic Republic of Afghanistan (DRA). Soon afterwards, the PDPA introduced rapid reforms to change the political and social structure of Afghan society, including patterns of land tenure and gender relations, in what was one of the poorest and least developed countries in the world. The government of President Noor Mohammad Taraki targeted the structures and relations of 'tribal-feudalism,' enacted legislation to raise women's status through changes in family law – including practices and customs related to marriage – and initiated policies to encourage female education and employment. As in other modernizing and socialist experiments, the 'woman question' constituted an essential part of the political project. The Afghan leadership linked Afghan backwardness to feudalism, widespread female illiteracy, and the exchange of girls. The leadership resolved that women's rights to education, employment,

mobility, and choice of spouse would be a major objective of the "national democratic revolution."

Governmental decrees on land redistribution and the cancellation of peasants' debts and mortgages were in part measures to wrest power from traditionalist leaders. In addition, the government promulgated Decree No. 7, which was designed to fundamentally change practices associated with marriage, including household indebtedness through excessive marriage expenditures, extremely high dowers, and the monetary exchange of girls. It was further intended to ensure women's equal rights with men. The first two articles in Decree No. 7 forbade the exchange of a woman in marriage for cash or kind and other payments customarily due from a bridegroom on festive occasions; the third article established an upper limit of 300 afghanis (the equivalent then of US \$10) on the *mahr*. The legislation aimed to change marriage customs so as to give young women and men independence from their marriage guardians. Articles four to six of the decree set the ages of first engagement and marriage at sixteen for women and eighteen for men. The decree further stipulated that no one, including widows, could be compelled to marry against her will. The decree also stipulated that no one could be prevented from marrying if she or he so desired.

Along with the promulgation of Decree No. 7, the DRA embarked upon an aggressive literacy campaign. This was led by the Democratic Organization of Afghan Women (DOAW), whose objectives were to educate women, bring them out of seclusion, and initiate social programs. Throughout the countryside, PDPA cadre established literacy classes for village men, women, and children; by August 1979, the government had established 600 new schools. The DRA's rationale for pursuing the rural literacy campaign with some zeal was that all previous reformers had made literacy a matter of choice; male guardians had chosen not to allow their wives, sisters, or daughters to be educated. As a result, 96 percent of all Afghan women were illiterate. It was therefore decided that literacy would no longer remain the choice of men, but would rather be the law.

The DRA's attempts to change marriage laws, expand literacy, and educate rural girls met with strong opposition by rural vested interests. Decrees 6 (on land reform) and 7 (on marriage) deeply angered rural tribesmen and the traditional power structure. In the summer of 1978, refugees from Afghanistan began pouring into Pakistan, giving as their major reason the forceful implementation of the literacy program among women. There was also universal resistance to the new marriage regulations which, coupled with compulsory education for girls, raised the threat of women refusing to obey and submit to family authority. An Islamist opposition organized and conducted several armed actions against the government in the spring of 1979. By December 1979, the situation had deteriorated to such an extent that the Soviet Army intervened in support of the central government. A long civil war ensued during which the Islamist forces were assisted by the United States, Pakistan, Saudi Arabia, the Islamic Republic of Iran, and China.

In 1980, the PDPA slowed down its reform program and announced its intention to eliminate illiteracy in the cities within seven years and in the provinces within ten. The DRA was not able to centralize power or impose its will through an extensive administrative and military apparatus. Nor did twelve years of civil war and a hostile international climate provide conditions propitious for progressive social change. In 1987, the Democratic Republic of Afghanistan was renamed the Republic of Afghanistan, and the liberation of women took a back seat to national reconciliation. In 1990, the PDPA changed its name to the National Party, or *Hizb-e Watan*. Similarly, constitutional changes were made; clauses that expressed the equality of men and women were eliminated, and Muslim family law was reinstated. In 1992 the whole experiment collapsed, and the Mujahidin set up an Islamic regime. Their very first act was to make veiling compulsory.

The Rabbani regime, however, was unable to engage in state-building, due to the collapse of the Mujahidin alliance and the onset of internecine warfare and lawlessness. In 1996, Rabbani and his allies were overthrown by a new opposition group, the Taleban, whose practices and policies give new meaning to male privilege and female exclusion. Although citizenship rights do not exist in what is essentially a pre-modern communal society, the new codes and policies legislate an exaggerated concept of male-female differences in which politics and warfare are completely masculinized, while the invisible Afghan woman, confined to her home or engulfed in her *burqa*, symbolizes national identity, cultural authenticity, and religious purity.

National Liberation, Identity, and Women's Rights in Algeria

The French assumed control of Algeria in June 1830. In contrast to colonial policy in Tunisia after 1882 and in Morocco after 1919, an attempt was made in Algeria to dismantle Islam, its economic infrastructure, and its cultural network of lodges and schools. By the turn of the century, there were upwards of one-half million French-speaking settlers in Algeria. By 1930, European competition ruined most of the old artisan class. Small shopkeepers such as grocers and spice merchants survived, but other small shopkeepers suffered severely from the competition of the *petit colons*. Industrialization in Algeria was given a low priority by Paris during the inter-war period. Local development and employment generation were severely hampered, and there was considerable unemployment and male migration. Fierce economic competition, cultural disrespect, and residential segregation characterized the Algerian situation. In this context, many Algerians regarded Islam and Muslim family law as sanctuaries from French cultural imperialism (Knauss 1987:49). To many Algerian men, the unveiled woman represented a capitulation to the European and his culture; she was a person who had opened herself up to the prurient stares of foreigners and who was vulnerable to rape. The popular reaction to the *mission civilisatrice* was a return to the land and to religion, the foundations of the old community. Islam was transformed, the patriarchal family expanded in

importance, and the protection and seclusion of women were viewed by Algerians as increasingly necessary.

When the *Front de Liberation Nationale* (FLN) was formed, there was no provision for women to enjoy any political or military responsibilities. Nonetheless, military exigencies soon forced the officers of the *Armée de Liberation Nationale* (ALN) to use some women combatants. Nearly 10,000 women participated in the Algerian revolution; the overwhelming majority were nurses, cooks, and laundresses (Knauss 1987:75). Many women played an indispensable role as couriers, however, and because the French rarely searched them, women often carried bombs. One emancipating development during the national liberation struggle was the admittance of unmarried women into the ranks of the FLN and ALN, and the emergence by default of voluntary unions (marriages without family arrangements) presided over by an FLN officer. Alya Baffoun (1982: 234) notes that, during this “rather exceptional period of struggle for national liberation,” the marriage of Djamila Bouhired to an “infidel” non-Muslim foreigner was easily accepted, and he was assimilated into her community.

After independence, the September 1962 Constitution guaranteed equality between the sexes and granted women the right to vote. The Constitution also made Islam the official state religion. Ten women were elected deputies of the new National Assembly and one of them, Fatima Khemisti, drafted the only significant legislation to affect the status of women. This legislation was passed by the National Assembly after independence (Knauss 1987:98). In this optimistic time, when heroines of the revolution were being hailed throughout the country, the *Union Nationale des Femme Algeriennes* (UNFA) was formed. Indeed, one consequence of the Algerian Revolution, and of women's role in it, was the emergence of the *Moudjahidates* model of Algerian womanhood. The heroic Algerian woman fighter was an inspiration to the 1960s and 1970s generation of Algerians, particularly Algerian university women (see Bouatta and Cherifati-Merabtine, 1994).

But another, more patriarchal, tendency was at work during and after the Algerian Revolution. One expression of this was pressure on women fighters during the liberation struggle to marry and thus prevent spurious talk about their behavior. Moreover, despite the incredible sacrifices of Algerian women, and although women militants “acceded to the ranks of subjects of history,” the Algerian revolution tended to be cast in terms of male exploits, while heroic female feats received comparatively minimal attention (Bouatta, 1994). In a display of authoritarianism following independence, President Ben Bella banned all political parties; the Federation of the FLN in France, which had advocated a secular state, was dissolved, and the new FLN general secretary, Mohammed Khider, purged the radicals – who had insisted on the right of workers to strike – from the union's leadership. Of women, Khider proclaimed: The way of life of European women is incompatible with our traditions and our culture. ... We can only live by the Islamic morality. European women have no other preoccupations

than the twist and Hollywood stars, and don't even know the name of the president of their republic" (quoted in Knauss, 1987:99). In contrast to the political and cultural atmosphere of the national liberation struggle, patriarchal values became hegemonic in independent Algeria. In this context, the marriage of another Algerian heroine, Dalila, to a foreigner was deemed unacceptable. Baffoun (1982:234) reports that Dalila's brother abducted and confined her "with the approving and silent consent of the enlightened elite and the politically powerful."

Thus, notwithstanding the participation of nearly 10,000 women in the Algerian revolution, their future status was already shaped by "the imperative needs of the male revolutionaries to restore Arabic as the primary language, Islam as the religion of the state, Algeria as a fully free and independent nation, and themselves as sovereigns of the family" (Knauss 1987.xiii). In referring to women and their social roles, the FLN organ *El Moudjahid* opposed the term "emancipation" (identified with the French colonizers and hence, considered alien) and preferred that of "Muslim Woman" (presented as the ideal for Algerian women and which supposedly encapsulated dignity, advancement, and cultural integrity). Cherifati-Merabtine (1994: 48) recognizes the danger in this formulation, but states that "in this context [it] had a political rather than a religious meaning".

Algerian marriage rates soared in the 1960s. By 1967, ten percent of Algerian girls were married by the age of fifteen, and 73 percent of women were married by the age of twenty. The crude fertility rate was 6.5 per woman. The Boumedienne government's policy on demographic growth was predicated on the assumption that a large population is necessary for national power. The state, therefore, opposed all forms of birth control unless the mother had already produced at least four children. By the end of the Boumedienne years in 1979, 97.5 percent of Algerian women were without paid work. The UNFA, which had been launched as a national women's organization, was incorporated as the women's auxiliary of the FLN, and became devoid of feminist objectives. In the 1970s and the 1980s female candidates were elected to provincial and local assemblies and a few were appointed to ministerial and sub-ministerial positions, but the Algerian political class was overwhelmingly male, and women were greatly under-represented in political decision-making positions.⁸ The Algerian professional class included women in such occupations as doctor, nurse, teacher, university professor, and – significantly – judge. The vast majority of Algerian women, however, were homemakers, did not take part in gainful employment, and had no access to economic resources or income. By 1990 Algerian women

⁸ In 1987, women were only 3.3 percent of those at the ministerial level of government, and 0.0 percent at the sub-ministerial level. At the national assembly they constituted only 2 percent. These figures increased in 1994 but were still low: 7 percent of parliamentarians, 7.7 percent of those at the sub-ministerial level of government, and 3.6 percent of ministerial level positions. See *The World's Women 1995: Trends and Statistics*, Table 14, p. 172.

and had no access to economic resources or income. By 1990 Algerian women aged 15-65 were only 8 percent of the labor force. This figure is not only extremely small by international standards, but it is also small by regional standards.

Still, state-sponsored education in Algeria created a generation of Algerian women who became a restive force for progressive social change. These are the women who loudly and visibly challenged the conservative Family Code in the early 1980s, who confronted the Islamist fundamentalist movement and terrorism in the 1990s, and who have made demands on the state for legal, political, and social changes.

Revolution, Islamization, and Women in Iran

In 1978 and 1979, scores of women participated in the Iranian Revolution against the Shah, and the massive participation of women was vital to the success of the insurrection. Like other social groups, their reasons for opposing the Shah were varied, but they included economic deprivation, political repression, and identification with Islamism. The large street demonstrations were marked by huge contingents of women wearing the veil to symbolize their opposition to Pahlavi bourgeois or Westernized decadence. Many women who wore the veil as a protest symbol, however, did not expect *hijab* (veiling) to become mandatory. Thus, when the first calls were made in February 1979 to enforce *hijab*, and when Ayatollah Khomeini was quoted as saying that he preferred to see women in modest Islamic dress, many women were alarmed. Spirited protests and sit-ins were led by middle-class leftist and liberal women, most of them members of political organizations or recently-formed women's organizations. Limited support for women's protests came from the main political groups. As a result of women's protests, the ruling on *hijab* was rescinded – but only temporarily. With the defeat of the Left and the Liberals in 1980, and their elimination from the political terrain in 1981, the Islamists were able to institute compulsory veiling and to strictly enforce it.

The idea that women had “lost honor” during the rule of Mohammad Reza Pahlavi and especially during the 1960s and 1970s, was widespread. Anti-Shah oppositionists decried the overly made-up “bourgeois dolls” of the Pahlavi era such as television announcers, singers, and upper-class professional women. As in Algeria, the Islamists in Iran felt that “genuine Iranian cultural identity” had been distorted by *gharbzadegi* or Westernization. The unveiled, publicly visible woman was viewed as both a reflection of Western attacks on indigenous culture and as the means by which the attacks were carried out. The growing number of educated and employed women disturbed men who regarded the modern woman as a manifestation of Westernization and imperialist culture as well as a threat to their own manhood (Tohidi, 1994). In response to the rising tide of modern women, Islamists projected the image of the noble, militant, and selfless Fatemeh – daughter of the Prophet Mohammad, earlier popularized by the late radical

Islamic sociologist Ali Shariati – as the most appropriate model for the new Iranian womanhood.

During the 1979-80 period, the women's movement, then quite dynamic, was bifurcated to include pro-Khomeini and anti-Khomeini women. Even Islamic women held different perspectives on women's rights issues, including the veil. For example, many women wore the veil to guard against men who harassed women in Western dress. But the legal imposition of *hijab* was not about protecting women, and it was certainly not part of any struggle against male sexism: it was about negating female sexuality and thereby protecting men. More profoundly, compulsory veiling signaled the (re)definition of gender rules, and the veiled woman symbolized the moral and cultural transformation of society. This ulterior purpose of veiling women to advance a moral revolution contrived to protect men is spelled out in the booklet *On the Islamic Hijab* by a leading Iranian cleric, Murteza Mutahhari, who was assassinated in May 1979. He wrote:

If a boy and a girl study in a separate environment or in an environment where the girl covers her body and wears no make-up, do they not study better? ... Will men work better in an environment where the streets, offices, factories, etc., are continuously filled with women who are wearing make-up and are not fully dressed, or in an environment where these scenes do not exist?

The truth is that the disgraceful lack of *hijab* in Iran before the Revolution . . . is a product of the corrupt western capitalist societies. It is one of the results of the worship of money and the pursuance of sexual fulfillment that is prevalent amongst western capitalists. (Mutahhari, 1987:21-22)

The 1979 Constitution spelled out the place of “Woman” in the ideal Islamic society which the new leadership was trying to establish in Iran: within the family, through the “precious foundation of motherhood”, and in rearing committed Muslims. Motherhood and domesticity were described as socially valuable, and the age of consent was lowered to the onset of puberty. Legislation was enacted to alter gender relations and make them as different as possible from gender norms in the West. In particular, the Islamic Republic emphasized the distinctiveness of male and female roles, the desirability of sex segregation in public places, and the necessity of modesty in dress and demeanor and in media images. And yet Iran’s Islamists were aware of modern sensibilities; public activity by women was never barred and they retained the vote. The Introduction to the Constitution mentions women’s “active and massive presence in all stages of this great struggle”, and states that men and women are equal before the law. This stated equality, however, is belied by their differential treatment before the law, particularly in the area of personal status or family law.

That gender was inscribed in Iran's national identity politics is vividly captured in the following passage from an editorial in the women's magazine *Zan-e Rouz*:

Colonialism was fully aware of the sensitive and vital role of woman in the formation of the individual and of human society. They considered her the best tool for subjugation of the nation. ... In the underdeveloped countries ... women serve as the unconscious accomplices of the powers-that-be in the destruction of indigenous culture. So long as indigenous culture persists in the personality and thought of people in a society, it is not easy to find a political, military, economic or social presence in society. ... And woman is the best means of destroying the indigenous culture to the benefit of imperialists.

In Islamic countries ... Islamic belief and culture provide people of these societies with faith and ideals Woman in these societies is armed with a shield that protects her against the conspiracies aimed at her humanity, honor and chastity. This shield verily is her veil. For this reason, in societies like ours, the most immediate and urgent task was seen to be her unveiling, that is, disarming woman in the face of all calamities against her personality and chastity. ... It is here that we realize the glory and depth of Iran's Islamic Revolution. This revolution transformed everyone, all personalities, all relations and all values. *Woman was transformed in this society so that a revolution could occur* (quoted in Najmabadi, 1994:370, emphasis added).

In the late 1980s, some of the discriminatory laws that were passed after the revolution were contested by "Islamic feminists" and were modified or overturned (Moghadam, 1993, 1999). These women have been keen to exercise their political rights and to run for and serve in the parliament; and they have called for greater custody rights for women and for the right of women to serve as judges. In a sense, they wish to realize the Marshallian definition of citizenship as "full participation in the national community". Secular feminists in Iran, however, including several lawyers, argue that the Constitution, family law, and penal code are still biased against women, and that "the community" systematically privileges men.

Contemporary Struggles for Women's Citizenship

As Narayan (1997) points out, many current struggles by women for "dignity, political participation, and nationality" have strong connections to citizenship. In the Middle East and North Africa, the struggle for civil, political, and social rights is led by women's organizations, which are comprised of highly educated women with employment experience and international connections. The fact that these organizations exist at all is a sign of women's increasing

access to the public sphere and of the process of liberalization in the region. What is noteworthy is that they are working to change the nature of that public sphere, to enhance the rights of women in the private sphere, and to advance democratization.

The 1990s have seen the proliferation of women's organizations – some explicitly feminist – in the region. These include service organizations, worker-based organizations, professional associations, women-in-development NGOs, research centers and women's studies institutes, and human rights/women's rights organizations. North Africa is home to many active women's rights groups. These include la Commission Femmes de la Ligue Tunisienne des Droits de l'Homme and l'Association Tunisienne des Femmes Démocrates; Morocco's l'Organisation Marocaine pour les Droits des Femmes, l'Association Démocratique des Femmes du Maroc, and l'Union de l'Action Féminine (which published *8 Mars*). These and other North African feminist groups, including Algerian ones, formed the Collectif 95 Maghreb Egalité, which formulated an alternative “egalitarian family code” and was the major organizer behind the “Muslim Women's Parliament” at the NGO Forum that preceded the Beijing Conference in September 1995.⁹ Social rights are also on the agenda. Morocco's Democratic League of Women's Rights organized a roundtable on the Rights of Workers in 1995, and a committee structure was subsequently formed, consisting of 12 participating organizations. The objective was the revision of the labor code to take into account women's conditions, to include domestic workers in the definition of wage-workers and the delineation of rights and benefits, to set the minimum work age at 15, and to provide workers on maternity leave with full salary and a job-back guarantee.

These and other women's organizations were represented at an important meeting of the region's non-governmental women's organizations, which took place in early November 1994 in Amman, Jordan. The two-week deliberations resulted in a document entitled “Work Program for the Non-Government Organizations in the Arab Region”.¹⁰ That document identifies women's conditions in Arab countries as follows: (1) Women suffer a lack of employment rights and undue burdens caused by economic crisis and structural adjustment policies. (2) The absence of democracy and civil rights harms women especially. (3) There is inequality between men and women in authority and decision-making. (4) Women suffer from violence, including “honor crimes”. The solutions offered are comprehensive. The document calls for the immediate

⁹ My observations at the NGO Forum in Huairou and discussions with participants. See also their documents: *Women in the Maghreb: Change and Resistance*; *One Hundred Measures and Provisions for a Maghrebien Egalitarian Codification of the Personal Statute and Family Law*.

¹⁰ I attended the expert-group meeting and high-level meeting that followed the NGO conference at the invitation of ESCWA, and was able to obtain a copy of the (unedited) NGO document in English translation.

ratification and implementation of the Convention on the Elimination of All Forms of Discrimination against Women, and a revision of all national laws that discriminate against women. It calls for legal literacy and free legal services for women, and the promotion of women judges. It calls for "revision and modernization of the legislation related to women's status in the family", and the insertion of the rights of the wife in the marriage contract. And it calls for "the amendment of nationality laws so that children can join their mothers and enjoy their nationalities" (pp. 25-26).

This document and other literature from various women's groups in the region lead me to conclude that in the 1990s, women's struggle for citizenship in countries of the Middle East and North Africa revolves around four key issues: modernization of family laws, criminalization of domestic violence, nationality rights for women, and equality of opportunity for women in employment and greater representation of women in formal political structures.

Several characteristics make this struggle distinctive. First, it is a struggle for political, civil, and social rights in a part of the world where there is a discrepancy between women's constitutional equality and their inequality in family codes or in personal status codes (which delineate different rights and obligations for men and women). Second, the women's movement for full citizenship has been occurring against the backdrop of Islamism and its patriarchal agenda. Third, inasmuch as family laws are based on the Sharia, challenging them is politically and culturally difficult. Fourth, prospects for women's citizenship vary across the region. Although all states may be termed "neopatriarchal", one important factor may be the strength or weakness of the state and central authorities compared with tribal or communal forces. Fifth, in a handful of cases (in the Gulf region), women's political rights have yet to be addressed, concepts of civil rights hardly exist, and "social rights" are handouts (albeit generous ones) from oil-rich governments rather than entitlements accrued to tax-paying and gainfully employed citizens. Sixth, in countries where women do have the right to stand as candidates, few make it to national office. In 1996 five of the region's 14 countries had women in their cabinets. Jordan, Syria, Egypt and Algeria each had two female ministers. There was one woman member of the Palestinian National Authority. No Arab or Iranian woman has ever been prime minister of her country. Turkey has had a female prime minister, but like Iran and the Arab countries, the percentage of women representatives in the national assembly is tiny: between one and ten percent. It is precisely this state of affairs that the women's organizations are seeking to change.

The sections below, include a survey of the politico-legal status of women and the demands of the women's organizations, in key countries of the region.

Egypt

In Egypt, women were granted citizenship and full political rights in the 1956 constitution. The 1957 elections witnessed the participation of women for the first time, and Rawya 'Atiya was elected as the first woman parliamentarian

in the Arab world. The Nasserist regime, which espoused a socialist ideology, tried to encourage women's participation in all administrative and political positions. However, "the culture of the one-party system did not promote an acceptance of political plurality. Therefore, when the multi-party system was reintroduced in 1976 under Saadat, political participation rates for women were low, as they were for society in general" (Abu-Zayd, 1998: 44). Moreover, "the social and economic environment in the country has worked against women exercising their political rights. Values encouraging the participation of women in public affairs have coexisted with more reactionary values, and the conflict between the two has varied over time" (Abu-Zayd, 1998: 43). Since the early 1980s the conflict has become more intense, due partly to the ascendancy of Islamists and partly to the neoliberal economic policy agenda intended to address the economic crisis, which has intensified the burdens on household budgets and reinforced conservative views and practices.

Nevertheless, Egypt is home to many women's organizations. These include professional associations such as the Women Writers' Association, Women in Film, the Medical Women's Association, and the Women Scientists' Society. In June 1995 the women's chapter of the Egyptian Association for Industry and Environment led a national workshop on "the role of women in protection of environment and natural resource conservation." Feminist groups include the New Woman Research and Study Center (which produces research to help create "a powerful Egyptian women's movement"); Noor, which promotes Arab women's writings by, inter alia, publishing good quality low-cost paperback editions; and the Reproductive Rights Group. The Legal Research and Resource Center for Human Rights publishes a monthly journal "People's Rights", and a quarterly on women's issues "People's Rights: Women's Rights". The Association for Development and Enhancement of Women (ADEW) prioritizes income-generating projects for low-income women and women heading households alone. The feminist groups have protested violence against women within the family. The New Woman Research Center believes that women's reproductive rights, as well as women's social and political citizenship, are central to basic human rights (Altorki, 1998).

Given Egypt's conservative cultural environment, the feminist organizations are small and largely ineffective, unable to influence policy and legislation and uninvited to do so by official bodies. However, in a society where a man charged with raping a young woman traditionally escaped punishment by offering to marry the victim, the April 1999 law that criminalizes rape may be regarded as an advance. Moreover, both secular and religious feminists were involved in the drafting of an innovative new marriage contract. This would strengthen women's position in the family by stipulating the wife's rights in the formal Islamic marriage contract.

Iran

Iranian women were granted political rights in 1963, prompting a number of women to become politically active at the municipal and national levels. A national women's organization was formed, though it was a largely elite structure. Economic development and state expansion created employment opportunities for women. However, the secular trend in improvement of women's legal status and social positions which the process of modernization had brought about was arrested by the consolidation of Islamist rule following the Iranian Revolution of 1979. In the name of Islamic law, family rights granted to women by the Family Protection Act of 1967 were abrogated and men's privileges were restored; factory work was deemed inappropriate for women; contraception was discouraged; veiling was made mandatory; judgeships and various other professions were declared off-limits to women; and the execution of Iran's first female cabinet minister seemed to be a warning to highly-educated women. Formal politics became the exclusive domain of (Islamic) men and non-governmental organizations were non-existent. Although women were allowed to retain the vote and to work as teachers and nurses, their civil, political, and social rights were all but effaced in the early years of the Islamic Republic. By the late 1980s, data collected by the census bureau on fertility, the sex ratio, literacy, education, and employment confirmed an extremely disadvantaged position for women (Moghadam, 1993, ch. 6) – a situation that was difficult to justify or explain away.

The results of the 1986 census, the death of Ayatollah Khomeini, the end of the war with Iraq, and the economic liberalization policies of President Hashemi Rafsanjani created a political environment conducive to the slow restoration of women's rights. Islamic feminists close to the regime successfully challenged certain laws, policies, and practices that reinforced women's subordinate status in the family, the workplace, and the polity. The emergence of a women's press (such as *Payam-e Hajjar*, *Zanan*, and *Hogough-e Zanan*), the growth in women's organizations, President Khatami's appointment of four women to high government positions, the new emphasis on family planning, and the encouragement of women gynecologists are all positive signs of the reform movement of the 1990s (Moghadam, 1998, ch. 7). Iranian women have increased their visibility in the public sphere through such actions as participating in local and national elections, maintaining a lively press, comprising an ever larger proportion of university students, and playing important roles in the new Iranian cinema. Iran's Islamic feminists have sought "full membership in the national community" (in the Marshallian sense). However, serious obstacles hinder the full attainment of citizenship, especially for women. The permissible discourse in Iran remains an Islamic one, censorship plagues the new periodicals, organizations are not genuinely non-governmental, political parties do not exist, the Sharia continues to be the law of the land, and veiling remains compulsory.

Jordan

Jordanian women won the right to vote and run for office in 1974. Yet in the country's 1989 national elections, all 12 female parliamentary candidates lost because of a lack of financial backing. During the second legislative elections in 1993, only two women ran for parliament, and one, Tujan al-Faysal, won a seat in the lower house. (Two women were appointed to the upper house.) Her platform was based on human rights and democracy, and she ran as an independent. "Faysal's independent political discourse provoked the religious and conservative trends within parliament, but her passionate belief in democracy and human rights and her knowledge of Islam earned her respect among some sections of the public and enmity from the ruling establishment. As an MP, she played a key role in revealing corruption and irregularities" (Abu-Zayd, 1998). She ran again in the legislative elections of November 1997, as did Emily Naffa, but neither woman won any seats.

Had they won, they would have implemented the top ten issues that had been identified by women at a series of meetings across the country: (1) Amending the law to give more protection to women against polygamy and divorce without proper reason, to increase compensation and alimony for divorcees, and to improve the regulations of child custody in favor of women. (2) Amending the health insurance law to include all citizens, and to achieve equal rules and regulations for men and women; a special insurance system to be created for mothers and children in case the father is not insured. (3) A new child protection law to protect women from homelessness, begging, child labor and drug trading. (4) Amending the nationality law so that Jordanian women can pass on their nationality to their non-Jordanian husbands and children. (5) A new law to protect women from emotional and physical abuse by their spouses. (6) Establishing a quota for women in parliament and diplomatic posts, and introducing a mechanism to ensure that women reach decision-making positions in the government. (7) Making school curricula more relevant to current social issues, and teaching school children how to deal with social problems. (8) Modifying the election law to make it more fair, especially the electoral districts, the minimum voting age, registration fees for candidates, and the one person, one vote system. (9) Granting women their own passport without needing the approval of a male guardian. (10) Achieving equal rights for men and women to hold professional positions according to qualifications and seniority (Khoury, 1997).

Despite – or because of – their low level of participation and representation in formal politics, Jordanian women have been involved in non-governmental and extra-parliamentary activities pertaining to women's rights. These include the formation of women's organizations and the occasional protest against women's legal status or social conditions. In November 1998, more than 250 women marched through Amman in a demonstration against domestic violence. Critical voices against "honor killings" have been raised for some time. The precipitating factor in the women's march was the arrest of a man for the

killing of his 17-year-old daughter who had eloped with a boyfriend. Women's groups demanded that perpetrators of domestic violence, including honor killings, receive tough sentences.¹¹ Another issue of importance to Jordanian women activists concerns the Nationality Law and the right to travel. At present, a Jordanian woman may not obtain a passport without the written consent of her husband or nearest male relative. If she is married to a non-Jordanian, her children cannot claim Jordanian citizenship, even if they are born and always reside in Jordan. Jordanian feminists seek removal of Jordan's reservations to CEDAW, which focus on these and related issues.

Palestine

The struggle to insert principles of women's rights and gender equality in the basic laws has proven to be more difficult than previously imagined, given the existence of a tradition of women's activism and of a conducive political opportunity structure in the late 1980s. This is largely due to the rise of an Islamist movement, itself the result of frustration and anger over the non-resolution of the conflict with Israel. Here, as in some other historical cases, the re-masculinization of disempowered males seems to be incumbent upon the domestication of women and their relegation to the private sphere. Such a prospect, however, is being challenged by feminist activists and scholars.

If the 1980s were distinguished by the rise of grassroots women's committees tied to various political parties and organizations during the Intifada, the 1990s saw the rise of a "women's centers movement" (Kawar, 1998: 237). Under the Palestine National Authority, the women's centers movement is composed of "well-educated, politically sophisticated, and feminist women. They are academic and professional women who gained visibility during the Intifada, speakers and researchers on the conditions of Palestinian women under the Israeli occupation. The women in this leadership group are either independent in their party orientation, or are partisans with a strong interest in women's autonomous action and empowerment." (Kawar, 1998: 237). The three best-known ones are the Women's Affairs Technical Committee, the Women's Center for Legal Aid and Counseling, and the Feminist Studies Center. There is women's empowerment through political education and the realization of women's rights. Activities are primarily educational: conducting research and creating data banks on women, publishing a women's magazine, holding training workshops, and providing forums on such topics as democracy, women's rights, and women's leadership. There are also women's centers that specialize in legal counseling for women or in social and psychological counseling.

Headquartered in Ramallah, the Women's Affairs Technical Committee is the most politically active women's lobbying group. Its proposal for a gender

¹¹ See Associated Press, "Jordanian Women Protest Abuse", Thurs., Nov. 26, 1998, via Internet.

support; only the People's Party (the former Communist Party) supported the idea (Kawar, 1998: 238). In 1995-96 the WATC lobbied against several discriminatory PNA regulations, and succeeded in abolishing a law requiring female drivers to be accompanied by a male guardian. In the case of the Palestinian passport, the Interior Ministry, following regulations in some of the Arab countries, had required that a male guardian sign for females who applied for a Palestinian passport. The WATC led the fight with letters to the PNA head, Arafat, and the Interior Ministry, with street demonstrations, petitions, and letters to the newspapers.

The Declaration of Principles on Palestinian Women's Rights invokes the PNC's Declaration of Independence, along with the Universal Declaration of Human Rights and the Convention on the Elimination of All Forms of Discrimination against Women. It reads:

We the women of Palestine, from all social categories and the various faiths, including workers, farmers, housewives, students, professionals, and politicians promulgate our determination to proceed without struggle to abolish all forms of discrimination and inequality against women that have been imposed by the different forms of colonialism on our land, ending with the Israeli Occupation, and which were reinforced by the conglomeration of customs and traditions prejudiced against women and embodied in a number of existing laws and in legislation.

It then calls for the affirmation that "women's legal rights is in all respects a cornerstone for building a democratic Palestinian society". The document demands equality in the following areas: political rights (particularly the right to run for and hold office); civil rights (particularly to grant women the right to acquire, preserve, or change their nationality, including freedom from imposition of a husband's nationality, and their right to give citizenship to husbands and children; economic, social and cultural rights (including employment-related rights and equal opportunities).

The most important legal issue with profound gender implications is the Palestinian Basic Law, and those clauses that address sources of the law. It is ironic that the movement that once called for a democratic and secular Palestine forwarded a constitutional statement that "Islam is the official religion of Palestine". An early draft in December 1993 made no mention at all of women's rights. Later drafts issued after strong protests guaranteed women equal rights in "public life", implicitly ceding the sphere of "private life" to Islamic family law. The women's centers have lobbied the legislature for more commitment to gender equality in the articles of the Basic Law; legal experts, including the well-known lawyer Asma Khader, have debated what a new Palestinian personal status law should look like. In these efforts they are receiving important international support, and the regional office of UNIFEM has assisted them in strategic planning. Of all the political parties, only the People's Party came out in

strategic planning. Of all the political parties, only the People's Party came out in favor of social insurance for all women (regarding housewives as workers) and for changing social status laws to be consistent with the UN convention on women's rights (Connell, 1998).

In April 1998, the Women's Center for Legal Aid and Counseling, impatient at the slow pace of legal reform, convened the "Palestinian Model Parliament: Women and Legislation", a two-day forum. Its proceedings, which were broadcast live on Palestinian television, were denounced by Islamists. The 88 female and male "deputies" voted to remove sex discrimination from the territory's existing legislation; they placed a total ban on polygamy and raised the age of consent to 18 for both males and females. These mock amendments were then forwarded to the Palestinian Legislative Council as recommendations to be incorporated into the Basic Law when the real parliament eventually votes on it.¹²

Turkey

In Turkey, women entered the political scene in the 1980s with demands for redefining their civil rights, and helped move forward the process of democratization. The issues raised focused first on domestic violence and amending the inegalitarian clauses of the Civil Code, and later included the rights of prisoners and of victims of the war in the southeast, and the promotion of women's parliamentary participation. Feminists began organizing consciousness-raising groups and petition drives at a time when, several years after the 1980 military coup d'état, it was illegal to organize in any form. Because the left and right had been crushed by the coup, the feminist initiatives were deemed politically insignificant. In fact, feminist activism had broad political implications (Arat, 1994). According to Yesim Arat (1998): "It was not merely women's voices which were new on the public scene, but also demands made for individual rights". With regard to the right of women to be free from domestic violence and harassment in public places, Turkish feminists argued that violence toward women's bodies should be treated under a separate section of the criminal code as "sexual assault". Feminists also began a petition drive to rid the Civil Code of clauses designating the husband as the head of the family and the guardian of the wife. The petition was presented to Parliament in 1991.¹³

¹² See *The Economist*, April 4, 1998.

¹³ The petition languished there, the victim of political battles and changing governments. However, it is a measure of the influence that feminist groups have in Turkey when in June 1997 they forced the Ciller-Erbakan coalition government to withdraw a candidate to head Turkey's Ministry of Women and Family Affairs. Ludicrously, this candidate was not only a man, but a polygamous man with two wives. In a formal complaint to President Demirel, the head of the Women Jurists' Association said that "the government is mocking women". ("Candidate with 2 wives won't take Turkey's Ministry of Women post", *Chicago Tribune*, June 15, 1997).

Scholars of Turkey's women's movement tend to distinguish between the Kemalist, Feminist, and Islamist women's organizations and agendas. Kemalists perceive women as citizens and productive members of society; they advocate women's political participation in political, social and economic life "as secular and nationalist agents" (Esim and Cindoglu, 1998: 9). The feminist organizations emphasize domestic violence, women's empowerment, and consciousness-raising (ibid: 13). Islamist women's groups "perceive women mainly in the context of their families as wives and mothers", offer social services to religious women, and argue for the right to observe *hejab* in public. Although the Islamist and Kemalist women's organizations are larger and well-financed, "the issues [the feminists] raise are slowly finding a place in the social consciousness of the Turkish political spectrum" (ibid: 18).

In more recent years feminists have warned against the rise of an Islamist political elite and have marched in defense of secularism and in protest of fundamentalism. One such march and rally took place in February 1997 with 15,000 women and was named "women's walk against the Shariat". According to Arat, the women used slogans such as "no to Shariat", "protest fundamentalism like a woman", and "we are women, we are strong, we are against the Shariat". They also protested Tansu Ciller, Turkey's (and the Middle East's) first female prime minister, because of her alliance with the Islamic Refah Party and because of her illicit undertakings and misleading promises. As Arat has argued, Turkish feminist activism "contribute[s] to a liberal, secular, democratizing polity" and to a discourse of universal rights (Arat, 1997: 109).

North Africa: Morocco and Tunisia

In Morocco, formal politics has been the exclusive domain of men, and the country's Code du Statut Personnel is based on the conservative Maleki school of Islamic law. And yet the women's movement has become very vocal and visible since 1990, and the new left-wing government, which was formed in March 1998, appointed two women to cabinet posts. The women's movement addresses the state on such diverse political questions as family law, civil rights in the constitution, violence against women, and discrimination in recruitment of women graduates for public institutions (Naciri, 1998). Under pressure from the women's movement, Morocco ratified the UN convention on women's rights in 1993 with, however, important reservations that women's groups are seeking to have overturned. The reservations were made with regard to Article 9 (nationality), Article 16 (equality in marriage and divorce), and Article 29 (national sovereignty in settling disputes). Along with Tunisian and Algerian feminists, Moroccan feminists have been active in the Collectif 95 (now 2000) Maghreb Egalité. In the alternative, egalitarian Code formulated by the Collectif, various articles undermine the foundations of male authority and supremacy, and women's exclusion from economic and political power. Rather audaciously, they also challenge religious precepts and cultural practices. These include demands for equal status in regard to inheritance; the right of Muslim women to marry

non-Muslim men; and the abolition of the duty of obedience to the husband as well as abolition of responsibility of the husband for the wife (Naciri, 1998). In late 1997, the obligation of Moroccan women to obtain marital authorization in order to go into business was abolished, as was the obligation for married women to obtain marital authorization before receiving a passport.

Tunisia's Code du Statut Personnel, adopted in 1956 under the modernist Bourguiba government, reformed marriage, divorce, custody, and to some extent inheritance. By banning polygamy and repudiation, it reduced the power of husbands. As such, Tunisia's family law has been far in advance of that of Morocco. Nevertheless, Tunisian feminists, like their counterparts in Morocco, are calling for a more expanded definition of rights. As a result of their efforts, amendments to the family code were passed in July 1993. The obligation that a wife should obey her husband was dropped. An innovation was the creation of a National Fund to guarantee alimony and child support to divorced women. "If the former husband fails to provide either alimony or child support, the fund will provide the woman with the equivalent sum of money within two weeks of receipt of a legitimate petition on her behalf. The fund will then attempt to recover the money from the delinquent father" (Charrad, 1997: 308). Charrad argues that the reforms of the 1990s reflect a new development in Tunisian society: the rise of women's agency. This is partly related to the rise of Islamic fundamentalism in the region, which has resulted in an alliance between the political elite and the feminist groups in opposition to the fundamentalist movement.

Such an alliance is manifestly evident in Algeria, where the struggle for women's citizenship is also most developed.

Algeria

In Algeria, the women's movement arguably launched the democratization movement when, in the early 1980s, small groups of women professionals and of *Moudjahidates* (women veterans of the war of liberation) gathered in front of the National Assembly building. They protested against the secret formulation of a new family code, which cast women as minors and legalized polygyny. Just two months after Boumedienne's death, the Ministry of Justice announced the creation of a commission to draft a Family Code. On March 8th, 1979 some 200 university women convened an open meeting at the industrial workers' union headquarters in Algiers to demand the disclosure of the identity of the members of the commission, and to express their concerns and demands (Knauss, 1987: 130). In January 1981 the government of Chadli Bedjedid abruptly prohibited Algerian women from leaving the country without guardian permission. This was followed by the introduction of the draft Family Code, which many women saw as an attempt to placate a growing Islamist tendency by institutionalizing second-class citizenship for women. On 21 January 1982, the group of women professionals and *moudjahidates* issued a six-point demand, calling for: monogamy; the unconditional right of women to seek employment; the equal

division of family property; the same age of majority for women and men; identical conditions of divorce for men and women; and effective protection of abandoned children (Bouatta, 1995).

The debate over the family code forced the government to withdraw its proposal, but an even more conservative revision was presented in 1984 and quickly passed by the National Assembly before much debate resurfaced.¹⁴ The women's cycles of protest continued. Feminists point out that the Family Code contravenes the equality clauses of the Constitution, the Labor Code, and international conventions to which Algeria is a signatory (Cherifati-Merabtime, 1994). According to one observer: "The unpublished literature produced by the various women's associations at that time very much is about human rights as citizen rights: the right to participate in all affairs of the society, to make decisions in the private and the public realms. The ideals of equal citizenry, free individual expression, and allegiance to a national society are to be realized in a modern republic. Before the women's protests, these issues were blurred within the populist social contract of Algerian socialism" (Cheriet, 1997: 15).

The Bendjedid government was pursuing market reforms in addition to its adoption of a conservative family law. Austerity measures combined with political frustration led to the riots of October 1988. The riots in turn ushered in a brief period of political liberalization, which saw the increasing popularity of the Algerian Islamist movement which later called itself the Islamic Salvation Front (*Front Islamique du Salut*). Algerian feminists were alarmed by statements emanating from Islamist leaders such as Ali Belhadj, who declared that "the natural place for a woman is at home" and that "the woman is the reproducer of men. She does not produce material goods, but this essential thing that is a Muslim."¹⁵ Feminists groups were opposed to the electoral reforms that legalized religious-based parties such as the FIS, a legalization that actually contravened the constitution. The leadership of the FIS proceeded to issue statements condemning the anti-fundamentalist women as "one of the greatest dangers threatening the destiny of Algeria" and branding them "the avante-garde of colonialism and cultural aggression" (Bennoune, 1995: 197). Several women activists were targeted for assassination.

The period 1989-1994 saw the formation of the following feminist organizations: l'Association Indépendante pour le Triomphe des Droits de la Femme (Triomphe); l'Association pour l'Emancipation des Femmes (Emancipation); l'Association pour le Defense et Promotion des Femmes

14 In the revised code, Algerian women were to be given in marriage by a *wali* (guardian). Provisions for divorce initiated by women were sharply curtailed, as were the restrictions on polygyny; fathers became the sole guardians of children, and women were given an unequal share in inheritance. The only positive aspect of the new family code was that the minimum marriage age was increased for both women and men (to 18 and 21, respectively).

15 Cited in Mahl [pseudonym], "Women on the Edge of Time", *New Internationalist*, No. 270, via Internet

(Defense et Promotion), Cri de Femmes, Voix des Femmes, El Aurassia, and Rassemblement Algérien des Femmes Democratiques. According to Bouatta, there were 20 women's associations in the first national meeting of the women in late 1989 and in 1993 perhaps as many as twenty-four. Their objectives include the abolition of the Family Code; full citizenship for women; enactment of civil laws guaranteeing equality between men and women in areas such as employment and marriage and divorce; abolition of polygamy and unilateral male divorce; equality in division of marital property. After 1991 many of the feminists in these organizations advanced the slogan "No dialogue with the fundamentalists."¹⁶ These and other organizations have participated in a variety of national and international independent initiatives on violence against women, including a March 1994 tribunal in Algeria "to judge symbolically the responsible Islamists and the former president of the Algeria Republic for their crimes against humanity." All the women's groups build coalitions to organize street demonstrations in Algeria to defend democracy and the citizenship of women.¹⁷

Algerian feminists are seeking to become more visible and more prominent in the established political structures. Indeed, the most interesting outcome of the 1997 municipal and parliamentary elections was the election of 11 women to the National Assembly, among them several well-known activists. Among them are Louisa Hanoun, leader of the Workers Party, Khalida Messaoudi, an organizer of the 1980s protests and now of the Rally for Culture and Democracy, and Dalia Taleb of the Socialist Forces Front. As an Algerian sociologist and feminist has written, "women are entering the scene as active subjects in the construction of a new citizenship" (Cherifati-Merabtine, 1994).

Reflections on the Middle Eastern Experience

Concepts and processes of nationalism, national identity, and citizenship have been infused with gender; they have included some and excluded others (whether by sex, class, religion, race, ethnicity, or national origin); and they have led to the organization of public and private spheres in ways that privilege men and subordinate women. We have seen that in the Middle East, the relationship between national identity politics and women's rights has been unpredictable and uneasy. In some cases, nationalism and women's rights are equated; in other cases, national identity politics seeks to recuperate traditional norms, including the public/private division. In all cases, the "woman question" comes to the fore because women and gender relations are key to national reproduction, national culture, national citizenship, and national conflicts and wars (Yuval-Davis, 1997). In nearly all cases, the state, citizen, and public sphere have been cast as

¹⁶ Mahl (op. cit.). See also *Women, Law & Development International Bulletin*, January 1998, p. 4.

¹⁷ *Women, Law and Development International Bulletin*, January 1998, p. 4.

1997). In nearly all cases, the state, citizen, and public sphere have been cast as male; and although the family is the province of women, its "headship" is legally male.

In T. H. Marshall's famous formulation, the 18th century was the century of civil rights, the nineteenth century that of political rights, and the twentieth century the era of social rights. As feminists have pointed out, the evolution of rights has been different for women and for members of excluded racial and ethnic groups. In the Middle East, as in many developing and post-colonial countries, the trajectory has not been the same as in Western countries, and much of the struggle over citizenship has unfolded in the twentieth century, and continues. In most cases, civil, political, and social rights are being collapsed into a single demand for democratization and participation. In all cases, women are at the center of the struggle to define and extend citizenship in ways that include improvements in their own social standing, political participation, and national membership.

An emerging trend, evident, in particular, in Algeria, Morocco and Tunisia, is that feminists (and intellectuals) are seen as ramparts against the danger of fundamentalism. Statements by government officials that are reported by the media, and some newspaper editorials, have referred to the feminists' strong opposition to fundamentalism as constituting a major bulwark against the success of Islamists. Such representations of women – in which women are depicted as citizens and political actors and not only as wives and mothers – may herald a significant shift in gender norms.

A reading of the literature produced by women's organizations and by women's human rights activists suggests that some gaps remain in the conceptualization of rights and obligations, and some tensions need to be resolved. Among them are class issues (including the social rights of working men and women, and of the poor), the status and rights of immigrants and of contract workers, and the rights of religious and ethnic minorities to what Narayan calls "dignity, political participation, and nationality". This latter issue is important, given the systematic discrimination that non-Muslims experience, and their status as marginal members of the national community. The relationship between the state and citizens, and their respective rights and obligations, also require elaboration. It is true, as many feminists argue (e.g., Lister, 1997), that the empowerment or full citizenship of women is an inseparable part of the formation of civil society (*pace* Pateman). But it is also true that the emergence of civil society is contingent upon the existence of a state that enforces universal legal norms and guarantees protection of civil and human rights regardless of gender, race, ethnicity, class, and religion. Through their insistence on the rights of women-as-individuals, the feminist organizations are forcing a reconsideration of the role of the state vis-à-vis its citizens. But this role and relationship needs to be more explicitly addressed.

Perhaps the most difficult tension is that between a national identity based on Islamic civilization and culture, and the call for civil and political rights that

may be construed as unduly inspired by Western traditions. In most countries, nationalism and Islamism remain the main legitimate discursive frameworks. Among the countries of the region, Tunisia seems to be crafting a national identity and legal framework that reflect its own Arab-Islamic heritage as well as social and gender rights as understood internationally. Elsewhere, the women's organizations need to develop a framework for recognizing identities and elaborating equal rights for all, in a way that draws on history, cultural understandings, and global standards.

In the meantime, the "modernizing women" of the Middle East are challenging popular understandings and legal codes regarding the public sphere and the private sphere; they are demanding more access to the public sphere, full and equal participation in the national community, and full and equal rights in the family. This has broad social and political implications. Al-Azmeh (1993: 36) notes that the struggle for citizenship will complete the transition from communal to civil society, but that, like all historical processes, it is highly conflictual. In Middle Eastern countries, agents of this conflictual historical process include Islamist movements, intransigent or colluding states, and women's organizations. Women's struggles in the Middle East – whether around the modernization of family laws, or in the fight against fundamentalism, or around the demands for greater employment opportunities, political participation, or nationality rights – are the central motor of the drive for citizenship.

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