

# The status of women as a key indicator of modernity in Muslim society

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SEBASTIANO SALI, JUL 21 2010

### Introduction

A modern societies level of development can be assessed through the status of its members, regardless of their gender, class or education. However, when the focus falls on non Western societies, the status of women become a fundamental issue. Particularly, within the context of Islam, the subject of gender relations is highly sensitive, both on a popular and academic level<sup>[1]</sup>.

This paper will argue that the rationale of using women's status as an indicator for the level of modernity achieved in non Western Muslim societies, can set up a vicious circle, that reinforces the orientalist bias. Indeed, such an evaluation is often affected by a widespread belief that secular-liberal regimes holds a more favourable stance towards women<sup>[2]</sup>. In addition, some Western feminist scholars have developed an approach to this issue based on the triangle *Imperilled Woman, Dangerous Muslim Men, Civilised European*<sup>[3]</sup>, that exasperates this dynamic.

Consequently, this approach leads to two main outcomes. First, the adoption of policy measures and the development of social<sup>[4]</sup> and discursive<sup>[5]</sup> practices that strengthen the original *mythology* of a modern West, versus a non/pre/hostilely modern Orient. Secondly, a refusal to approach the question of women's status in society through a more vast understanding of the specific cultural, historical and social background in which Muslim women live<sup>[6]</sup>, justified by the idea that multiculturalism and feminism are at odds<sup>[7]</sup>.

A critical approach will be used to present an alternative standpoint on the issue of gender in Islam societies'. In particular, this approach incorporates the idea of modernity as an incomplete project<sup>[8]</sup> in which the focus is centred on agency; in this case that of Islamic women. Moreover, this rationale stresses the importance of varying cultural, historical and social backgrounds in which the question of women's status is set, as the fundamental criteria of analysis for a deeper investigation that avoids a facile conclusion, like the clash of modernities one<sup>[9]</sup>.

Thus, the first section of this paper will reaffirm the importance of the gender issue in the logic of Orientalism, clarifying that the very essence of the orientalist bias is itself gendered. The second section will present the core assumption of the orientalist point of view, that is secular-liberal regimes are more incline to treat women better: an axiom that will be shown not to be always true. The third section will illustrate some feminist assumptions that, instead of underpinning women's conditions, they undermine it, by reinforcing the idea of clash of civilisations. The fourth section will introduce a critical feminist approach that, taking into consideration the previous discussion, would be able to develop a more effective rationale to tackle the gender issue in Muslim societies.

### 1. Orientalism, Gender and (Pre)Modernity

Edward Said's "Orientalism" is a very well known and appreciated work<sup>[10]</sup>. However some scholars, especially those with a feminist viewpoint, criticise this work for not paying much attention to the status of women issue<sup>[11]</sup>. Instead,

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they argue that women played a very important part in the textual production of the orientalist bias. Women actively participated in making gender, as a differentiating term, integral to the structure of the orientalist discourse and to the individual experience of it<sup>[12]</sup>.

Nonetheless, it must be emphasised that in Said's seminal work, to be considered more of an analytical device rather than a holistic theory, the very essence of the whole rationale of Orientalism is itself gendered. Indeed, Orientalism has been defined as the practice of male domination, or patriarchy, whereas the Orient was represented as feminine, portrayed through sensual women and harem symbolism<sup>[13]</sup>.

Then, it does not surprise that the debate about modernity and women is characterised by such a Manichean narrative. The modern West, respectful of women on one hand; the pre-modern Orient mistreating them on the other.

The main literature has, by and large, claimed an essential difference exists between the modern Western and the traditional Islamic approaches to women's status. In particular, Islamic societies are presumed to be much more hostile towards women's rights, while Western societies are supportive women's rights of equality and liberty<sup>[14]</sup>. In this sense the West is seen as culturally committed to the values of the Enlightenment, on the other hand the non West is understood as completely non modern or even worse, hostile to the process of modernisation<sup>[15]</sup>.

In the same way, in modernist terms, pre-modern women are then conceived as absent from the public sphere, unseen and unheard. Thus modernity, is seen as the process that has to repair this imbalance, by making women part of discursive as well as printed works<sup>[16]</sup>. This emancipatory narrative is then, clearly based upon the silenced/voiceless, segregated and oppressive image of the Muslim women, unable of any independent agency<sup>[17]</sup>.

## 2. The Secular-Liberal Regimes Appreciation

One of the most important assumptions posed by the orientalist approach is that the Western model is the most likely to lead to modernity. Though this stance implies the idea that all the secular-liberal regimes inspired by Western canons, notwithstanding their scarce political credentials, are generally more beneficial for women's rights. However this is not necessarily true.

A critical approach to this assumptions is presented by the feminist discourses. First of all, this approach tends to discredit the belief that the system of gender relations in liberal systems is universally valid. In fact, the main assumptions of the liberal discourse are affected and often transformed by cultural, political, economic, class and ethnic relations, that may lead to unexpected outcomes.

In particular, it has been argued that liberal societies produce two specific forms of disadvantage for Muslim women. Firstly, denying women the full rights and privileges accorded to men, taking for granted an idea of citizenship that does not consider all that is feminine. Secondly, according those same rights and privileges without distinction to men and women, but at the same time conveying a different interpretation of citizenship for different genders<sup>[18]</sup>.

A clear example of this dynamic is the evolution of the gender issue in Egypt. The already existing sexual divisions of roles and labour were further exaggerated by the colonial domination, that imposed foreign values destroying the native ones. As a result, the indigenous society collapsed internally and men retired into the shell of rigid customs and sterile ritual, finding in it a form of security<sup>[19]</sup>. On this basis, beginning from the 1950's, as part of the process of constructing a new secular/national Egyptian society, gender difference was identified in terms of hierarchical relations of power between the state and women.

The right to work, for instance, has always been depicted as an inconvenience. Departing from the secular ideal of domesticity, the importance of women's role as householders did not diminish with the introduction of the modern right to work. In fact, a woman working was considered to be doing it as an economic necessity rather than as a free conscious choice. Indeed, the rules for political women's organisations, set up in the 1980's, were much more illiberal than those for all the other political groups. Again, the choice for autonomous political agendas was denied in the name of a special relationship between the women groups and the state<sup>[20]</sup>.

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Notwithstanding the evolution from Sadat's paternal and protective standpoint of the 1970's, to Mubarak's sameness equality of the 1980's, the previous examples clarify that women's rights have always been second class ones.

Then, it becomes easy to understand how the question of women is strictly related to specific backgrounds. In particular, significant variations in the conditions of Muslim women rely on single political projects for the construction of a modern liberal and secular state. The expansion of women's citizenship rights coincided with the secularist push for the nationalist state-building project<sup>[21]</sup>. However this does not always mean an advancement in women's status.

It has been argued though, that it is highly likely that state capitalism negatively affected the condition of nineteenth century Muslim women. Thus, the conditions which the twenty-first century feminist movements protest against, partially find their roots in the outcome of the process towards the Western modernisation model, rather than in Islamic conservative values. As a consequence, this perspective undermines all the thinking of the struggle between a modern West against a pre modern Orient<sup>[22]</sup>.

Though, it may appear that the whole mythology of the time of the Prophet as a golden age for Islamic women, when they had an active role in education, commerce, and politics, is not only part of the Islamic fundamentalist propaganda<sup>[23]</sup>, but rather may contain some kind of truth. Nevertheless, it is certain that although new and modern rights have been acquired by women, social habits persist to dominate, making those rights still unattainable<sup>[24]</sup>.

However, some attempts made by Western feminist movements in order to try to overcome this situation, have had the contrary effect of strengthening the logic of the clash, instead of positively affecting the status of Muslim women.

### 3. Legislative, Social and Discursive Misleading Feminist Practices

These counter-productive feminist campaigns are observable on three different levels of practice: legislative, social and discursive.

The 2005 argument occurred in Ontario about the religious-faith-based interpretation of the Arbitration Act<sup>[25]</sup>, is an example of a feminist campaign aiming to affect the legislative process. Feminist groups, Muslim as well as non-Muslim, opposed to the possibility given by the law to solve problems of family law privately, according to Sharia law.

It has been argued that this protest was based on the dangerous framework of secular versus religious, which is nothing but another facet of the modern West versus the pre modern Orient dichotomy<sup>[26]</sup>. The main argument of the protest was the image of the *Imperilled Muslim Women*. Feminists' argued that Muslim women were at risk and extremely vulnerable within their communities and families. Therefore, they had to be protected by the secular state, the best protector of women's rights, because of the total separation of religion and law<sup>[27]</sup>.

The handbook published in 2003 by the Norwegian *Human Rights Service* foundation about the problem of *Human Visas*, represents the combination of social practices and legislative aims. The issue was raised in opposition to the practice of forced marriages. Firstly, because they represent an open violation of a woman's free will; secondly, because they are often the escamotage for family reunions.

*Human Rights Service* based its entire campaign on the clash between the West versus non Western societies, in which the individual is dependent on religion, clan, caste or class. The practice of forced, pre-arranged marriages is used to underline the patriarchal features of those societies where the status of women is low. Along this line of argument, such a practice is then compared to the West that in contrast, has been able to free itself from such a feudal past. On the contrary this did not happen in the Muslim world. Therefore, the only solution to achieve modernity against this background, seems to be by the imposition of law by the secular state<sup>[28]</sup>.

Finally, the 1999 *American Feminist Majority* campaign against the Taliban's mistreatment of Afghan women exemplifies feminist discourse based on the *Save the Third World* rationale. This campaign achieved a great success, even amongst those people who are usually sceptical towards the feminist movement. That was partially due to the widespread idea that the Taliban's rules for women were unacceptable by any standards. Later on, the

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first lady Laura Bush seized that kind of approach saying on a radio show that all the *civilised people*<sup>[29]</sup> are speaking out in horror for the women and the children of Afghanistan<sup>[30]</sup>.

In addition, the increasing importance of Islamic fundamentalism reinforced the *Imperilled Women* logic, giving a universal and ready made explanation for every kind of violence that was inflicted on Muslim women in the Muslim world. Therefore, the message to public opinion was clear: all those people that consider Islam important for their lives, represent authoritarian, intolerant and misogynist societies<sup>[31]</sup>.

## 4. A Critical Feminist Approach

Feminism has been defined as “*a mode of analysis, a method of approaching life and politics*”, whose power is to connect everyday life with the analysis of social institutions that affect life<sup>[32]</sup>. However, the previous examples illustrated that the feminist approach itself can influence policy, social and discursive practices, that may lead to the unwanted outcome of strengthening the logic of the clash of modernity based on the gender issue. As an alternative, a more critical approach to the idea of modernity and to the question of women’s rights in the Muslim world, has been claimed to achieve different conclusions.

Such an approach would depart from the Habermasian idea of modernity. According to Habermas, modernity can and will no longer borrow its orientation criteria from different models, but rather it has to *create its normativity out of itself*<sup>[33]</sup>. Indeed, as it is the sense of modernity of the agency that creates the self-enclosed canons of being classic, overcoming the traditional difference between classic and modern, modernity can be seen as an unfinished process, centring the spotlight on the role of the agency<sup>[34]</sup>.

Thus, applying this methodology to the gender issue in Muslim societies, it undermines some core assumptions of the orientalist bias. Firstly, the necessity of having models of modernity, namely the Western one. Secondly and most importantly, by pointing out the importance of agency, it undermines the orientalist view that the social structure of non-Western societies is characterised by the absence of a civil society: a network of institutions that can mediate between the state and individuals. In that way, according to the orientalist view, individuals, women in particular, would be easier subjected to the arbitrary rule of the despotic state<sup>[35]</sup>.

Therefore, the practical application of this analytical device to the gender issue in Muslim societies intends to highlight Muslim women’s appropriation of their own modernity. In fact, contemporary Islamic women are not only the subject of discussed controversy, but they also are active political actors in the public debate. They can exploit the uniqueness of their educational power, which is both religious and secular, thereby being able to criticise Western modernity without falling in the trap of religious backwardness. Through this process that stands at the frontier of political ideology and social practices, women represent a challenge at the same time both for the development of a different notion of modernity as well as for the shape of a new identity<sup>[36]</sup>.

Women have also the means to break another key assumption of the orientalist logic. Orientalism has always portrayed Islam as a monolithic religion, with no differences all over the world. Against this view, the focus on the agency of women gives way to stress the development of different women’s subjectivity and personal experiences, emphasising the importance of different cultural, historical and social backgrounds, as well as the need for a deeper understanding of them<sup>[37]</sup>.

Therefore, a Critical Feminism would encourage taking into consideration the significance of historical context, stressing the importance of studying women’s dissimilar relationships to constitutionality in varying settings. Indeed, rather than a comparative approach to modernities, based on the framework of *Sisterhood* and/or on the rationale of the *Imperilled Muslim Women*, a transnational study would be able to provide a more vast and profound understanding.

Keys assumptions of this thinking should be: understanding the process of Islamisation of society as it is historically situated in every single context, rather than as a universal religious fundamentalism; that feminists accounts are not only a reaction to Western colonial domination and ongoing dependancy, but also a criticism of indigenous social

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class, culture and politics; that Islamist projects of modernity are not against modernity, but rather that they propose an alternative, Islamised expression of modernity; that it is necessary to deconstruct the idea that women's activism, particularly in politics, is a privilege of elite women while the masses are conceived as fundamentalist<sup>[38]</sup>.

In this way women would be able to appropriate their own modernity, breaking the vicious circle that departs from the aim of freeing women, leading to the reinforcement of the logic of the clash of civilisations, completely opposed to the feminist cause.

## Conclusion

This paper argues for the importance of revisiting the feminist approach to the problem of the gender issue in Muslim societies; in particular through the acquisition of a more critical stance to the notion of modernity and to the gender issue itself.

In fact, as has been shown, the gender issue represents the very essence of the entire logic of Orientalism. Therefore to gain a solution, or at least a serious attempt in tackling it, it is fundamental to undermine all the foundations of the orientalist bias and the thinking behind the clash of civilisations and of modernities.

Nonetheless, it has been argued that some feminist practices, acting on different levels, have the counter-productive effect of reinforcing this logic and, at the same time, weakening the question of women's rights in the Muslim world. This is due mainly to two reasons. Firstly, the general understanding that secular-liberal regimes, typical of the so-called West, have generally a better standpoint regarding the gender issue. Secondly, gendered rationales such as the *Imperilled Women*, *Islamic Men and the Civilised Europeans* and the *Third World Sisters to be Saved*, purport a monolithic vision of the Islamic world, contributing to the logic of the two opposing blocs.

Therefore, in order to escape this dangerous vicious circle, a critical stance suggests a different method to face this issue. Starting from the idea that modernity is an incomplete project, without some models that are better than others, but rather stressing the importance of human agency to achieve an overall better modernity. This modus operandi consequently leads to a deeper understanding of the importance of the settings in which the gender issue is located. Indeed, in contrast with the idea of a monolithic Islam, the question of Muslim women's rights presents different characteristics related to different contexts, thus requiring different solutions and means to achieve them<sup>[39]</sup>.

However, such a background analysis should not remain within national borders themselves. Rather, the necessity is to deconstruct the single ideas of *daughters*, *wives* and *mothers* built on the state/women relationship, and reconstruct it on a universal level of human rights and international conventions against any kind of legal or social discrimination based on gender differences. This new process would be enforced by the fundamental agency of women themselves, that should be able to transcend national borders through global social movement activism, regardless of gender, ethnicity, class or religion<sup>[40]</sup>.

This would probably be the best attempt to go beyond the rationale of women and modernity itself, introducing the question of gender issues into a universal modernity.

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<sup>[25]</sup> The Arbitration Act is a law approved in 1991 that enables individuals to hire third parties to privately adjudicate their conflicts using agreed upon rules or laws. For the complete text see <http://www.canlii.org/en/on/laws/stat/so-1991-c-17/latest/so-1991-c-17.html> (accessed 8 May 2010).

<sup>[26]</sup> Razack, 'The 'Sharia'', p. 6.

<sup>[27]</sup> Razack, 'The 'Sharia'', p. 9.

<sup>[28]</sup> Razack, 'Imperilled Muslim', pp. 136-138.

<sup>[29]</sup> My emphasis.

<sup>[30]</sup> Hirschkind and Mahmood, 'Feminism', pp. 340-341.

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<sup>[34]</sup> Habermas, 'Modernity', pp. 4, 13.

<sup>[35]</sup> Turner, *Orientalism*, p. 23.

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<sup>[37]</sup> Abu-Lughod, 'Orientalism', p. 111.

<sup>[38]</sup> Jamal, 'Transnational', pp. 60-66.

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