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IDENTITY POLITICS, CULTURAL DIVERSITY, AND THE FUTURE OF DEMOCRATIZATION IN AFRICA: THE CASE OF WOMEN'S STATUS IN NORTH AFRICA

Mervat F. Hatem

Introduction

Movement towards the goal of Afro-Arab cooperation requires a critical examination of the political attitudes that Africans, in different parts of the continent, have towards the multiple components of their cultural identity. Despite the lip service often given to the diverse cultural heritage of the African continent shaped by its indigenous religions, the Arab-Islamic legacy and the Christian/secular/European influences,[1] there are intense cultural wars waged by the purists of each side to establish the single dominance of one component over the others. Specifically, the status of women in these cultural traditions has been used in this war to establish the superiority or inferiority of different legacies. In different parts of the continent, the debate has served to divide and, therefore, to weaken the power of women to organize and mobilize themselves in their national struggles for gender rights. Taking North Africa as a case in point, I will show how victory for cultural purity (whether it is secularist, Islamist, or indigenous African) will deny women the maneuverability of having these culturally diverse legal traditions as bases for enhanced gender rights.

Orientalism and the Politics of Identity

In order to understand the African cultural debate, it is important to make reference to orientalism as an old and dominant cultural discourse which has shaped most contemporary discussions of the relationship between self and other. Although orientalism is associated largely with Western discourse about Europe and its "other," orientalist assumptions about Christianity and Islam (and the oppositional relations between them) are very much part of the African debate, which adds nativist dimension to the cultural mix but reverses the relations of power between it and the others.

In *Orientalism*, Edward Said has traced the intellectual influence of the tension between Christianity and Islam as the Western discourse devoted to the study of the "Orient" as an "other."[2] In this discourse, the orient is more than a geographic location. It is a metaphor for a "non-European other" counterposed to a

Christian/secular Europe that constitutes itself as a "cultural and political economic standard" by which the former is judged as wanting.[3] Nowhere is this European superiority more categorically asserted than in the area of gender relations. Despite the survival of patriarchy in Europe, these European cultures claim to set the standard for women's liberation.

In many African and Arab societies, this religious/cultural tension is internalized with Christian men and women looking down on their Muslim counterparts as oppressed; the veil and polygamous marriages are cited as powerful symbols of the backwardness of these cultures.[4] There have been other nationalist and nativist responses to Islam which can be described as orientalist; in such cases, Islam has been construed as a symbol of cultural domination and/or backwardness, reflecting African grievances against both. Many African theorists and intellectuals have used critiques of Islam (and sometimes of Christianity) to assert the superiority of indigenous African religions and cultures. Amilcar Cabral, for instance, presents as part of his analysis of the social structure of Guinea-Bissau a puzzling contrast between the Muslim Fula women, who are oppressed because of polygamy, and the African Balante women, who are free despite polygamy![5] In a more explicit vein, Wole Soyinka rejects Ali Mazrui's ecclectic discussion of African identity shaped by the triple heritage of Christianity, Islam, and African religions, arguing that there is a paramount need to address what he describes as "the real Africans from a black African's perspective."[6] According to this last position, only "indigenous traditions," blacks and southern Africa are authentically African—not the Arabs, North and East Africa, or Islam.[7]

In a parallel vein, the Islamist movements in North Africa have insisted on the need to homogenize existing cultures and legal systems so that they are more authentically Islamic. The attempts by the regimes of Ja'afar al-Nimeiri and Hasan al-Turabi in the Sudan to create an Islamic state in an ethnically and culturally diverse society has had disastrous political consequences. Similarly, the failure of the secularist states in Algeria, Tunisia, and Egypt to recognize the Islamists as a legitimate political group has tested the very social fabric of these societies. They show the very high human and political costs these forces (whether they are secularist or Islamist), committed to cultural purity, demand from societies that are far from homogeneous.

In the next section I want to challenge the divisive and parochial focus of these nativist and/or nationalist approaches to understanding African societies by presenting a critique of the North African experience, which, I hope, will be suggestive in the assessment of the problematic nature of other continental efforts that share the goal of the homogenization of culture and society. I will argue that the negative

consequences of these attempts have been largely borne by women in the Sudan, Algeria, Tunisia, and Egypt.

Secularist and Islamist Perspectives on Cultural Diversity: Gendered Consequences

During the 1980s, North Africa, including the Sudan, witnessed the rise of a polarized struggle between the secularists and the Islamists for political dominance. In the process, both have developed social agendas that are clearly intolerant of "difference." The secularists represent the Westernized views of a dominant segment of the Muslim population which led the nationalist struggle for independence and the post-colonial state. The Islamists represent a new political force of the marginalized younger segments of the important middle class disadvantaged by secularist politics. Both have fought one another by using women and religious and other minorities as defining issues that distinguish their agendas. In this paper, I will show how both use gender issues polemically and how they give women a limited role in the political arena.

Contrary to the neat religious, linguistic, and ethnic character which the concepts of Islamic and/or Arab societies imply, the societies of North Africa and the Sudan are not that homogeneous. In Libya, Algeria, and Morocco there are Muslim Berber populations that are ethnically and linguistically distinct. In addition to having their own language, they are fair-skinned in Libya, but dark-skinned in both Algeria and Morocco. Demographically, they represent 60% of the population in Morocco,[8] 20% in Algeria, and a tiny group in Libya. Despite the fact that Egypt is often presented as a very homogeneous society, there is a large Christian Coptic[9] minority which represents 10% of the population. It also has a tiny Muslim Nubian minority (less than 1% of the population) in the South, which has its own language and cultural traditions. In the Sudan, the South is largely dominated by an African majority that adheres to Christianity (including the Coptic Church) and indigenous African religions. They also speak different languages.

Given this very diverse cultural picture, the rise of Islamism as an ideological and political protest movement of the young downwardly mobile sections of the middle class[10] has presented a serious challenge to the secularist regimes. The secularists claim that they offer a better political formula for the inclusion of the different minority groups because of the way they de-emphasize religion. It is precisely this last point, however, which makes them anti-democratic in their suppression of the Islamists as a significant political group. In a parallel vein, the

Islamists claim to offer an indigenous form of democratization that responds to the needs of the Muslim majority. Conversely, because Islamism subordinates the rights and the needs of the religious, ethnic, and linguistic minorities to those of the majority, the Islamists open themselves to the charge of being anti-democratic in different ways.

In addition to the concerns that women have as members of these ethnic, linguistic, and religious groups, their gendered rights have been under attack by both the secularist regimes and their Islamist challengers. In the face of mounting developmental and political crises, the rights of women have been sacrificed in the negotiation of conservative alliances between the secularists and the Islamists. In the face of serious economic and political problems, the Islamists in the Sudan claim easy successes in the social arena by virtue of the new dress and social code that gives the regime an Islamic façade. The secularist states in Egypt, Tunisia, and Algeria have used the Sudanese example to justify denying the Islamists access to the political process and accepting their electoral successes. In order to claim progressive credentials they have used (a formal commitment to) women's rights as a pretty face on their otherwise repressive character.

The Political Uses of Islamization in the Sudan

In the Sudan, Islamization was adopted by the regime of Ja'afar al-Nimeiri in 1983 to shore up his rapidly failing regime and to give it a new basis of support. It sought to establish the hegemony of the *shari'a* (Islamic law) over secular and customary laws. In seeking to create a homogeneous legal system, it eliminated the expanded maneuverability afforded women by the availability of these different legal traditions which reflected the ethnic diversity of the population. The result was a more restrictive definition of gender rights in the personal status laws that regulate marriage, divorce, and custody of children. The attempted application of the *shari'a* to the South contributed to the worsening of the civil war between the Muslim North and the African and Christian population in the South.

The overthrow of the Nimeiri regime by a mass revolt in April of 1985 led to the suspension of these new laws, but not their dismantling. The brief liberal experiment in the North from 1985-1989 showed that the major political parties, whether they were the Muslim Brotherhood or the Umma Party, adhered to the notion that religion has a "role" to play in politics. This belief paved the way for the establishment of an Islamic regime following a coup in 1989.

The military coup led by General Omar al-Beshir established an alliance with Hasan al-Turabi's National Islamic Front, which has since halted women's activist associations. It has, however, allowed

technocratic ones, like the Babiker Badri Scientific Association for Women Studies, to continue to operate. It also began to mobilize Islamist women in an attempt to define a new women's agenda that is consistent with its social views.[11]

In short, the new Islamist state, like the previous secularist states, used gender issues and concerns in the service of its social and political goals. It has successfully divided women politically and has, in this way, weakened their capacity to mobilize against the patriarchal traditions, indigenous, secularist or Islamist in character, of society.

The Convergence and Divergence Between Radical and Islamist Patriarchies in Algeria

The Algerian case shows the opportunism of the so-called socialist regimes and their abandonment of liberal definitions of Islamic shari'a in favor of more restrictive ones as a response to severe economic crisis. The adoption of a new conservative family code in 1983 signalled the regime's turn to the right. Their commitment to Islamic conservatism, however, was only tactical. When it became clear that their Islamist allies would win the national elections, the regime used the military to put an end to its flirtation with the Islamists and the Algerian liberal experiment.

Post-colonial Algeria's commitment to socialism resulted in a very progressive state agenda for women. Women's rights to education and to work were upheld, especially in the state sector. The state also recognized women's political rights to vote and to run for public office. All of the above translated the Algerian constitutional commitment to equality into progressive practice.

The structural crisis of state-led industrialization in Algeria was intensified by the collapse of the oil prices and a three-year drought. Those conditions provided the materialist backdrop for the decline of Algerian state feminism, i. e., radical/socialist rhetoric used by the state to support women's rights. It encouraged the new regime of President Chadli Benjedid (1978-1992) and his supporters within the FLN (the National Liberation Front, the single political party that dominated Algerian politics after independence) to search for different ideological and political credentials for itself. The earliest signal of the nature of the change was the new family code which the state submitted to parliament in 1981 and which surrendered some of the social and legal commitments the state had made to women in the preceding 17 years. In particular, the code required women to seek their husbands' permission to exercise their right to work, a right that they had won in socialist Algeria.[12]

The new law was the product of a new legal system that attempted to be more culturally homogeneous. Up until 1978, the existing legal system had relied on both Islamic *shari'a* and Napoleonic law to address its different social needs. With respect to women's rights, the regime of President Houari Boumeddien (1962-78), identified with Algeria's socialist orientation, made it clear that neither legal code could be used to prevent women from education and/or work.[13] As was the case with Sudanese Islamization, the new legal system used cultural nationalism to eliminate the legal maneuverability provided to women by the existence of different legal traditions.

Consistent with this more conservative position vis-a-vis women's rights, the regime resisted the efforts by women academics and activists to organize themselves in opposition to the code and other gender issues.[14] It was only with the establishment of a new liberal political system in 1989 that women were allowed to freely organize. Even then, women's demonstrations protesting attacks by some of the conservative Islamist groups against working and secular women were largely ignored.[15] It was only in January 1992, when the Islamic Salvation Front appeared to be headed for an electoral victory that would have ended the FLN's monopoly on political power, that the regime moved against them.

In short, the status of women's rights, as used by the Algerian regime, indicates the regime's zigzag ideological turn first to the left, then to the right. Often, state position on gender issues was derivative of the major policy orientation of the day and how it impacted on its alliances with other major actors. These are the major political costs of state feminism as an approach to gender rights.

The Use of Gender as a Means of Political Exclusion in the Struggle Between the Modernists and the Islamists in Tunisia

The modernist credentials of Tunisian state feminism distinguished it from other state feminisms in the region. It served as the ideological centerpiece of Habib Bourguiba's regime (1956-87). The increasing political authoritarianism and economic stagnation of the regime in its waning years of the 1980s left it open to attack by the Islamist challengers. The military coup by Zine El-Abeddin Ben 'Ali in 1987 established a new regime that formalized its modernist gender commitments to exclude the Islamists from political participation. The resulting politicization of gender and its association with authoritarian politics has undermined popular support for women's rights.

Immediately following independence, President Bourguiba passed a modernist personal status code which outlawed polygamy and

forced marriage, and gave women an equal right to divorce. These reforms were hailed as the basis for the building of a modern society in Tunisia. While there were many Arab states which had adopted similar reforms, the Tunisian code was the single most important piece of legislation passed by a regime whose overall development effort was modest.

However, most discussions of the code have not really examined the implications that it had for Tunisian women. Most assume that as an Islamic society, polygamy was the primary obstacle for the liberation of women in Tunisia. There is not much discussion of how widespread polygamous marriages were in Tunisia in the 1950s and the extent to which different classes of women identified it as their key problem. There is little analysis of how the code substituted one type of patriarchal marriage with another, i. e., monogamy instead of polygamy. Within monogamous families, the code recognized the husband, not the wife, as the head of the household. Guardianship of children was defined as a male right from which women were excluded unless the husband died or lost eligibility. While forced marriage was outlawed, families continued to informally pressure young women in this decision. Finally, while women had an equal right to divorce, the expenses of filing for divorce and women's continued economic dependence on men made this a right that most were unable to freely exercise.[16]

The advent of the new regime of Ben 'Ali contributed to the further politicization of the code, which was formally used as a test of Islamist acceptance of liberal legality.[17] In addition to renouncing the use of violence, adopting a democratic approach and a commitment not to organize within the army, Rashid Ghannoushi, the leader of *al-Nahda* (Renaissance) Islamist political party, declared that the personal status code was a "body of choices and decisions which are part of different schools of Islamist thought," i. e., an example *ijtihad* (Islamic interpretation).[18]

The regime was not satisfied and used "respect of the equality of rights and duties of citizens, men and women as well as the principles of tolerance and of the liberty of conscience" as its justification for expelling the party from political participation.[19] That statement elevated gender equality to new political heights and implied that the regime adhered to these principles and that others who did not should be excluded. With the increased state repression against *al-Nahda*, the cause of gender rights became identified with political authoritarianism.

In conclusion, the use of gender rights as a weapon with which to deny the Islamists their political rights discredited that key issue. It opened Tunisian women to political attacks as the allies of an authoritarian state.

The Political Marginalization of Gender in the Struggle Between the
Secularists and the Islamists in Egypt

During the 1950s and the 1960s, the regime of Gamal Abdel
Nasir became identified with the rise of Egyptian state feminism as an
expression of the successful struggles by a generation of middle class
women to expand their gender rights. The regime of his successor,
President Anwar Sadat (1970-81), used gender first to cement its
alliance with Islamists and, then, to distance itself from them.
Recognizing the danger of this strategy, the regime of President Hosni
Mubarak (1981 to present) adopted a "hands off" attitude towards
gender issues which it viewed as both economically and politically
costly.

State support of women's right to vote, to an education, and to
work, along with liberal interpretations of the *shari'a*, were key features
of the progressive agendas of state feminism in Egypt of the 1950s and
the 1960s. Under the ideology of Arab socialism, women were to play
an active role in the development of society.

Consensus on these definitions and rights disintegrated in the
face of the political and economic crises that characterized the regime of
President Anwar Sadat. Picturing himself as the patriarch of the
Egyptian family *(Rab al-'Alia)*, new conservative interpretations of
Egyptian social values and Islamic *shari'a* were developed as part of an
alliance with the Islamists, designed to undermine the influence of the
Nasserists. Women's rights were supported if they did not contradict
this new patriarchal view of society.[20]

The collapse of this political alliance in 1977 contributed to a
new gender agenda. The regime used the issue of women's rights to
rally secular support. In 1979, the regime passed two presidential
decrees that attempted to remedy some of the disadvantages women
continued to face in the social and the political arenas. The first decree
added 30 seats earmarked for women to the Egyptian parliament and
specified that 20% of the seats in the 26 local governorate councils
would be for women. The second decree introduced some reforms in
the personal status laws.[21] The use of presidential decrees to introduce
these changes reflected on their legitimacy (or lack thereof). In
bypassing parliament to pass these changes, women's rights appeared
as the unpopular creations of an authoritarian regime.

Both of these decrees were reversed by the High Constitutional
Court in the 1980s on procedural grounds. This signalled a new "hands
off" attitude by the state vis-a-vis gender inequality. Recognizing how
gender rights antagonize the popular Islamist forces, the state has given
up any formal interest in the rights of women.

Conclusion

The present cultural wars between the Islamists and the secularists in some of the North African states have contributed to the politicization of gender issues and rights. They have led to the loss of rights women used to enjoy under the mixed secularist and Islamic legal systems of the 1950s and the 1960s. Both the secularists and the Islamists have their own patriarchal agendas for society. The polemical claims aside, each offers women a specific form of patriarchal control, not liberation. It is these patriarchal systems which the different ideological and cultural traditions represent which women need to address in the quest for diverse societies that are more tolerant of "difference," whether it is gendered, ethnic, or cultural.

NOTES AND REFERENCES

[1]The use of Christian/secular/European may appear confusing to the reader, since the ideological use of secularism implies a de-emphasis on religion. The European political formula of the separation of state and religion, which is another component of the definition of secularism, makes it clear that religion (Christianity) continues to play an informal part in society. In other words, secularism and Christianity do not represent a paradox, but different institutional frameworks within European societies.

[2]Edward Said, *Orientalism* (New York: Pantheon Books, 1978)

[3]Partha Chatterjee, *Nationalist Thought and the Colonial World* (London: Zed Books, 1986). See, specifically, Chapter 2.

[4]Rabab Abdel Hadi, "A Candid Talk with Hanan Ashrawi," *Ms.*, 2, 5, March/April 1992, p. 15.

[5]Amilcar Cabral, "Brief Analysis of Social Structure in Guinea," in *Revolution in Guinea* (New York: Monthly Review Press, 1969), pp. 56-58.

[6]Wole Soyinka, "Triple Tropes of Trickery," *Transition*, 54, 1991, p. 178.

[7]*Ibid.*, pp. 80-81.

[8]Mohammed al-Mansour, "Salafis and Modernists in the Moroccan National Movement." Paper presented at the 18th Annual Symposium of the Center for Contemporary Arab Studies, Georgetown University, April 1-2, 1993.

[9]The Coptic Church is one of the oldest and indigenous Christian Churches on the continent. It has followers in Egypt, the Sudan, and Ethiopia.

[10]Mervat Hatem, "Egypt's Middle Class in Crisis: the Sexual Division of Labor, " *Middle East Journal*, 42, 3, Summer 1988, pp. 407-422.

[11]Magda El-Sanousi and Nafisa al-Amin, Draft of "The Political Engagement of Sudanese Women," in Najma Chaudhuri and Barbara Nelson (eds.), *Women and Politics Worldwide* (New Haven: Yale University Press, forthcoming), pp. 28-29.

[12]*Qanun al-Usra* (Algiers: Diwan al-Matbu'at, 1984), p. 20.

[13]'Aicha Lemsine, *"Les Femmes dans le Maghreb, the Cas d'Algerie: Enjeu ou Alibi?"* Paper presented at the Georgetown University's 1993 Annual Symposium on *Islamism and Secularism in North Africa,* April 1-2, 1993.

[14]Mervat Hatem, "Toward the Development of Post-Islamist and Post-Nationalist Feminist Discourses in the Middle East," in Judith Tucker (ed.), *Arab Women: Old Boundaries, New Frontiers* (Bloomington: Indiana University Press, 1993).

[15]Mervat Hatem, "The 'Secularist and Islamist Gendered Faces' of Political Liberalization in the Arab World." Paper presented to the Conference on Political Liberalization and Democratization in the Arab World held at McGill University and the University of Montreal on May 7-8, 1993.

[16]'Aicha Tarabulsi, *"Majalat al-'Ahwal al-Shakhsiya . . . 'Awamil Muhadida,"* *Nisa',* April 1985, p. 12.

[17]ElBaki Hermassi, "The Islamicist Movement and November 7," in William Zartman (ed.), *Tunisia: The Political Economy of Reform* (Boulder: Westview Press, 1991), p. 198.

[18]*Loc. Cit.*

[19]*Ibid.,* p. 202.

[20]Mohammed Abdel Salam al-Zayat, *Al-Sadat: al-Qina' wa al-Haqiqa* (Cairo: al-Ahali, 1989), pp. 210, 244.

[21]Jehan Sadat, *Woman of Egypt* (New York: Simon and Schuster, 1987), p. 364.