

# FEMINIST DISSIDENT

Issue 5 • 2020

Special Issue on

## Secular States, Fundamentalist Politics

Co-edited by Yasmin Rehman, Gita Sahgal, Rashmi Varma and Nira Yuval-Davis



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Voices of Dissent from Sudan, Hungary and India

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Department of English and Comparative Literary Studies, University of Warwick

# Feminist Dissent

## Issue 5

### Special Issue on Secular States, Fundamentalist Politics

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Nira Yuval-Davis

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We dedicate this issue of *Feminist Dissent* to the memory of

**Ayan (Zum) Joshi**

3 September 1996--6 April 2019



## Identical Forces

**Ayan (Zum) Joshi**

(a poem Zum wrote at age thirteen)



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Fighting, never stopping, until they've won this battle

Filled with hatred and prejudice, without any reason

Maybe peer pressure, maybe the way they grew up

Born loathing the other side, which is identical.

Racism that fills their blood for the enemy

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And love that fills their heart for their fellow fighters

'Grenades, Molotovs... what else can we throw into the

Mosque?

'Grenades, Molotovs... what else can we throw into the

Temple?'

'Fear, what is fear? Fear of dying? Nonsense.

You don't fear what will bring you great martyrdom.

And why shall you fear the pain that only lasts a moment,

when straight after you will be happy, forever?'

Crazy, not for one moment considering their reasons,

Thinking only of the destruction of their enemy

The only reason that even makes sense to fight, is revenge,

'You killed my father!' 'You killed my brother!'

Now they are even, or are they ever?

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# Editorial: Understanding the Conundrum Secular States, Fundamentalist Politics

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The theme of this special issue of *Feminist Dissent* focuses on the ways in which religious fundamentalist movements have become hegemonic in many secular states around the world. This purported paradox of fundamentalist politics gaining power in secular states is all the more challenging to analyse in the context of both the consolidation and re-articulation of neoliberalism as an ideology and framework for organising economy and society in the era of late capitalism and its successive crises. Specifically, we are interested in exploring the ways in which these transformations within state, society and the economy have affected women's positions and gender relations. The illustrative case studies we examine in this issue are India, Israel and Turkey.

Addressing the paradox of fundamentalism in secular states requires us to understand the varied nature of secular states in the first place. The fact that secularism has accrued different meanings in different global contexts means that we need to acknowledge at the outset that secular states have different historical and political contexts within which secularism came to be embedded in their polities and politics from the twentieth century onwards. In some, secularism has entailed separation of church and state (with personal law often the exception), in others it has guided principles of tolerance and co-existence as an essential aspect of democratic governance in pluralist societies, with the state not interfering in the

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practice of any religion, nor favouring one over others except for the purposes of redressing some injustices meted out to minority groups. In still others, secularism has been understood as an absence of religion in public spaces and in civil society, sometimes even understood as atheism, and as a part and parcel of the process of modernisation itself.

At the same time, it is important to outline some of the key characteristics of secular states. Gita Sahgal (2013) has argued that in principle a secular state 'defends both freedom of expression and freedom of religion or belief'. It is characterised not by the absence of religion in society, but by the absence of a 'state religion, where law is not derived from God and where religious actors cannot impose their will on public policy'. On this definition,

a secular state does not simply limit religion, it also maintains as a duty, not a favour, the essential right of religious freedom – the freedom to worship and maintain churches, mosques and temples unhindered and to protect minorities from attack. Such a right also includes the right to challenge dominant religious interpretations and to leave religion.

We believe with Sahgal that 'such a state is crucial to the protection of rights, not only for women, but also for religious minorities' and that ironically it is the secular state 'in which religious fundamentalists have a voice, but which is capable of limiting the inevitable harm they will cause'.

What is common to almost every secular state today is that each has been challenged by right wing, often populist authoritarianisms that have won power through democratic means and secured mandates for destroying the existing constitutions and the larger liberal apparatuses and norms of democracy. Even in the case of Israel, which does not have a constitution, we have witnessed an increased religionisation of political, legal and social

institutions, thus exacerbating the already existing contradictions within a democratic state whose identity is tethered to religious identity. The use of democratic means such as elections to gather popular support for fundamentalist movements is a key component of these rightward shifts that mark a historic setback for the modern secular project.

This project has been attacked as being rooted in racist and imperialist values enshrined in the Enlightenment. Academic critiques of secularism present it as an oppressive and racist ideology that is instrumentalized by states to curtail and manage religious differences and to oppress religious minorities (Farris, 2017; Scott, 2017). Going further, a dominant feature of postcolonial and anti-imperialist scholarship has been a rejection of the defence of secularism against the onslaught of rising fundamentalism by equating it with a defence of imperialism and Islamophobia (Scott, 2017). Sidelining feminist and activist work on the centrality of secular struggles from the ground up (see Bennoune, 2013), some academics have decried what they perceive as 'femo-nationalism' in which secular states deploy gender equality as a pre-text for advancing racist agendas and hostility towards migrants (Farris, 2017). They see proponents of secularism as making a claim that secularism is a pre-condition for gender equality. Against such representation, we believe that the struggle for women's emancipation cuts across secular and religious states which are in fact united in patriarchy and the control of women. However, the latter is at the explicit centre of fundamentalist projects globally, a fact that prevents us from flattening out differences between secular and fundamentalist politics.

What we are witnessing in the paradoxical situation of the rise of fundamentalist politics in secular states is precisely the emergence of new forms of patriarchal power that need to be understood and politically challenged for feminist liberation. Further, the scholarly attacks on secularism overlook the long histories of anti-colonialism and national

liberation movements that fought for secular states throughout the twentieth century (Varma, 2018). Thus, fundamentalist movements must be challenged from both an anti-colonial and feminist perspective, as the control and domination of women, sexual minorities and all manner of dissenters is at the heart of religious fundamentalism. It is our view that secularism forms part of a popular fight back against authoritarianism and fundamentalism.

Recently, attention has focused on European social democracies such as France, Denmark and the Netherlands where an aggressive and sometimes distorted secularism is being championed by the state and which indeed threatens religious minorities who are often poor migrants. These states have adopted a different route to manage social differences in the name of universal citizenship, as opposed to the more palatable but equally racist policies of liberal multiculturalism pursued by states such as the UK. It is our contention that both are responses to major challenges by the right in those states and globally. The recent pronouncements by the French President Macron in the wake of the brutal murder of the schoolteacher Samuel Paty by an Islamic fundamentalist is a case in point about the distorted secularism we point to above. The introduction of the controversial draft 'Law for the consolidation of Republican principles' widens its net beyond extremist organisations to include vast swathes of Muslim immigrant social life, targeting precisely the kind of institutions that serve as a 'firewall' between the Islamic fundamentalists and the French state (Burgat, 2020). Critics rightly point out that a law legitimising what it euphemistically calls the 'consolidation' of republican values threatens to tread on the core principle of freedom of religion, and that such a move, even as it is clothed in muscular *laïcité*, only goes to underscore the defeat of the secular left in France. In our view, far from delegitimizing secularism as a democratic ideal these distortions reveal the urgent necessity of reclaiming the political ground from the right.

As many of the contemporary fundamentalist movements interact with (and often build themselves on) the socio-political infrastructures of neoliberalism that were first consolidated in the 1970s and 1980s and then mutated from the 1990s onwards as capitalism was hit by a series of crises, it is important to examine the interlinking of seemingly paradoxical ideologies. Thus, the convergence of religious fundamentalism and neoliberalism in secular states presents a second paradox [the first is religious fundamentalism in secular states] that we hope to understand. As Wendy Brown (2019) discusses in her recent book *In the Ruins of Neoliberalism* the neoliberal ideologies and practices prevalent today globally are strikingly different from the visions of its early instigators. 'Forged in the crucible of European fascism, neoliberalism aimed at permanent inoculation of market liberal orders against the regrowth of fascistic sentiments and totalitarian powers' (9). For Brown, it is the subsequent 'rise of anti-democratic politics in the West' that signals the setback to neoliberalism, although in a somewhat circular argument she suggests that 'tribalism' and populist extreme right movements of the last few years are the result of the ground prepared by the 'disintegration of society and the discrediting of the public good by neoliberal reason' (7). However, the career of neo-liberalism in the global South is often overlooked in accounts such as these which primarily focus on the setbacks to the neoliberal agenda in the North.

We see the resurgence of global right wing movements, of which religious fundamentalism is a key actor, not only as the result of a vacuum created by neoliberalism in the social sphere, nor even as the outcome of comprehensive effects neoliberal reason and governmentality has had on law, political culture and political subjectivity, but as a result of the ways in which neoliberalism morphed and mutated on the one hand, and on the other as fundamentalist ideologies negotiated with it to bolster their own stakes within states. After all, in spite of its roots in liberal political theory, the neoliberal market, by separating itself from the political, has been

ultimately (against the common lip service to the contrary) indifferent to the political environment in which it operated. As long as markets were allowed to operate freely through expanding deregulation and were supplied with sufficiently developed infrastructure, corporations were not taxed too highly and suitable (local and/or migrant) labour force was easily available, the regimes could be liberal or authoritarian, honest or corrupt (the latter was often easier to work with, of course) and composed of multi- or single party polities.

Given our focus in this special issue, we want to point out that where neoliberalism's hegemony has been most marked is reflected in the way in which populist and fundamentalist movements that, at least partly, started out by protesting and resisting some of its effects, ended up being managed and even co-opted by market forces. These movements, mobilizing majority ethno-nationalist and/or religious ideologies, often operate by mobilising 'anti-establishment' feelings. Billionaires like Trump, Berlusconi and others are transformed in these movements into populist leaders rising against an erstwhile establishment consisting of liberal elites out of touch with the 'people'. Migrants and members of ethnic and religious minorities are deployed as scapegoats so that they can then be excluded from the shrinking public resources. It is important to note here that many of these leaders, like Trump in the US and Netanyahu in Israel, have not been part of fundamentalist political movements as such, while others like Erdogan in Turkey and Modi in India can be thought of as machine men who emerged as strong male leaders from the bottom up.

In particular, the neoliberal project of the separation of markets and society began to comprehensively unravel since 9/11 as we witnessed the emergence of a new American imperialism that succeeded in strengthening NATO's militarised spheres of influence globally. The new security state meant that borders had to be controlled and racialised religious minorities had to be managed through surveillance but also

through new social contracts in which we saw a growing collusion between the racialised ethno-national and religious fundamentalist movements and the state, further shrinking secular and democratic spaces. The ‘war on terror’ thus provided fertile ground for fundamentalist movements to regroup and deepen their hold, as key partners of the West, while simultaneously opposing Western and local secular struggles (Zia, 2018).

What we want our analysis to register is the coeval mutation of neoliberalism and religious fundamentalism from the beginning of the twenty-first century. There is often an assumption that markets in some form or the other dominate the thinking of the movements that we are analysing.<sup>1</sup> But our argument is that fundamentalist authoritarian populists, although they rely on large corporations for funds to control the media and significant parts of the economy, can also be disruptive of market forces. Corporations are rewarded for their political support through elaborate networks of mutual patronage – i.e. political patronage of corporates involves handing out of industry contracts for major infrastructure, security and surveillance projects, social enterprises, the health sector (as we have seen in the right wing government of Boris Johnson’s in Britain and globally in the context of the Covid-19 pandemic) and media shares--through what has come to be known as ‘crony capitalism’. Thus, the political backing of capitalists does not by itself constitute neoliberalism understood as the free reign of markets.

What we are witnessing today is an anti-global nationalism and an intensification of the gendered ideology of ‘family values’ that is getting in the way of the neoliberal project in its ideal form. The latter is being recalibrated to ensure the continuing accumulation of wealth for national and global elites via privatisation. In this sense too, the ‘liberal’ part of neoliberalism that has often been instrumentalised to present a modern, forward looking state, has suffered defeat both in the electoral and other political realms. The fundamentalists in power in secular states are



overturning norms of good market conduct that are purported to be within the framework of neoliberalism. Further, the gendered racialisation of neoliberalism has meant not only that spaces for welfare and secular organisations have shrunk, but also that inequalities across gender lines have been exacerbated. As Farris points out in her study of European states, the bulk of low-end jobs in the care industry in Europe have now been assigned to migrant and racially minoritised women.

In its 'ideal' form, neoliberalism is meant to protect markets from politics and to free entrepreneurship in order to create wealth and jobs. In India the ending of government controls known as the 'licence raj' did open up new jobs and sectors and led to steady growth. But India survived the financial crash of 2008 precisely because its reforms never went far enough. It was assumed that the right-wing Hindu nationalist party the BJP, helmed by Modi, would bring in these reforms rapidly to fill the massive job hunger of a young population. This is why Modi's election was welcomed so widely by business-friendly press globally. But when in a spectacular move Modi announced the demonetisation of the economy early on in his first term as prime minister, the massive attack on the informal sector which not only includes the poor, especially women, as well as on the traditional heart of his support among the neo-middle classes and petty traders, he still succeeded in getting an increasingly supine media to present it as an anti-elitist move, framed as a nationalist endeavour aimed at cleansing the Indian economy of 'black money'.

As Chacko (2019) writes, 'the intermingling of cultural nationalism and neoliberalism in the BJP's virtuous market citizenship is an Indian manifestation of a growing global trend'. In Turkey, the ruling AKP (Justice and Development Party) combines in uneven and contradictory ways its Islamist politics with largescale privatisation of urban development projects, health, pensions and industry. At the same time, social welfare measures are ceded to religious organisations. This has had a significant

impact on women in particular as their access to the labour market and to the public sphere in general is now regulated in the name of religious piety and a 'familial' state. In Israel, the state's commitment to neoliberal agendas is qualified by its subsidies to the ultra-orthodox communities and an expanding religious sector, as well as its continuing policies that tether its citizens to the military. Further, while Israel's hi-tech security and surveillance products are the mainstay of its export economy, these have also played the part of a largescale militarisation of Israeli society. The purportedly contradictory projects of neoliberalism and religionisation in Israel can be seen as further elaborated in the discourse of sexual rights (what critics have termed 'pink-washing') on the one hand and increasing restrictions on women's access to secular spaces and resources on the other.

The set of phenomena we have identified above requires us to step out of our theoretical and political complacencies and shelters. Capitalism has resorted to its key extractive tendencies even as it is creating increasing numbers of refugees both within nation states and across national borders. Corporations such as Vedanta and Adani have their tentacles spread as far wide as the bauxite-rich mountains in eastern India to mining in Australia, South America and Africa. They have the backing of authoritarian and populist states across the board, as they provide funds for the social agenda of the right. Social welfare measures are now re-articulated as the beneficence of ruling regimes, crucial to maintaining popular and electoral support. The global turn to surveillance as a key aspect of state power as biometric identity cards and militarised border zones that are outsourced to corporations make any analysis of secular states and fundamentalist politics far more challenging today.

The challenges we face both theoretically and politically underscore the importance of comparative thinking. Critiques of secularism and analyses of the 'ruins' of neoliberalism, even when purporting to speak broadly, are

usually embedded in ‘western’ democratic perspectives. Thus, for the historian Joan Scott (2017), the history of secularism is almost entirely readable within the ‘clash of civilisations’ discourse in which secularism has been instrumentalized to secure the hegemony of western dominance whose primary ‘other’ is Islam. What we hope to do is not only to analyse the set of paradoxes we have identified above in a global and transnational context, but to root the analyses in non-Western states such as India and Turkey (and to some extent Israel), states whose constitutional and legal frameworks were seeded within principles of secularism (Bose, 2018). We hope this will encourage work that can revisit the long histories of anti-colonial and anti-imperial struggles in the global south, as in India secularism was a cornerstone of imagining freedom from colonial rule. In Turkey, secularism has had a long and vexed history and where it assumed an aggressively interventionist form that comprehensively sought to control and even to stamp out religion from public life, even as secularism continues to be a site for forging gender equality. In Israel, the Israeli state has attempted to stitch together a neoliberal agenda with an increasing religionisation of the Zionist project.

In the case of the AKP in Turkey and the BJP in India, it is important to underscore the fact that both are part of modern transnational movements – the AKP has deep links with the Muslim Brotherhood and the BJP with a broader Hindutva movement that gains energy and significant material support from its diasporic supporters abroad. At the same time, both have had to operate in some form of secular and democratic contexts and present themselves as ‘moderate’ in the international arena. In Israel, it is important to point out, democracy has never been extended to all its citizens (although the same could be said of India in Kashmir and Turkey vis a vis its Kurdish population). Israel, too, has recruited swathes of Jewish diasporic establishments to support and promote the Zionist endeavour and its settlers.

What the essays in this special issue aim to do is to help us map out the crucial convergences between the case studies, as well as important differences. Understanding both is essential for challenging the increasing stranglehold of fundamentalist politics in secular states. The first two articles in our special issue focus on India. The first, 'Hindutva, Past and Present: from Secular Democracy to Hindu Rashtra', written by Gita Sahgal, focuses on the Hindutva project as an extreme right political movement. It examines it historically and the ways in which it has undermined the constitutional character of the secular Indian state. In particular it focuses on the complex and fluid approaches adopted by the Hindutva movement on issues of caste and the control of inter-caste and inter-religion marriages. Amrita Chhachhi's article 'Neoliberalism, Hindutva and Gender: Convergence and Contradictions in the Provision of Welfare' examines how the neoliberal and Hindutva projects both collude and contest each other in Modi's India. These collusions and contestations are studied through the lens of welfare provision and in the context of the labour market, in the legal sphere with a focus on personal and citizenship laws as well as in the shifts in the patriarchal character of the state and its use of reproductive technologies.

Nira Yuval-Davis's article, 'In between neo-liberalism and religious fundamentalism' reflects on the ways the Zionist movement and the Israeli state both rejected and relied upon Jewish religious discourse and how gradually Israel has been going a process of religionization at the same time as it has been going through a process of neoliberalisation. It examines the conflicts as well as collusion between religion and neoliberalism have had on gender relations in Israel, focusing on the incorporation of ultra-orthodox Israeli Jewish women into the labour market and higher education as an illustrative case study. For Turkey, we present an in-depth interview with Deniz Kandiyoti on 'The Pitfalls of Secularism in Turkey'. Building on a life's work on the politics of gender and state in Turkey, Kandiyoti traces the complicated history of secularism

from the post-imperial turmoil at the very beginning of the twentieth century to Kemalist state's formation as a modern secular republic in 1923 to the resurgence of Islamic politics under Erdogan.

Rohini Hensman in her article, 'Christianity and Abortion Rights' examines the ongoing struggle for women's rights to control their own bodies, specifically access to abortion, led by feminists and progressives across the world. Hensman focuses on the ways in which fundamentalist Christian groups are engaged in pushing back the hard-won battles of feminist and progressive movements by pushing a pro-life, anti-abortion agenda that has resulted in limits being placed on women's access to safe abortion in many countries across the world. These fundamentalist groups are transnational in orientation and are an integral part of a larger backlash on women's reproductive rights, from Argentina to the US to Poland and elsewhere.

In addition to our special focus articles discussed above, we have an additional feature essay by Alison Assiter and María J. Binetti on the emergence of what they call a 'postmodern post-feminism without women' and an interview with Caroline Fourest on her work as a writer and journalist in France as a critic of both Christian and Islamic fundamentalism. We also have shorter presentations in our *Voices of Dissent* segments on the women's revolution in Sudan (Amira Ahmed), on Hungary as a 'laboratory' of illiberal policies (Andrea Pető), and on the women of Shaheen Bagh protesting against India's discriminatory Citizenship Amendment Act (Shirin Rai). We are also incredibly proud to carry poetry from the citizenship protests in India. Many of these poems were performed at protests and sit-ins or were written as a form of resistance. They have been sensitively curated by Mahtab Alam. We are extremely grateful to the poets Aamir Aziz, Rehna Sultana, Hafiz Ahmed, Hussain Haidry, Nabiya Khan, Kaushik Raj, Taikhum Sadiq and Iqra Khan who have so generously shared their work with *Feminist Dissent*. We are

honoured to be carrying the first published compilation of this poetry. We also want to thank Yehudis Fletcher for her moving poem 'Wedding Night'. We hope you will appreciate the powerful set of photographs that are the work of Nazes Afroz, Ateş Alpar, Cecilia Garcia, Agata Kubis and Shirin Rai. These photographs provide a moving visual testimony of protests women, queers and transsexuals against fundamentalist movements across the world, from Argentina, Poland, Turkey and India. We are also carrying reviews by Angela Saini on recent books dealing with gender and genetics, Stephen Cowden on Etienne Balibar's book on secularism and cosmopolitanism, Charmaine Pereira on Sarah Eltantawi's book on the Islamic revolution in northern Nigeria and Alison Assiter's review of books by Afiya Zia and Ayesha Khan on the women's movement and the politics of faith in Pakistan.

Finally, it bears mentioning that this issue is being published during the time of the Covid-19 pandemic. Among other things, it has exposed the destructive effects of neoliberalism, particularly in the shrinking of public resources when they are most needed. It has also contributed to a further erosion of democracy and accountability, as well as opened up new opportunities for 'crony capitalism', a mutated form of neoliberalism that attempts to seize more public funds than ever before and to hollow out the public sector altogether. Meanwhile, fundamentalist movements and right-wing governments have raised doubt over the scientific advice of health experts and defied international health norms, thereby exacerbating the effects of the virus on the poorest and most marginalised communities while also scapegoating them as spreaders of the virus. The pandemic has also had profound effects on the reproductive labour of women worldwide, exacerbating already existing inequalities. There has also been an exponential increase in cases of domestic violence and exposed women to greater patriarchal and community control.

If there is a ray of hope at the end of this dark tunnel, it lies in the fact that on the practical level the pandemic has also created new modes of

communitarian living via mutual aid groups and neighbourhood support committees. It has also drawn greater theoretical and political attention to women's reproductive labour within the home and the world outside. We hope this issue, although not focused on the gendered effects of the pandemic, provides analyses that can contribute towards imagining feminist futures in secular states and help us navigate our way out of this crisis.

**Yasmin Rehman** is a member of the editorial collective of *Feminist Dissent*. She is Chief Executive Officer at Juno Women's Aid, East Midlands, UK. She is the co-editor of *Moving in the Shadows: Violence in the Lives of Minority Women and Girls* (2013). She was awarded the Irwin Prize for Secularist of the Year in 2017.

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## Notes

<sup>1</sup> Yuval-Davis (2012) provides an important account of what she calls the double crisis of governability and governmentality under global neoliberalism, especially after 2008.



बंदूकों वाले डरने हैं  
एक निदरथी  
मड़की से

SHAHN BAGH  
HUM DEKHENGE  
HUM BHI DEKHENGE

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Image 3: Shaheen Bagh, New Delhi, January 2020 © Shirin Rai. All rights reserved.

# Hindutva Past and Present: From Secular Democracy to Hindu Rashtra

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## Abstract

*This essay outlines the beginnings of Hindutva, a political movement aimed at establishing rule by the Hindu majority. It describes the origin myths of Aryan supremacy that Hindutva has developed, alongside the campaign to build a temple on the supposed birthplace of Ram, as well as the re-writing of history. These characteristics suggest that it is a far-right fundamentalist movement, in accordance with the definition of fundamentalism proposed by Feminist Dissent. Finally, it outlines Hindutva's 're-imagining' of secularism and its violent campaigns against those it labels as 'outsiders' to its constructed imaginary of India.*

Keywords: Hindutva, fundamentalism, secularism

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Hindutva, the fundamentalist political movement of Hinduism, is also a foundational movement of the 20th century far right. Unlike its European contemporaries in Italy, Spain and Germany, which emerged in the post-first World War period and rapidly ascended to power, Hindutva struggled to gain mass acceptance and was held off by mass democratic movements. The anti-colonial struggle as well as Left, rationalist and feminist movements recognised its dangers and mobilised against it. Their support for anti-fascism abroad and their struggles against British imperialism and against class, caste and gender inequalities at home, helped to forge an independent India in which the classic ideals of 'liberty, equality and fraternity' merged with a commitment towards pluralism and substantive equality. Today, even as Hindutva powers its way to unchallenged

supremacy in the electoral arena at the national level, Indian secularism remains the most powerful ideological force enabling mass resistance to it, as exemplified in the nationwide protests against the exclusionary and discriminatory citizenship laws introduced by the government in late 2019 (see Rai and Alam in this issue).

To explain Hindutva as a fundamentalist movement of the far-right in terms of both its origins in 'classical' fascist movements as well as its importance in the current far-right mobilisation, this essay describes the origins of the movement, including the origin myths it has developed (as all fundamentalist movements must). Its beginning as a form of 'Aryan supremacy' has been salient not only in India and in the global Hindutva diaspora, but has been key to the ideological moorings of neo-Nazi white supremacy and the more recent alt-right attacks on 'cultural Marxists and multiculturalism'. Hindutva also shares many elements with populist movements, with which it is often compared.

In this essay I argue that Hindutva is a coherent ideology whose central aims have been clear from its foundations. It fits the definitions of a fundamentalist movement, developed by the group Women Against Fundamentalism that was formed in the wake of the 'Rushdie affair' and by the journal *Feminist Dissent* (Cowden and Sahgal, 2017). Hindutva is not based on traditional religion but is a modern movement that sets out to use both scriptural and devotional aspects of religion to establish a 'Hindu Rashtra' or Hindu state. Over a century, it has remained remarkably true to its foundational ideal and its core issues have recurred in different forms to move towards its ultimate goal, an authoritarian state ideologically underpinned by fascist nationalism.

Unlike other violent fundamentalist movements such as the Muslim Brotherhood, Hindutva organisations have never (except for very brief periods) been banned. They have operated in full view with corporate,

charitable and political status in India, and abroad with a presence in numerous countries. Hindutva is truly a global movement, with allies in the corporate world, in academia, inter-faith and non-governmental fora. It has a huge social media presence and has close links with other far-right national leaders and their parties, and with mainstream parties of government such as both Republicans and Democrats in the US and both Conservative and Labour parties in the UK.

### **The Core Aims of Hindutva**

Violence is foundational to the Hindutva project. Its core aims have been resolutely pursued for a century by a dedicated trans-national movement, incorporating some of the key concerns of nineteenth and early twentieth century Hindu religious revival and reform movements. These include an overwhelming fear of religious conversion that is exemplified in attempts to re-convert people to Hinduism in 'ghar wapsi' (or 'come home' campaigns) and to oppose conversion out of Hinduism. There is an ongoing campaign against 'love jihad' which casts Muslim men as villains deliberately seducing and enticing Hindu women for the purposes of conversion with the goal of overwhelming Hindu society by reproducing at an exponentially faster rate. The control over the minds and bodies of women is central to Hindutva, and these core aims are given effect by the control over marriage and conversion. That these campaigns are summed up as 'love jihad', that is an attack by Muslims, rather than as an attack on Muslim men and Hindu women, is one of the key elements of their world view: that they are defending defenceless Hindu women against a duplicitous enemy. Hindutva thus also involves the policing of endogamy, with regard to both inter-religious marriages and the revival of inter-caste restrictions, as well as the campaign against cow slaughter.

### The Ram Janmabhoomi movement

Central to the meta-narrative which has knit all these disparate strategies together is the Ram Janmabhoomi movement—the campaign to build a temple on the supposed birthplace of the god Ram--thus creating a Mecca for Hinduism and a new ideological basis for the ultimate aim of state power. In his seminal text inventing the term Hindutva, VD Savarkar made hatred of Muslims central to this philosophy, but Hindus also had to emulate their strength. ‘Nothing makes (the) Self conscious of itself so much as a conflict with (the) non-self. Nothing can weld peoples into a nation and nations into a state as the pressure of a common foe. Hatred separates as well as unites’ (Savarkar, 1923, quoted in Sharma, 2003, p130). The Italian historian Marzia Casolari (2000) has produced extensive evidence of Hindutva’s relations with contemporary Italian fascist and Nazi movements. Since that time, hatred and homogeneity have been core Hindutva objectives.

In 2019, the Supreme Court of India finally made decisions in two separate cases, which ‘settled’ the Ramjanmabhoomi issue with a total victory for the Hindutva forces. A temple would be permitted to be built at the site where a mosque had been razed. All the accused in the case of the demolition of the mosque, who included senior members of the Hindu nationalist BJP and the prominent women campaigners, were acquitted, in spite of the fact that the Court observed that: ‘The destruction of the mosque took place in breach of the order of status quo and an assurance given to this court. The destruction of the mosque and the obliteration of the Islamic structure was an egregious violation of the rule of law.’ On December 6<sup>th</sup> 1992, the Hindutva *kar sevaks* (or devotees who serve by hand and labour) had mobilised precisely under cover of law.

As the Supreme Court tried to grapple with the protection of secularism and freedom of religion, it ‘acquitted the term Hindutva from its religious

underpinnings by giving it a broader interpretation and holding it synonymous with Indianisation in three judgments which came to be known as the Hindutva cases. The court accepted the definition of Hindutva to mean a 'way of life' rather than 'religion', making the term immune from scrutiny under the Representation of People's Act, 1951, which deemed the use of religion in elections as a 'corrupt practice'. This granted the Hindu nationalists the foothold in the legal realm that they so keenly desired, thus ushering in a new dawn of Hindutva' (Saxena, 2018).

Atal Behari Vajpayee, who is considered a more 'moderate' BJP Prime Minister, as leader of the Party had rallied his people with the confidence of the court judgements that had allowed prayers but had as yet not allowed the construction to go ahead. With the stamp of court authority, Vajpayee declared that the ground would have to be evened out of stones for religious ceremonies to take place. The next day, on December 6, 1992, a huge crowd, armed with sticks and stones, brought down the ancient structure urged on by Sadhvi Rithambara and other Hindutva leaders.

The destruction of the Babri Masjid led to country-wide riots and mass rapes. It also caused the brief dismissal of three BJP state governments because of their RSS (the ideological arm of the Hindutva parties) leadership's involvement in the violence. This was only the third time since independence that the RSS had been banned. But they won two great prizes--the destruction of the mosque building, and the recognition of Hindutva as embedded in the idea of India. At the moment of greatest division, they could also make a claim to universality. Mohan Bhagwat, an incendiary BJP leader, further claimed that everyone who lives in India is Hindu by identity, nationality. Thus, the very language to which Hindutva was opposed for decades (that is, secularism) was handed over by the courts to the Hindu nationalists to appropriate.

'As Congress demanded Britain, "Quit India", Savarkar offered the Empire his co-operation though he had, in 1939, enthusiastically welcomed the 'Aryan' Nazi regime (Casolari, 2000). Savarkar demanded that Hindus remake themselves against a much nearer enemy. In 1940, Savarkar had called all Hindus to get themselves re-animated and re-born into a martial race. Manu and Sri Krishna, he argued, are our law givers and Shri Rama the Commander of our forces. But previous iterations of the Ramjanmabhoomi (birthplace of Rama) movement had been marginal, with nothing to indicate that it was anything but a little local difficulty, a headache to local administrators and the courts. For in 1909, some members of the Gorakhpur Mat – the religious order to which the current chief minister of the state of Uttar Pradesh Swami Adityanath belongs - placed an idol of Ram Lalla or baby Ram inside a 16<sup>th</sup> century mosque known as Babri Masjid. A rumour spread that this was a divine manifestation. For decades, the case wound through the courts with, at various times, the doors of the mosque locked, or compromises allowing both religions to worship in different sites. But the idea of an alternative religious reality soon gained ground that saw Ram as on the top of the pantheon of historic heroes and his actual birthplace sullied by a Muslim monument. The honour of Hindus was to be restored with the mosque being destroyed and a temple built in its place

The Ramjanmabhoomi movement grew into the metanarrative of contemporary Hindutva. From small beginnings, it became a transnational movement, a massive source of fundraising and newly awakened martial religiosity. Previously there had been many diverse projects of Hindutva and this movement brought them all together. Recruitment to the RSS (Rashtriya Swayamsevak Sangh) and its women's wing brought the modern fundamentalist foot soldiers (*karsevaks*), including Dalits RSS members like Bhanwar Meghwanshi and their 'teachers' (*pracharaks*) of the RSS, none of whom are religious leaders, into common cause through the VHP or World Hindu Council, with the formidable, enormously wealthy



institutions of traditional Hinduism – the temple trusts with their powerful priests and monastic orders such as the Gorakhpur Mat. It joined them in a common endeavor, a major step to the creation of a Hindu state through the religious project of remaking Hinduism and providing it with a central focus.

The movement was, of course, an electoral tool as well. It helped overcome the stigma of having engineered the killing of Gandhi and proved once again that Hindutva was not simply one movement among others. It was not simply a version of the European Christian democrats – a conservative party with a religious ethic in a deeply religious country. The Ramjanmabhoomi movement created a grand narrative – mythifying history and historicizing myth. To do this the figure of Ram had to descend from myth to history and the legend of his birth had to be celebrated at a particular site where a mosque had been built. Sudarshan, Assistant General Secretary of the RSS, described the supposed catholicity of the Hindutva movement in terms of many flowers, one garland, many rivers, one ocean. At the same time, he argued that the country can only have one Hindu culture. So, all must accept Ram as the nation's hero. In this he was adapting a plural ideal to assert the majoritarian character of the Hindutva movement focussed on a single goal.

### **The 'Sangh Parivar' or the Family of Organisations**

But if the Ramjanmabhoomi campaign owed its origins to Hindu revivalism, modern Hindutva has had to be attentive to the challenge of rationalist, feminist and anti-caste movements and electoral politics, and has had to develop multiple organisational forms and campaigning strategies to engage and recruit its cadres across classes and castes, and indeed religions.

The number of Hindutva related organisations is so huge that it is only possible to sketch some of them, giving a sense of the core organisations and mentioning some of those that appear in this essay. All of them share a common ideology and a commitment to core goals, but are constituted by separate organisational structures with overlapping membership. This vast ecosystem of local, national and international organisations, registered charities, activist groups, think tanks, and a political party has proved remarkably successful at maintaining Hindutva's core goals while pursuing different strategies to achieve them, presenting themselves as more or less strident at different times. Their fundraising supports political, charitable and religious goals, the charitable activities provide trained activists for religious campaigns such as Ram Janmabhoomi, and love jihad and they all strive towards electoral success. Finally, their propaganda which started with pamphlets and has moved with the times to cyberspace has an extensive network of official trolls with a wider ecosystem of supporters (Chaturvedi, 2016). Here are the names of the main constituents of the Hindutva family:

The Hindu Mahasabha was born in the early 20<sup>th</sup> century via anti-cow slaughter campaigns. It was one of the incubators of the Hindutva movement and was led during the 1930s and 40s by VD Savarkar who invented the fundamentalist political ideology of Hindu nationalism known as Hindutva. The Rashtriya Swayamsevak Sangh (the RSS), meaning National Self-help Organisation, is one of the largest voluntary movements in the world, a male paramilitary Hindu nationalist organisation which trains men from youth to old age who are full time workers known as "Pracharaks". It also has unpaid volunteers and adherents. It is the operational, strategic and intellectual heart of the Hindutva movement, exercising remarkable control over its many related organisations that are presented as autonomous. Organised in neighbourhood groups called *shakhas* (branches) which meet regularly ( in some places daily, abroad it is often weekly), the RSS provides physical training and history lessons

which promote their idea of India and Hinduism, with a lessons in discipline, family and anti-Muslim hatred.

The Rashtriya Sevika Sangh meaning National Women's Service Organisation is the women's wing of the RSS as the RSS itself does not admit women. Women have been crucial to the creation of an anti-Muslim consensus and many of Hindutva's most prominent activists were women mobilisers of the Ramjanmabhoomi campaign.

Hindu Swayamsevak Sangh (HSS) or 'Hindu Self-help Union' is the name of RSS branches abroad which have been established in about 40 countries. A television documentary on 'Hate Charities' which filmed a neo-Nazi, a Jihadi and an HSS charity showed that their teaching on Gandhi's murder whitewashes the role of the RSS and teaches children to propagate their views.

The Vishwa Hindu Parishad (VHP) or the World Hindu Assembly was established to create an organisation for traditional Hindu religious leaders which would also sign up to Hindutva goals and promote them in India and abroad. The Bharatiya Janata Party (BJP) or Indian Peoples Party, is the ruling party of India at present and is the political arm of the Hindutva movement. Narendra Modi and other senior leaders of the BJP had worked full time in the RSS before moving to political careers. Hindu Yuva Vahini is the Hindu Youth Assembly founded in Gorakhpur by Swami Adityanath, now the Chief Minister of Uttar Pradesh (UP).

### **The invention of Hindutva**

Hindutva, as noted before, has its origins in the 19<sup>th</sup> century, when the various social reform, traditionalist and revivalist movements fought for space. The Arya Samaj, a 19<sup>th</sup> century religious revivalist movement was occupied with returning Hinduism to its ancient Vedic roots. It was also

concerned about possible conversions to Islam and launched the 'shuddhi' or purification movement with the purpose of trying to ensure that oppressed castes did not convert out of Hinduism, and if they did, they could be 'purified' and re-enter the Hindu fold. It was also a movement to preserve caste, another key preoccupation of modern Hindutva.

The term 'Hindutva' was invented nearly a century ago in 1923 by VD Savarkar, who was imprisoned by the British (Bhatt, 1997). His social and political ideology was aimed at radically re-conceptualising Hinduism and establishing a Hindu state. Savarkar himself was an atheist who inspired violence notably the assassination of Gandhi (Gandhi, 2009). From his prison cell in the Andamans, he invented a new philosophy quite distinct from traditional Hinduism, calling it Hindutva. He argued that Muslims and Christians might be born of Indian blood, but they could never really belong to the country because their Holy lands were outside India in Arabia and Palestine. Internally, Hindutva could afford to be quite catholic--Sikhs, Jains, atheists, reformers and traditionalists--could all belong. Basu et al (1993) suggest that Savarkar soars above sectarian and ritual differences within Hindutva. Sarvarkar argued that Hindus are not merely citizens of the Indian state because they are united by the bonds of love they bear to a common motherland, but also by the bonds of a common blood.

Chetan Bhatt (1997) notes that this mystical and spiritual *volkische* between the blood of the race and the passion of the race is an extremely important trope in contemporary Hindu nationalist activism and its political languages. It embeds a sensuousness and pathos about belonging which emphasizes its 'Romanticism' (Bhatt, 1997). Common blood could apply to Muslims too. But if the Motherland and Fatherland also became the Holy land, Muslims (and Christians) could never belong because their Holyland was in far off Arabia or Palestine. Thus, they cannot be incorporated into an Indian Holy land unless they give up outside allegiances which would mean converting back to their essential nature. In

this way, Hindutva fulfilled the criteria of ethnic nationalism as it has developed in Europe. Its motto 'Hindu, Hindi, Hindustan' echoed many other European nationalisms based on religious identity, a common language, or even racial feeling and land, quite unlike the plural nationalism promoted by Gandhi and Nehru and the anti-caste movements against Hinduism, exemplified by Ambedkar (Jaffrelot, 1996, 2020).

### **New Myth of Origin**

To strengthen this view of nationality that merged race, religion and caste, Hindutva had to strengthen a claim to Hinduism's origin as entirely indigenous. Myths of origin are crucial to religious fundamentalist movements, playing a central role in constructing a world view of the inerrant nature of the religion and the literal truth of its texts or its 'fundamentals'. Like creationists, ideologues of political Hinduism or Hindu fundamentalism known as Hindutva, have a central myth of origin. It is not so much about the creation of the world (as creation theory, believed to be the literal truth of the Bible story of creation or intelligent design as its pseudo-science version is known) as the creation of a race which formed the basis of national identity. The Hindutva myth of origin is based on the idea of 'the Aryan' as the foundational 'race' of modern Hindutva ideology, and the Vedic age – that is of the Rig Veda – the earliest Aryan text as ushering in the Utopia that modern Hinduism must recover in order to establish a Hindu state.

As a result, historical research that points to early Indian peoples and civilisations as being composed of a number of migrations from Africa and that the group known as the Aryans came much later from central Asia, is now deeply controversial, and indeed considered heretical. The historian Romila Thapar points to the ways in which historical questions regarding Aryan identities are now enmeshed in a variety of cultural politics (Thapar,

2014). Today, there is a concerted effort to deny mounting archeological, linguistic and genetic evidence about early Indians (Thapar et al., 2019). This evidence amounts to a scholarly consensus which has overturned an earlier hypothesis of the colonial era that Aryans invaded India, a proposition that Savarkar accepted. The invasion theory has been replaced by a gradual migration theory which demonstrates that Aryans – who are a linguistic, not a racial group--gradually arrived in India after the flowering of the large urban civilization known as the Indus Valley civilization, referred to by Hindutva groups as ‘the Saraswati civilisation’. The increasing focus on indigeneity and race theory has meant that the official Hindutva view now insists that Aryans were the original Indians – indeed the original Hindus (Joseph, 2018).

In 2017, a committee of the Archeological Survey of India was convened to ‘use evidence such as archaeological finds and DNA to prove that today's Hindus are directly descended from the land's first inhabitants many thousands of years ago, and make the case that ancient Hindu scriptures are fact, not myth.’ (Thapar, et al. 2019). The discovery that bones about 4,500 years old are not ‘Aryan’ but an older indigenous group was seen as a political problem that had to be handled with great delicacy, even censorship.

But already by 1939, Golwalkar, the leader or ‘Guru’ of the RSS had asserted that Hindus ‘came into this land from nowhere but are indigenous children of the soil always, from times immemorial and natural masters of the country. Here we compiled our inimitable Vedas, reasoned out our Philosophy of the Absolute – the last word on the subject, built our sciences and arts and crafts. Here we progressed in cultivation, industries and trade, flourished and prospered – a great nation of a great race – propounded the one religion, which is no make belief but religion in essence (1939, 64. See Agrawal 1994 and Bal 2017).

### **The Sacred Mother and rape as parodharmah – the greatest duty**

Savarkar describes India's history as a long, painful battle against Muslims that nevertheless invigorated and created the nation. If Hindutva was founded by the 'race' of the Aryans, Mother India needed to be defended from invasion. He wrote: 'At last she was rudely awakened on the day when Mohammed of Ghazni cursed the Indus, the frontier line of Sindhustan, and invaded her. That day the conflict of life and death began (see Sharma, 2003).

The sacred image of Mother India, one that was embedded in the nationalist discourse, became an ideal to worship. In schools run by the RSS, children pray to Mother India, often depicted as a woman in a saffron sari against the backdrop of a map of India. But extremely violent and bloody images of Mother India being raped or beheaded are used as a call to arms for Hindutva masculinity (see Bhatt 1997). A feminist human rights investigation into the Gujarat massacre and sexual violence of 2002 reported that students were asked to celebrate independence day as the day their mother was ripped asunder, in a reference to the violence of Partition (IJ, 2003).

Towards the end of his life in 1963, Savarkar wrote a book called 'Six Glorious Epochs of Indian History', a tract which references several eras of Indian history in which Hindus heroically resisted invaders. The work, a 'history', is in fact a form of mythmaking – seeing all of India's complex history as a single struggle – for Hindu liberation and self-realisation. It is also a discussion of what constitutes virtue and here Savarkar makes an ethical argument to propound a new form of Hindu 'virtue' which turns many Hindu ideas on their head. He decries caste as a tool that had shackled Hindu society. At the same time, its worst aspect was that Muslims were able to make use of caste restrictions to forcibly carry off

and keep Hindu women and thereby increase the population of Muslims. (Agrawal, 1995 and Ashraf, 2016).

Hindus were shackled, however, not only by caste but by their gentlemanly ethics. For Savarkar, the god Ram was not heroic enough. He ought to have drawn more lessons from his arch enemy, the demon king Ravana, who had abducted his wife Sita. If Ram's epic war was intimately familiar to vast numbers of Indians, his tortured and human qualities transmitted through the poetry of the great epic Ramayana's many versions was the reason that many Indians knew and loved him (Agrawal, 1994). For many north Indians the common greeting 'Ram Ram' is a peace greeting. Hindutva was to transform this into 'Jai Shree Ram' – Victory to Lord Ram, a battle cry for Hindus and a demand imposed on Muslims – that they utter it to submit.

Savarkar denounces the chivalric tradition in both history and myth, by insisting that only Hindus adhered to it, while Muslim men not only kidnapped and raped Hindu women, but that Muslim women helped them do it. Shivaji, a Maratha ruler who fought the Mughals and has been turned into a Hindutva hero (though he had a cross-caste and multi-religious court and official retinue) is denounced for chivalrously sending an aristocratic captured woman back to her family. Instead, Savarkar asks, what if Hindu kings, who occasionally defeated their Muslim counterparts, had also raped their women and discusses the 'wild tribes' who kill their male enemy but distribute their women.

Savarkar turns history's failures into myth by drawing on the story of the *Ramayana*. Here again, he mobilises his idea of ethical conduct from the enemy of his hero Ram. When Sita was kidnapped, some of the advisors of Ravana, the demon king who had carried her away, suggested he return her to her husband, Ram, because they had committed an irreligious act. Savarkar quotes Ravana saying, 'What? To abduct and rape the womenfolk



of the enemy, do you call it irreligious? It is *Parodharmah*, the greatest duty!' Through such instances, Savarkar constructs an ethics of shifting virtues, where the conduct of enemies is to be emulated while heroes are found wanting. Jaffrelot refers to this double process of admiring 'strength' while despising the 'enemy other' as a process of 'stigmatising and emulating' (Jaffrelot, 1996). In his speech in 1940, Savarkar had referred to the need for 'manliness' in the movement. Although he admitted there was a parallel tradition of forgiveness and non-aggression, one which Gandhi had fashioned into 'Ahimsa' or non-violence, this tradition was one to be despised.

One of the primary roles of Hindutva women was to repeat these stories to their children, at family and women's gatherings and to develop an embrace of the idea that rape was good and that Muslim women's supposed complicity and involvement in the rape of Hindu women down the ages justified, indeed necessitated, their rape in the present time. Purushottan Agrawal, a former RSS member turned secular advocate, who first analysed Savarkar's views on rape wrote, 'rape becomes an explicitly political act, and in the context of organised aggression it becomes a spectacular ritual, a ritual of victory; a defilement of the autonomous symbol of honour of the enemy community' (Agrawal, 1995, p.31).

The feminist historian Tanika Sarkar found that Hindutva woman would repeat the argument that 'Muslim women deserved rape' because of their purported complicity against Hindu women. Sarkar also points to the constant repetition of the demography argument--Muslims breed at four times the rate of Hindus and are polygamous-- made with the help of census records among Hindutva followers. This view in Hindutva circles had been completely normalised, through repetitive story-telling, or what, citing research on the Ku Klux Klan, Sarkar calls 'poisoned whispers' that allowed for these fantasies to become common sense (1993 in Basu et al, 2015).

One of the signature campaigns of the virulent Swami Adityanath of the Gorakhpur *mat* (religious order), who became the Chief Minister of the most populous state, Uttar Pradesh in 2017, was against Hindu women 'being taken' by Muslim men. His aggressive calls included threats that if they (the Muslims) capture one Hindu girl, then 'we will bring back at least 100 Muslim girls', ensuring that the Hindu response will be a 'hundred times worse' than their acts (Jha and Prasad, 2020). But it was not separate co-existence that he was arguing for. As organiser of the *Hindu Virat Chetna* or Awakening Hindu Consciousness rally, before his elevation to the Chief Ministership he said, 'We are all preparing for a religious war. Only this religious war can fight Jihad. People say, "What was the point of creating the *Hindu Vahini*" ('Hindu Army')? For Adityanath, Hinduism is a distinctly different culture from Islam and the two cannot coexist or live together in harmony. A collision between the two is thus inevitable as is the division of the country along religious lines. 'Brothers', Adityanath announced, 'the *Virat Hindu Chetna* rally is...about more than just awakening the Hindu consciousness... It is also a rally to warn Hindus.' On this view, to save the country it was necessary to 'create this kind of emotion inside this country, create conditions to organise Hindus'. It involves taking steps 'that will bring together different strands of the Hindu society into one thread'. What was key was a stance of hostility and violence: 'Aggressively do things that will execute our vision. That is why we created the *Hindu Vahini*'. Adityanath's rise to power symbolises the incorporation of Hindu institutional power into the rubric of government and marks a new turning point in the history of Hindutva.

The Ram Janmabhoomi movement had also showcased new constituencies of activism within Hindutva. Most prominent among these were women. Sadhvi (feminine of Sadhu) Rithambhara and Uma Bharti were among the most famous. '*Rithambhara's voice circulates with the ubiquity of a one-rupee coin in north India. She many speeches urging war against Muslims and these were recorded on cassettes. In the process she*

*has become the first mass leader in the country to be created by a recorded cassette. But more than drumming up support for particular movements, the cassettes with her speeches have generalised and intensified communal attitudes to the point that they have become the meaning of existence for many, making her one of the best known and most popular leaders in the country'* (Basu et al 1996).

Interviewing women RSS activists in the '90s, Sarkar, who has tracked Hindutva women since the '80s, found that they were excited by the victories that they had had as full participants in the movement and against the wishes of the male leaders. From seeing them as purely domestic subjects – though playing a very important role in the transmission of ideas through stories--they had taken their place as violent participants in the movement. The establishment of a *Durga Vahini* (Durga's Army) with Sadhvi Rithambara as a founding member, named after the selective rendering of the aggressive image of the Goddess Durga, and the VHP's adoption of a more aggressive style of woman leader, signaled their full participation in the project of rebuilding Hindu pride through hyper-masculinity.

### **Making Others the Enemy**

The 'ghar wapsi' programme, that is the 'return home' programme, was formulated to invite Muslims and Christians to give up their alien religions and return to their origins. In spite of a few spectacular meetings conducted by the VHP, this programme faltered. Farhana Ibrahim (2012) describes the 'conversion' of groups in Kacchh as 'new Hindus' in the wake of the 2001 earthquake in Gujarat. Hindutva groups pursuing their conversion agendas, converged on the area. Hindutva charities built an entire village grouped round a Ram temple, with houses given names from the Ramayana. But the villagers (whose traditional customs contained both Hindu and Muslim practices) continued to live largely in their old

villages. Andersen and Damle (1987), who have written two sympathetic insider accounts of the RSS, have suggested that it was difficult to know where to place new converts in a caste hierarchy. Meanwhile the beneficiaries of 'conversion' were more concerned about losing their reserved status as a 'scheduled caste.' Conversion, then, does not seem to be either a successful or a stable strategy.

'Ghar wapsi' or 'return home' programmes have convinced some observers that the Hindutva movement is not fascist since it gives people a chance to join rather than exterminating them. But the Hindutva movement bears the hallmarks of a far-right movement as well as a fundamentalist one. Fundamentalist movements have a majoritarian universalism--they do not see themselves as simply existing as one movement among many. That is why Islamists refer to new Muslims as 'reverts', since they have become Muslim again, rather than 'converting' to Islam. Many Muslim fundamentalists also offer the chance to revert, rather than being killed. This ideology informed the work of Taliban in Afghanistan and ISIS with the Yazidis and plays into the purity of Islam perspective (see Corbin, 2019). The 'ghar wapsi' programme mirrors both the promise and threat of the invitation to 'revert'.

### **Anti-cow slaughter campaign**

Another means by which the goals of promoting Hindutva are being intensified is via the anti-cow slaughter campaign, even as India's cows wander the streets of towns, painfully thin and feeding on plastic waste. 'Cow protection' has been a mobilising issue for Hindu revivalist movements and the Hindu right since the 19<sup>th</sup> century and was supported by many including Gandhi, though he warned against violence in its name. In the 1950s violent protests demanding anti-cow slaughter laws engulfed India's Parliament. The issue has been brought to the centre of politics since Modi came to power in 2014, and a recent *Caravan* investigation

titled 'In the Name of the Mother' describes the build-up of entire militias devoted to cow protection. This included giving them government grants (Marvel, 2016).

These militias began systematically terrorising Muslims and 'low caste' people for transporting cattle or being suspected of eating beef. In a notorious case, a man called Pehlu Khan was lynched because he was transporting cattle. He identified his attackers, and they in fact confessed on camera. But not only were they acquitted in court, they were treated as heroes and garlanded by ministers. In another case, a teenager, Junaid, who had gone to Delhi to shop for Eid festivities, was beaten up and set upon by passengers in a train when he began to eat and was accused of eating beef (for a detailed description see Mander, 2018).

In 2017, 11 deaths and 37 hate incidents related to cows were recorded. Many of these were either instigated through WhatsApp messages spreading rumours about cow killing going on in a neighbourhood (or sometimes another issue like the abduction of children). Some of these attacks were directed at Dalits rather than Muslims. One of the breaking points for Bhanwar Meghwanshi, the Dalit RSS activist, was the way a VHP leader justified the fact that Dalits had been burnt alive in Haryana on the suspicion of cow slaughter. Acharya Giriraj Kishore, a BJP leader had said, 'the life of one cow is more valuable than the lives of five Dalits.' There was a dip in cattle exports at the height of these murders, although India today remains one of the largest exporters of cattle in the world, second only to Brazil, and four of the six largest exporters are Hindu owned businesses (see Dhingra, 2019).

One of the men responsible for ending many cruel practices towards animals was Narendra Dabholkar, who had worked for years organising a grass roots rationalist movement against religion and religious superstition. He campaigned successfully, and peacefully against animal

sacrifice in religious ritual as a needlessly cruel custom. He was killed by unknown assailants in 2013. His murder was followed by that of Gobind Pansare, a communist who had denounced Dabholkar's murder, and then came the murder of the scholar M.M. Kalburgi. Gauri Lankesh, a journalist, was assassinated, in 2017 (SAHMAT, 2018). These four murders have remained unsolved, but a police investigation found that the murders of four prominent rationalists were related, and that people involved in cow protection movements had been groomed to hate by watching videos, in ways that are familiar to other extremists. These allegations by national police forces of a wide-ranging conspiracy (Johnson, 2019) brought together the targeted assassinations of known individuals with the lynching by mobs of unknown people. As with the grooming of Dalits and Adivasis for violence in organised pogroms, the 'cow protection' campaigns have spawned not only violence related to cows, which has heavy caste as well as religious overtones, they also demonstrate how grooming in one campaign is used to spread to violence in another.

If there was a lesson to be learnt from the major genocidal pogrom in Gujarat 2002 in which over 2,000 Muslims were killed, it was that violence wins elections and creates national leaders like Modi who was chosen to lead the BJP because his record enhanced his charismatic appeal. After the Gujarat violence he had been denied entry to the US and other countries because of campaigning by secular Indians and Christian lobbies. This may be one of the reasons, that, with some exceptions, most of the murders described above could be attributed to a 'vigilante public' (Banaji, 2018), and not directly to the major Hindutva organisations. Modi, a vigorous tweeter, remains silent as violent lynchings occur, while following people who promote the perpetrators as heroes.

## Controlling Marriage

The policing of marriage is not a new phenomenon, nor is it confined to Hindutva. Caste relations have been so ruthlessly policed for thousands of years, many scientists describe the Indian population as a number of different populations rather than one, as we saw in the section on the myth of the Aryans by migrants from different countries. But this mingling of different populations came to a halt as the caste system hardened around 1500 years ago (Joseph, 2018). As David Reich explains, in contrast to the Han Chinese who have been mixing freely for thousands of years, ‘there are few if any Indian groups that are demographically very large, and the degree of genetic differentiation among Indian *jati* (sub-caste) groups living side by side is typically two or three times higher than the genetic differentiation between northern and southern Europeans. The truth is that India is composed of a large number of small populations (quoted in Joseph, 2018).

Caste councils or panchayats have given orders for couples of different caste origins to be killed because they broke caste taboos. But the Hindutva movement has a particular obsession with the fear that Hindu women will find Muslim men attractive and marry them. This they have deemed to be ‘love jihad’ – the devious desire of Muslim men to marry Hindu women and convert them. It is the strictness of caste enforcement that has led feminists to campaign for the right to marry and against ‘crimes in the name of honour’. As Yashica Dutt (2019), a Dalit feminist writer, notes, endogamy is the foot soldier of caste and patriarchy. It is the *jati* system that ensures that when people choose to convert to another religion, they never really escape caste because they maintain the *jati* system in respect of marriage and other customs.

*Khap Panchayats* or Caste Councils are especially active in North India, but as various studies show, like the Hindutva movement they are not simply

a village tradition. Instead, their current practices include policing women's marriages – both to 'outsiders' such as Dalit men or to other 'insiders' like Jats. The acute shortage of women caused by sex selection has produced skewed sex ratios. Women are being more heavily policed as the availability of Jat women to marry into other Jat families is severely limited. So, while 'local women are threatened if they marry 'out' and even marriages approved by their families are threatened, women from all over India are trafficked into villages to be sold into marriage (Kaur, 2010).

### **Family Laws and the struggle of Muslim women for equality**

All family laws, also known as personal laws, are governed by religion. During debates at the Constituent Assembly, the great lawyer and Dalit advocate Dr Ambedkar had called for religious influence to be controlled. He had asked: 'What are we having this freedom for if we give religion an expansive space in the constitution?... We are having this liberty in order to reform our social system, which is so full of inequities, discriminations and other things, which conflict with our fundamental rights' (1948). Ironically, the BJP has used the call for a common civil code which remained in the preamble to the Constitution but unrealised in law as a demand to prove that they are more secular than the Congress which was said to be appeasing Muslims. This call disabled secular and feminist groups from embracing this demand and fierce arguments about the right way to reform law, or whether groups, particularly Muslims, were indeed better off with 'kazi' law, have dominated the discourse.

But an examination of the Special Marriages Act and its very systematic undermining by the RSS gives some idea of what they think of the rights embedded in secular law rather than the uniformity promised by a common civil code. The Special Marriage Act, Act 111 of 1954 allows couples to marry in a civil court and to marry across caste and religion. In her book on the workings of this Act that was updated in 1954, Moody says



‘secular law as a refuge’ remains an indispensable factor in maintaining a democracy in India’. But she also points out that that the law has always been contested, since a version of it was first discussed in the 1860s. She writes of how the ‘native community’ was outraged, and this outrage has not yet abated. She points out that ‘what began as a debate about the rights of communities to detach renegade members is now about the individual’s right to repulse the incursions of politicised communities into the civil machinery of the state’ (Moody, 2008).

The courts then are not a safe space. VHP cells operate in the courts, checking the lists for inter-religious marriages. In Delhi, one woman describes Hindutva activists contacting her parents and putting pressure on them by asking whether they were ashamed that a Brahmin was marrying a Muslim and spreading lies about her fiancé. In Gujarat the BJP government issued a circular demanding parental consent. Under both the Hindu Marriage Act 1955 and the Special Marriage Act 1956, parental consent is not required. Under pressure from the VHP, the Gujarat government made the prior consent of the District Magistrate (a civil servant) mandatory before a marriage under the Act could take place. Even more seriously, there were allegations that Babu Bajrangi who was jailed after the Gujarat massacre in Naroda Patiya was implicated in kidnapping women who had married outside their caste and communities, returning them and arranging suitable Hindu husbands for them. Hindutva activists also regularly attack Dalit marriage processions (Setalvad, 2020).

Rather than the serious but smaller scale activist ‘cells’ of the VHP, and the vigilante actions of small Hindutva groups across India, the policing of inter-religious marriages has been passed to the police, while it is also the subject of feverish law making in several states. Reports from several states under BJP rule report that couples are harassed by the police, while adult women may be forced into detention in ‘women’s shelters’, their parents informed and many obstacles put in the path of their marriage.

Two states, Uttarakhand and Himachal Pradesh already have anti-conversion laws which specifically reference marriage. Uttar Pradesh has passed an ordinance on the subject (Ganesan, 2020). From vigilante harassment, to police and administrative interference, the law is rapidly criminalising inter-faith relationships under the guise of protection from inducement or forced conversion (Bhandare and Karwa, 2020).

In contrast to the push of the government, the Allahabad High Court in the same state governed by Yogi Adityanath, has issued a series of progressive judgements upholding constitutional principles. Giving relief to several couples, including Priyanka Kharwar and Salamat, demanding protection for their inter-faith marriages, the Court observed: 'We do not see Priyanka Kharwar and Salamat (the petitioners) as Hindu and Muslim, rather as two grownup individuals who out of their own free will and choice are living together peacefully and happily over a year. The courts and constitutional courts, in particular, are enjoined to uphold life and liberty of an individual guaranteed under Article 21 of Constitution.'

### **Conclusion: Laying Claim to Universalism and Democracy**

Today, Hindutva holds almost unchecked power and is well on its way to destroying secularism as a constitutional ideal as well as popular, community-based plural and secular spaces. With the laying of a foundation stone for the building of a temple to Ram in the north Indian city of Ayodhya, a hundred year project has come to fruition. In the course of the second term of the Modi government, the core purpose of creating a Hindu state as an authoritarian, far-right, and fundamentalist project has been greatly accelerated. Through the electoral process the political party, BJP which represents the wider Hindutva movement, has developed alliances with different groups which have enabled it to move beyond the Hindi speaking 'cow belt' of Northern India and to emerge as a truly national party. But even in the second term of Narendra Modi's Prime

Ministership and his party the BJP's majority rule, his personal heroes- those that loom large in the firmament of Hindutva- are still not national heroes. When the nation has to be showcased for international consumption, it is the symbols of plural, secular, India which must be paid formal respect. When Trump visited India for a rally with Modi as Covid loomed in January 2020, he was taken to visit Gandhi's ashram, by the man who reveres Gandhi's murderers, and toured the Taj Mahal in a state now ruled by 'Swami Adityanath' who had cut his political teeth on his violent opposition to all things Muslim, including India's most famous monument.

Nathruam Godse, who shot Gandhi and VD Savarkar who invented Hindutva, and was also indicted in the conspiracy to murder Gandhi, are the true heroes of the Hindutva movement. When the BJP came to power in 2014, there were demands for statues of Godse to be erected around the country. In an earlier BJP administration, Savarkar's portrait was hung in Parliament and hangs among India's great founding heroes, in spite of the fact that he had no great impact in the national movement and abhorred everything that the Indian republic stands for. On Savarkar's birth anniversary PM Modi tweeted photographs of himself standing reverently before Savarkar's photograph (Modi, 2019).

Significant among the strategies Hindutva has employed is the simultaneous attack on the leaders of the freedom struggle, principally Nehru, and his descendants in the Congress party, while attempting to wear the mantle of conservative, Hindu Congressmen such as Sardar Patel, on the one hand; and Dr Ambedkar, the great Dalit Constitutionalist on the other. Dr Ambedkar, who argued that caste should be annihilated, and lead a movement of Dalits to leave Hinduism and embrace Buddhism, is an odd hero for the Hindutva movement, as is the gigantic statue commemorating Sardar Patel, the first Home Minister of India, the man who identified the Hindutva forces as fascist and banned them following the murder of Gandhi.

Indeed, as part of the process of colonising and dismantling the secular ethos of the country, the BJP has introduced a Constitution Day. Modi has tweeted a photograph of himself in 2010, when as Chief Minister of the state of Gujarat, he honoured the Constitution by parading it on an elephant, bejeweled and decked in saffron (a colour associated with Hinduism), as if it was a religious icon (Modi, 2020). In the photograph, Modi walks beside the elephant, standing out from the soberly dressed crowd in a mustard kurta and white waistcoat with a scarf bearing the tri-colour of the republic. This is a flag which was designed to celebrate the multiplicity of peoples of modern India and the qualities of peace, non-violence, strength and fertility of the land as well as referencing Hinduism, Buddhism and Islam. Hindutva's success is not simply due to the failures of the secular parties, but to its colonising of a radical universalist ideal embedded in Indian nationalism which had propelled opposition to imperialism abroad and a commitment to an egalitarian polity at home. For Hindutva's success to be maintained and deepened, this story of independent India has to be paid obeisance to, at the same time as its secular ethos is being dismantled through violence, intimidation on the streets, in cyber space and through political maneuver.

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Image 4: Park Circus, Kolkata, January 2020 © Nazes Afroz. All rights reserved.

# Neoliberalism, Hindutva and Gender: Convergence and Contradictions in the Provision of Welfare

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## Abstract

*This article explores the convergence and contradictions between the two hegemonic projects of neoliberalism and Hindutva and the reinforcement/reconstruction of patriarchal gender relations in relation to welfare. Analysis of some key social policies and specific legal interventions show the fusion of the two in the construction of the family/nation/gender related to population regulation, governance of populations, the forging of a paternal contract, the move from welfare to financialization and the undermining of labour rights through regulatory and disciplinary labour codes. The convergence of neoliberalism and Hindutva results in a shift from rights-based entitlements to further commodification, digital financialization and the creation of a hindutvatised neoliberal subjectivity.*

Keywords: Neoliberal authoritarianism, Hindutva, Welfare, Gender, Labour

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This article explores the links between neoliberalism, Hindutva and gender relations in India in relation to the provision of welfare. There are multiple contradictory processes within the projects of neoliberalism and Hindutva and their implications for existing patriarchal structures and gender relations. Although many analysts have posited a seamless convergence between the first two and in some cases also with the third, there is both convergence and contradictions within, as well as between the three (See

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for various positions Chacko 2019, Chatterji, Hansen, Jaffrelot 2019, Wilson 2018, Kaul 2017, Vanaik 2018, Gopalkrishnan 2006, 2008).

In exploring the links between the two hegemonic projects of neoliberalism and Hindutva and the reinforcement/reconstruction of patriarchal gender relations in relation to welfare, the article focuses on some key social policies and specific legal interventions in relation to the family, gender and labour in the contemporary period in India. In the first section after a discussion on central components of neoliberalism, Hindutva and patriarchy, a brief background is provided of the shift from the Nehruvian model towards neoliberalism and the policies of the UPA government and then moves onto the acceleration of neoliberalism from 2014 onwards under the ruling BJP government. The second section analyses some specific social policies and legislative interventions from 2014 till 2020. The final section discusses the convergence and contradictions within and between these two political projects in relation to gender and welfare. Understanding the present alignment of right-wing authoritarian populism and neoliberalism from a feminist perspective has to be a collective political endeavour. This is an exploratory analysis, drawing on previous scholarship and adding further reflections, inviting further debate and discussion.

Neoliberalism is a specific form of capitalist accumulation and a political project with an ideology of 'political economic practices that proposes that human well-being can best be advanced by liberating individual entrepreneurial freedoms and skills within an institutional framework characterized by strong private property rights, free markets, and free trade' (Harvey, 2007, 22). Critical to this process is the role of the neoliberal state which creates 'an institutional framework to facilitate the functioning of markets extending the market logic even to areas where markets may not exist 'such as land, water, education, health care, social

security, or environmental pollution..... But beyond these tasks the state should not venture' (Ibid., 23).

The conventional understanding of neoliberalism gets expressed in the statement that 'the state withdraws', however this is a fiction since 'neoliberalism has always been about the *reconceptualization* not the amputation of the state' (Bruff, 2014, 4). In the twentieth century particularly in post-world war capitalist economies, the neoliberal project primarily focused on the erosion of *substantive rights* for example the reversal of social and economic gains achieved by trade unions by pushing for liberalization from the shackles of the state. However, in the 21<sup>st</sup> century the scope of neoliberalization began to expand to include *formal rights*. Bruff and others argue that the War on Terror post 9/11 and the economic crisis ushered in authoritarian neoliberalism - an ideology that actively promotes the coercive, non-democratic and unequal reorganization of society by eroding substantive and formal political and social rights. This is reflected in a 'much more visible and extensive intertwining of commercial and security forms of power, leading to considerably greater possibilities for state control over populations. Two key aspects can be drawn out: (1) the explicit promotion of public-private partnerships (PPPs) within areas of the state such as defense and policing that are normally seen as beyond the reach of neoliberalization, at least regarding the role of private companies; and (2) the corporatization of everyday life by these PPPs in the name of security' (Bruff, 2019, 3). These are key features of authoritarian neoliberalism.

Neoliberalism simultaneously involves the spread of neoliberal rationality in all spheres of life. Foucault's idea of neoliberal governmentality provides insights into ways in which technologies of power for governing populations 'relies on calculative choices and techniques in the domain of citizenship and of governing'. It subjects citizens to act in accordance with the 'market principles of discipline, efficiency and competitiveness'

(Ong, 2006, 4). The construction of neoliberal subjectivities whereby individuals become responsible economic entrepreneurial subjects then aligns with the logic of neoliberal governmentality as the state furthers its neoliberal politico-economic project. Hence 'the originality of neoliberalism is precisely its creation of a new set of rules defining not only a different "regime of accumulation", but, more broadly, a different society' (Dardot and Laval 2013, in Fine and Saad-Filho, 2017, 686).

It is important to distinguish between Neoliberalism with a big 'N' as a 'fixed set of attributes with predetermined outcomes' from neoliberalism with a small 'n' that highlights the 'logic of governing that migrates and is selectively taken up in diverse political contexts' and is 'recontextualized in constellations of mutually constitutive and contingent relations' (A. Ong, 2007, 4). Indian neoliberalism has taken a distinctive form with deviations and contradictions as it interacts with local economic, political and cultural forces, aligning explicitly with authoritarian populism since the Bhartiya Janata Party (BJP) came to power in 2014 epitomized in the ideology of Hindutva.

The political project of Hindutva - a modern political ideology which constructs a nation state fusing a pure singular (Hindu) identity with being Indian and seeks to establish an exclusivist majoritarian nation (Menon 2019), also involves contradictory processes in practise. For instance, a key element of the ideology of Hindutva, *swadeshi* (promoting domestic production and boycotting foreign goods), is antithetical to globalisation. However, neoliberalism opens up the economy to foreign investment and import of goods from outside the country. In 1991 an organisation affiliated to the RSS (Bhatt 2001, Hansen 1999, Jaffrelot 1993, Sahgal this issue), the Swadeshi Jagran Manch was formed which opposed and campaigned against the initial liberalisation of the economy. Subsequently, the meaning of *swadeshi* shifted - by 1994 'it was including "the establishment of Indian companies and Indian brands in the world

market" in the definition of swadeshi, and by 1995 it was contrasting the Congress government's "faulty and half- hearted implementation of the reforms programme" with the BJP approach, for whom "reforms are a matter of conviction" [BJP 1994. 1995]. In 1998, the BJP subtitled the swadeshi section of its election manifesto "Making India a Global Economic Power" [BJP 1998]' (Chacko, 2019, Gopalkrishnan 2006). In 2014 when the BJP came to power and till today it has accelerated the process of opening up the economy. In 2018 the BJP farmers union Bharatiya Kisan Sabha (BKS) supported the farmer's protests demanding loan waivers (for massive indebtedness which has led to farmers suicides) and for raising the minimum support price, revealing the tension between the government neoliberal policies and farmer's interest. However, it has not joined the current protests in 2020 over the three farm bills despite the fact that these will lead to the corporatisation of agriculture including the entry of multinational agribusiness firms.

Hindutva as a political project is neither monolith nor homogenous in practice- a chameleon in its parliamentary face and an octopus in its reach across the body politic via the organisations of the Sangh Parivar - contradictory stands are taken, even as its core remains fascist nationalism. For let us remember, that the eyes of a Chameleon are independently mobile, but in aiming at prey, they focus forward in coordination, affording the creature stereoscopic vision. Further, colour change in chameleons functions as camouflage, but manifests most commonly in social signalling and in reactions to temperature and other conditions!

Seemingly contradictory messages surface when exploring the ways in which the entanglement of economic and social policies with the political project of Hindutva affects gender relations and ways in which it reinforces or changes patriarchal structures. One of the key components of Hindutva is the principle of 'brahmanical patriarchy' (Chakravarti, 1993), a world

view and structuring of the social order which is based on upper caste notions of purity and impurity (see Sahgal for elaboration). This places lower castes and women in subservient positions.<sup>1</sup> Gender is central to the political project of constructing the Hindu nation: through symbolic representations, specific constructions of femininity and masculinity and via the institution of controls and regulations over women's mobility, sexuality and labour to create and solidify borders and boundaries of the family, community and nation (Yuval Davis, 1989, Basu, 1993, Sarkar & Butalia, 1995, Bacchetta 2004, Banerjee 2006).<sup>2</sup>

At the same time, we need to keep in mind that in India there are multiple and overlapping patriarchies co-existing in India (Sangari, 1995). New forms of neo-liberal patriarchy emerge alongside the persistence of traditional patriarchy concurrent with attempts to restore the undermining of patriarchal structures as a result of capitalist development and the spread of a consciousness of gender equality (Chhachhi, 1991).

### **From the developmental state, the promise of redistribution to neoliberalism: Congress and UPA**

This section gives a synoptic account of the Nehruvian model of early post-independence India, the onset of neoliberal reforms since late 1980s under Congress rule and the acceleration of neoliberalization under the BJP from 2014 – 2020, to provide a contextual background. The key features of the Nehruvian model were the Nehru- Mahalanobis plan for India's economic development which promoted self-reliant import substitution industrialization through planning rather than depending on the market alone, combined with a commitment to secularism, federalism, democracy and the promise of development and redistribution. The Planning Commission which rolled out 5-year plans enabled calibrated state intervention: support given to the public sector combined with private enterprise, along with price controls etc. which has been characterised as a form of state capitalism with a dominant coalition of three proprietary



classes: industrial capitalist, rich landowners and white collar workers. As Kaviraj (1988, 2012) and others have argued the Indian state was constructed through a 'passive revolution' that led to a reliance on the rural elite and the bureaucracy to carry out the welfare agenda. Although there was steady growth and a structural change in the Indian economy from 1947-1960s, the developmental objectives were not achieved. There were limited investments in health and education, no major redistributive land reform and no universal system of social protection with the exception of the public distribution system which provided subsidized food and fuel. The next prime minister Indira Gandhi adopted an agrarian populist strategy which included nationalization of banks, expansion of the public sector, and various policies for the rural sector, that led to a shift in state – society relations reducing the power of the landed elite. Secularism and socialism were inserted via an amendment into the Indian Constitution. Various economic and political factors in the late 1970s led to the suspension of democratic rights with the imposition of the Emergency 1975-1977 and the initiation of a process of 'creeping liberalisation'. Reforms were initiated which allowed private capital into areas reserved for public sector accompanied by controls over labour with strikes labelled as anti-national. The subsequent Congress governments continued the liberalisation of the economy which were further intensified after the 1991 balance of payments crisis which necessitated a structural adjustment loan from the IMF. There was a strong articulation of a pro-market and pro-business narrative which stated that earlier sluggish growth was due to the highly interventionist state and a 'misguided' import substitution trading regime. This period led to the strengthening of export-oriented and corporate capital that supported economic liberalisation (Kohli, 2006 a,b, Ghosh and Chandrasekhar, 2017).

However, the Congress was losing its legitimacy and the first BJP government was installed in 1998 which ruled till 2004. Neoliberal reforms continued to be bolstered through the slogan 'India Shining' (see Chacko

2019 for the shifts in BJP positions from swadeshi and calibrated globalisation to a more pro-neoliberal discourse). This strategy did not work and in 2004 a coalition of the Congress and left parties formed the United Progressive Alliance (UPA) which was in government till 2014. Through this period the liberalisation of the Indian economy continued, though at a slower pace. The state remained interventionist: part pro-business (indigenous capital) part pro-market, and 'corporate-led' growth to a large extent was 'determined by the use of state power (not just central government but also state and local levels) to extract resources and surpluses. This was critical in the handing over of natural resources to private players: land, of course, as the recent controversies about land transfers and land use changes make all too evident; mineral resources; spectrum; water; and so on' (Ghosh, 2012). During this period public expenditure was maintained. India weathered the global economic crisis because financial liberalization was limited.

The UPA period has been characterized as one of 'inclusive liberalisation' due to the provision of welfare through rights-based laws. The laws were a response to strong pressure from social movements and campaigns for the right to work, food security, information etc. In response to pressure from social movements the following laws were passed between 2005 and 2013: Right to Information Act (2005), Mahatma Gandhi National Rural Employment Guarantee Act (2005), The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act (2006), Right of Children to Free and Compulsory Education Act (2009) and the National Food Security Act (2013). These were drafted and pushed through, despite the resistance of the neoliberal establishment, by the National Advisory Council, which included a number of civil society activists.<sup>3</sup>

Although minimalist (the demand for universal access was truncated and many of these were targeted or limited to certain areas), what is most significant is that socio- economic entitlements were now legally

enforceable rights establishing what Ruparelia (2013) has called 'new standards for social citizenship'. A. Nielsen has argued that this new welfare paradigm should not be seen only as a form of democratic accountability by the Indian state nor only as a strategy of co-option and deflection. Rather inclusive neoliberalism provided a legitimization for the neoliberal accumulation strategies of the Congress and enabled the forging of a new hegemonic project which tried to mitigate the detrimental consequences of commodification in order to deflect oppositional collective action (Nielsen, 2019, 3).

Despite the mitigating effects of social policies, and consistently high growth rates- 8% from 2004-2009 and 7% from 2009-2014, the detrimental effects of neoliberal policies were leading to an increase in social, sectoral and spatial inequalities and new forms of social exclusion which were reflected in the many struggles and protests by adivasis, workers, farmers and the strengthening of the Maoist insurgency. Already in this period there is a shift towards state authoritarianism with the UPA government introducing legislation to restrict foreign funding to NGOs (the license of 4000 NGOS were cancelled), as a way to curtail people's resistance to the selling of natural resources, land grab for special economic zones, and the dangerous consequences of setting up nuclear energy plants, etc. From 2006 growth slowed down, there was a rise in unemployment with growth not translating into job creation, food price inflation, an agrarian crisis, plus major corruption scandals which undermined the legitimacy of the Congress/UPA.

### **Neoliberalism and Authoritarian Populism: Modi 1.0 and Modi 2.0**

In 2014 the BJP won the elections and returned again to power in 2019. The 2014 campaign was Modi-centric and tapped the prevailing discontent, fusing together a discourse of anti-corruption, anti- elitism and development. One of the first actions the new government took was to

abolish the Planning Commission and replace it with the National Institution for Transforming India Aayog (NITI Aayog), which not only undid decades of planned development but also led to centralisation of power. A new narrative of development promising industrial development and urbanisation driven by the market/private sector and foreign investment facilitated by business-friendly policies, was fostered by projecting Modi as a *Vikas Purush* (Man of Development), architect of the Gujarat model when he was Chief Minister of the state from 2001-2014 who would bring *acche din* (good days).<sup>4</sup> As many have pointed out the Gujarat model did not lead to development, only high growth rates backed by the corporate sector who received tax breaks and facilitated access for land acquisition, while spending on health and education was lower than other states and the casualties of the model were Adivasis, Dalit and Muslims (Sud 2012; Jaffrelot 2015). On the other hand 'the beneficiaries of this 'model' were not only the middle class, but also a 'neo-middle class' made up of those who had begun to be part of the urban economy or who hoped to benefit from it.' (Jaffrelot, 2015, 837). In his promise to fulfil aspirations Modi specifically mentions the poor, middle class and the neo middle class. Sections of Indian capital (in particular the corporate houses of Adani and Ambani) played a crucial role in the campaign and they have maintained power and profited hugely under BJP rule. The Modi government was seen by free market advocates as a regime which would provide greater business investment opportunities, higher rates of privatisation and less corruption embodied in Modi's slogan of 'Minimum government and Maximum governance'. However, the government failed to deliver on its promise of job creation and investment. To distract attention from this Modi's led a highly personalised campaign in 2019, with a massive infusion of money, discarding the message of growth and development in favour of the politics of Hindutva, focused on war talk and security issues related to India – Pakistan, skilfully deploying mass media messages to instil fear and polarisation (Jaffrelot 2019).

The centralization of power has been accompanied with the centralization of the state. In the BJP abrogated Article 370 which gave a special status to Kashmir- a muslim majority state, incorporating it under central governance.<sup>5</sup> In the same year the Citizenship Amendment Act (CAA) was passed which allows Indian nationality for non-Muslim minorities from neighbouring Pakistan, Bangladesh and Afghanistan but excludes Muslims along with implementation of the National Register of Citizens (NRC) which was to identify and deport 'illegal migrants' said to be infiltrators from Bangladesh. The redrawing of the boundaries of the nation- through expansion and homogenization is a core component of Hindutva and a theme that is continually deployed. As Aiyar (2020, 117) succinctly puts it: Modi drew on the 'one nation' slogan to herald 'one nation, one tax', 'one nation, one grid,' 'one nation, one mobility card,' and 'one nation, one election'. This use of the slogan 'One Nation' is a central pillar of the BJP's ideological vision and its approach to governance. The 'One Nation' project fuses a more unitary, Hindu nationalist conception of Indian identity (that forms the ideological core of the BJP) with a policy agenda that seeks to strengthen national coordination in a number of realms, including those in which states have previously taken the lead'. The fusing of Hindutva with the 'nation' is then deployed to label any dissent as anti-national, targeting NGOs, university students, journalists, civil society activists, many of whom have been incarcerated.

Since 2014 the government has rolled out various economic policies, some of the most significant being - Make in India, Start Ups/Skills India/Smart Cities, the Goods and Services Tax to create a common market, along with promoting financial inclusion via the Pradhan Mantri Jan Dhan Yojana (PMJDY), the Aadhaar (Targeted Delivery of Financial and Other Subsidies, Benefits and Services) Act which links provision of government services to possession of a basic identity card. One of the most dramatic policies was the overnight promulgation of an ordinance for demonetisation in November 2016. All 500 and 1000 rupee notes were withdrawn from

circulation, and had to be exchanged for new 500 and 2,000 rupee banknotes. The measure was ostensibly to clampdown on black money which was then linked to funding terrorism and then morphed into the need to move to a cashless society by using credit cards and digital transactions (See Chandrasekhar and Ghosh, 2018 on the difficulties of this in India). Demonetisation had a drastic effect particularly on the livelihoods of informal economy workers, the agricultural sector, small firms/traders and women, with many reported deaths and huge indebtedness as people scrambled to survive. While the gains were minor, this policy played a role in the contraction of the Indian economy, which slowed down to a 4 year low in 2018.

In the first two years the only welfare measures were the Swachh Bharat (Clean India) toilet-building campaign and a new pension scheme. From 2016 onwards, various other schemes were announced to provide housing, health insurance, roads, subsidized liquefied petroleum gas (LPG) connections. In 2019 analysts have pointed out that Modi repositioned himself as leader of the poor and number of welfare schemes were put into place (Aiyar, 2019, Jaffrelot, 2019). Creating a distinction between the deserving and the non-deserving poor, the 2019 campaign of the BJP claimed that welfare distribution under the Congress regime was expensive and undeserving sections of society had appropriated the benefits. Second, the Congress had favoured particular sections of society and did not treat all citizens equitably. The party consequently argued that the welfare conception and distribution of welfare had to be reworked to something that approaches near-universality so that 'everybody' benefits from the development. The party campaign slogan of *sab ka sath, sab ka vikas* (everyone's support, everyone's development) revolves around this idea (Deshpande, Tillin, and Kailash, 2019). To distinguish his governments approach to welfare Modi stressed 'empowerment' versus the 'entitlement' approach of the previous regime. Entitlements were

dismissed as 'doles and handouts' while empowerment was projected as a vibrant link to opportunities and aspirations.

The following sections assess some of these schemes and legal interventions specifically targeted at women, to explore the ways in which neoliberalism and Hindutva are simultaneously mobilized to shift away from social citizenship and employment-based entitlements towards a commodified market-based model of welfare embodied in the notion of 'empowerment' (Aiyar, 2019, 83). Legal interventions, particularly in relation to the nation and the family, were either preceded or accompanied by campaigns such as 'love-jihad', 'cow protection', accompanied by violence (lynching, and intimidation, particularly of muslims and Dalits) led by Hindutva 'vigilante' groups (Jaffrelot, 2019a, Banaji, 2018). It is this combination of consent and coercion that knits together the authoritarian populism of Hindutva even in the domain of welfare.

### **Social policies: appropriation, rebranding, reconstructing**

Social policies for welfare (ranging from healthcare, education and social protection through non- contributory or contributory support and labour regulations) have always been double edged: extending social provisioning for the poor and vulnerable as well as creating exclusionary and disciplinary categories from the time of the Victorian New Poor law of 1834 (which instituted the punitive distinction between the deserving and the non- deserving poor) to many contemporary anti-poverty interventions. Social policies have been used to garner political support as well as used by right wing authoritarian states to refashion society in line with the ideological construction of the nation based on ethnicity, religion or race.

In assessing social policies instituted between 2014 and 2019 in India the first question is how far do they depart from or reinforce neoliberalism? This requires assessment of whether welfare measures further a process of decommodification towards universalistic social citizenship-based entitlements as well as employment-based entitlements or whether they promote stratified market-based entitlements. The second question is how far they further the project of forging an exclusionary nationalist solidarity, specifically the political project of Hindutva, that flattens out solidarities of class and caste. The following sections explore these through a discussion on the construction of the family/nation/gender in the interventions related to population regulation, governance of populations, the forging of a paternal contract, the move from welfare to financialization and the undermining of labour rights through regulatory and disciplinary labour codes.

### **Population control, the family, nation and patriotism**

In August 2019 the PM Modi declared that India was facing a 'population explosion' and this was setting back development. He referred to small families as 'patriotic' and 'responsible citizens'. Preceding this statement in July 2019, a private member introduced the 'Population Regulation Bill' in Parliament which called for punitive action to be taken against people with more than two children wherein they would not be allowed to access to benefits and public services such as the public distribution system, could not stand for electoral office and government employees would have to sign an undertaking not to have more than two children. In February 2020, a proposal was made to amend Article 47A of the Indian Constitution to provide more incentives to a two-child family stating:

The State shall promote small family norms by offering incentives in taxes, employment, education etc. to its people who keep their family limited to two children and shall withdraw every concession



from and deprive such incentives to those not adhering to small family norm, to keep the growing population under control.<sup>6</sup>

The first bill was introduced by a founding member of the India Policy Foundation, an RSS-affiliated non-profit think tank and the second proposal to amend the constitution was made by a Shiv Sena<sup>7</sup> member of the Rajya Sabha. The amendment to the Constitution implies a major shift in the role of the state which would make the commitment to improve the health and well-being of its citizens subject to conditionalities backed by punitive measures.

Any discussion of population control in India immediately triggers the Hindutva discourse on the exceptional high fertility of muslims attributed to polygamy as well as perceptions of the ultra-virility of the muslim male and the over fertile muslim female (Sarkar 2002, Chhachhi 1991). In 2002 Modi used this in his election speech: 'The Muslim philosophy is: *'hum paanch, hamare pachchees'* (We are five—allusion to Muslim polygamy—we will have twenty-five children) (Jaffrelot, 2016, 196). This discourse resurfaced again in 2015 with various BJP members demanding action by the government: 'in August 2015, Yogi Adityanath, requested Prime Minister Modi to implement a population control 'law' specifically for Muslims (Express News Service, 2015); in October of the same year, Mohan Bhagwat, the leader of the Rashtriya Swayamsevak Sangh, the cadre-based organisation at the heart of the network of Hindu right-wing groups in India, stated that India needed to address population 'imbalances' between communities (PTI, 2015); these followed BJP MP Sakshi Maharaj's statement that 'Hindu women should have at least four children' (Ali, 2015 in Wilson 2018, 99).

The hysteria built up in public discourse about the demographic imbalance between hindus and muslims is repeated endlessly despite the fact that that the latest data shows that there is no population explosion in India, in

fact there has been a decline in the overall fertility rate, and this has happened across communities with the overall fertility rate declining more rapidly for muslims compared to hindus.<sup>8</sup>

As Kalpana Wilson (2015, 2018) has shown population control in India has long been cast in neo- Malthusianism terms with coercive sterilizations being central to control the fertility of poor, Dalit and Adivasi women who are constructed as disposable bodies whose 'excessive' fertility threatens the interests of the nation state. She points to the way Indian eugenic thinking mobilised Hindu nationalist arguments that promoted caste endogamy (intra-caste marriage) and 'these caste-supremacist eugenic approaches, which defined Dalits, Adivasis and oppressed castes as unfit to reproduce, were therefore arguably embedded from the outset in post-Independence 'Family Planning' policies in India' (Wilson, 2018, 92). If the Population Regulation Bill is passed it will have serious consequences especially given the link between reduction in fertility and socio-economic status for women from poor, minority and Dalit households and can be selectively targeted at minority groups.<sup>9</sup>

### **Governance of populations: what kind of family, nation, citizen?**

While the Population Regulation Bill has the potential to be used against women and minorities, particularly muslims, other laws have been passed alongside which also construct what kind of family and what kind of citizen would qualify to be an Indian.

In 2020 the Commercial Surrogacy Bill was passed which banned commercial surrogacy in India. Since 2002 India became a major hub for international commercial surrogacy facilitated by neoliberal policies that fostered a growing private health sector promoting medical tourism which now included cheap reproductive labour provided by poor women. Numerous fertility clinics sprang up all over India with Gujarat having the

largest number. It is estimated that this industry made a yearly profit of \$400 million. Although the Indian Council of Medical Research had laid down guidelines for surrogacy clinics, these were not legally enforceable, and the sector remained unregulated and exploitative. A number of proposals were made to regulate the sector (see P. Kotiswaran 2018), foreign nationals were banned from availing the service in 2015 and in 2016 the Surrogacy (Regulation) Bill was introduced which banned commercial surrogacy while allowing 'altruistic surrogacy'. The bill was passed by the lower house of parliament in August 2019 and was reintroduced after incorporating suggestions from a Select Committee (which had characterized the original bill as moralistic and paternalistic and suggested changes recommended by women activists) and was approved by the Cabinet in February 2020 (see Sarojini et al., 2016).

The original bill aimed to end exploitation of women but significant clauses which restrict the categories of people who can access and provide this service reflect clearly the construction and projection of Hindutva's conception of the family and gender relations.

The bill only allowed Indian married heterosexual couples, within a narrow age range with certificates proving that they were infertile for five years to avail of surrogacy, the surrogate had to be married, get the consent of her husband, with a child of her own and a close relative of the couple. It devalued the reproductive labour of the surrogate who was not to be compensated in any way apart from a 16-month health insurance cover.

Announcing the bill in 2016 Sushma Swaraj stated:

'We do not recognize live-in and homosexual relationships...this is against our ethos.'<sup>10</sup>

She also condemned 'the celebrity culture of having surrogate babies', a clear reference to Bollywood actors Shah Rukh Khan and Amir Khan, feeding the discourse about excessive breeding of the muslims.

The revised bill is awaiting approval of the Upper House in Parliament. Some modifications have been made to the original by extending the eligible category to include Indian-origin married couples and Indian single women (only widows or divorcees between the age of 35 and 45 years), allowing any willing woman to be a surrogate, increasing the insurance cover to 36 months, with the ban on commercial surrogacy also extending 'to sale and purchase of human embryo and gametes', a demand by women activists for regulation of the ART industry as well. The bill remains discriminatory against queer and live-in couples and reinforces the centrality of heterosexual marriage and the patriarchal family. This was endorsed with Supreme Court in Sept 2020 stating that marriage between same-sex couples was 'not permissible' as it is not recognized by 'our laws, legal system, society and our values' in response to a PIL which argued that although homosexuality had been decriminalized, same sex marriage was still not possible.<sup>11</sup>

The construction of a particular family form as 'Indian' can be seen in the way The Muslim Women (Protection of Rights on Marriage) Bill 2019 was passed, appropriating the demands and struggle of muslim women's organisations who had asked for reform, while furthering the process of homogenisation and uniformity- a key component of Hindutva - it also institutionalised state intervention into the muslim community by criminalising triple talaq at the same time adding to the discourse projecting the PM as the protector of Kashmiri women for being denied their rights and all muslim women from the evils of polygamy practiced by muslim men (Naqvi, 2019, 2020).<sup>12</sup>

### **The father as protector: forging the paternalist contract**

Other policies and campaigns initiated by the BJP government in relation to the family however project an image of gender equality with a focus on empowering women and the girl child. The campaign Beti Bachao Beti

Padhao [Save the daughter, educate the daughter] launched in 2015, aims to prevent gender biased sex selective elimination, ensure survival and protection of the girl child and ensure education and participation of the girl child. The Ministry of Women and Child Development explicitly states that through this campaign it focuses on 'challenging mindsets and deep rooted patriarchy in the societal system'.<sup>13</sup> In the same year Modi strongly endorsed a small grassroots campaign started in Haryana called #SelfieWithDaughter where fathers were asked to tweet photos with their daughters and subsequently asked to upload these to the Foundation website. This received widespread media coverage nationally and internationally. The Foundation proclaims that 'As we know SELFIE WITH DAUGHTER is a world wide revolution after promoted by Hon'ble Prime Minister of India Shri. Narendra Modi'.<sup>14</sup>

These campaigns present a progressive modernity which strategically feeds into the Hindutva project of India being recognised as a global player and garners acceptability and recognition by international development organisations. Modi mentioned the campaign when he addressed the CEOs in Silicon Valley and in Wembley and the Times Magazine reported this as a personal crusade for gender equality the PM had started since he came to power. Hussain (2015) notes that this functions as 'face work' in 'impression management' which creates a social image 'that aligns with the Indian's aspirational economic image of a neoliberal powerhouse'.<sup>15</sup>

In addition, the personalized alignment of Modi with these campaigns and other social policies fosters a new 'paternalist' contract. Not only does this campaign reinforce the role of the father as protector, which then segues into a gendered discourse of safety, surveillance and restriction (Phadke, 2007, 1511f in Titzmaan, 2020), but more significantly it constructs and reinforces Modi as the 'father figure' - a benevolent patriarch - a role he plays out in many arenas.<sup>16</sup> This trope is deployed as well in the welfare programs instituted specifically for women.

Numerous welfare schemes inaugurated by Modi were linked to the festival of Raksha Bandhan (a ritual where sisters tie strings on their brother's wrist symbolising the brother's responsibility for their safety and protection). In 2016 Modi appealed to his 'sisters' to join the accident insurance scheme Pradhan Mantri Suraksha Bandhan Yojana which is linked to the Pradhan Mantri Jan Dhan Yojana (PMJDY) financial inclusion program. Similarly, when the Pradhan Mantri Ujjwala Yojana (PMUY) was launched to provide free gas connections to 50 million women in families living below the poverty line, the PM mentioned Raksha Bandhan and actually inaugurated the scheme in Tripura on Raksha Bandhan day itself.<sup>17</sup>

The discourse of protection has been a constant leitmotif in relation to women's rights and resurfaces in the Maternity Benefit (Amendment) Act 2017. It is interesting that in the Bombay legislative assembly debates on maternity benefits in the 1920s, supporters of the Bill couched their arguments partly in the language of rights but mainly in terms of humanitarianism and protection of vulnerable women and children<sup>18</sup>, while those opposing the Bill deployed a variety of arguments from counterposing the strength of Indian women versus the delicacy of western women who required maternity benefits, to the promiscuous nature of working class women who would abuse the benefit to have more and more children. The arguments that swung the debate and got the bill passed reconfigured the working woman as 'mother of the nation' obliterating her identity as a productive industrial worker, expressed clearly in the following statement: 'So Sir, it is in the interests of the nation and not in the interests of the poor mother that she ought to be looked after at this critical stage. After all Sir, if we are unfaithful or disloyal to our mothers are we worthy son?' (Bechar, BLC, 1928363-364) with the final argument from 'a medical expert, P G Solanki, who combined medical authority with hindu nationalism stating that the Hindu shastras, which had laid down that a pregnant woman should not walk on uneven ground, not do manual work, climb steps. even that the mind should not be

disturbed' has already recognised the need for maternity benefits. (Chhachhi, 1998, L24). Despite the passing of the Maternity Benefit Act in 1961, the benefit continued to be seen as a form of protection rather than a right. In 2013 the National Food security Act was passed which explicitly incorporated maternity benefits along with the right to food into a rights based legal entitlement. It laid down a universal right for pregnant women and lactating mothers to receive maternity benefit of not less than Rs. 6,000.

In 2016 on New Years Eve, just after demonetization, Modi announce new programs as part of his promise of *sabka saath – sabka vikaas* announcing maternity benefits as a new scheme.

We are introducing a nation-wide scheme for financial assistance to pregnant women. 6000 rupees will be transferred directly to the bank accounts of pregnant women who undergo institutional delivery and vaccinate their children. This scheme will help reduce the maternal mortality rate, in a big way. This will help ensure nutrition before and after delivery, and improve the health of mother and child. So far, pregnant women in 53 districts were being given financial assistance of 4000 rupees, under a pilot project PM Modi.<sup>19</sup>

This was a blatant rebranding and appropriation of the earlier provision in the Food Security Act. The personalized announcement once again shifted maternity benefits away from a rights based legal entitlement to one gifted by Modi. The Food Security Act is not being implemented even as there are huge food stocks available. Implementing the Act and releasing the food stock would have been critical to stave off hunger during the pandemic.<sup>20</sup>

A similar process has occurred with MNREGA - the rural employment guarantee program which was initiated in 2005 by grassroots social movements, driven by civil society activists who also campaigned for Right to Food and the Right to Information. Well known economists such as Jean Dreze and activists designed the program to be a universal entitlement to the Right to Work. The final law restricted the purview to rural areas and 100 days of work. Unlike other public works programs, this was a legislatively-backed guarantee which asserted the principle of a 'social contract' between the state and its citizens, to enhance livelihood security in rural areas; create productive assets, protect the environment, empower rural women and foster social equity. Safeguards for accountability of the public service delivery system was ensured via social audits. There are varied assessments of the success of the scheme but the overall conclusion of numerous studies has been that it has worked best where civil society activists were able to use the Right to Information to hold the state accountable. The scheme has led to a reduction in poverty, provided work and has improved income and consumption particularly of nutrition in rural areas. The World Bank and other development agencies have lauded this as an innovative model. The BJP ridiculed this scheme during the elections with Modi stating 'The MNREGA is a living epitome of your (the Congress's) failures. After 60 years, the people of this country are being compelled to dig ditches'<sup>21</sup>. However, once in power the program was not repealed, budget allocations continued though were never enough to meet demand and it was appropriated as a BJP welfare scheme. Given the increase in demand during the Covid pandemic, particularly with migrant workers forced to return to their villages, additional funds have been allocated to the scheme though now it is incorporated under the Atmanirbhar Bharat Abhiyan package (Self-Reliant India Campaign) announced in May 2020 as an economic stimulus package with the 'aim of making the country independent against the tough competition in the global supply chain and to help in empowering



the poor, labourers, migrants who have been adversely affected by COVID'.<sup>22</sup>

### **Shift from welfare to financialization**

So far around 13 welfare schemes specifically targeted to women have been instituted. Assessment of these programs are limited and vary but the crux is that every scheme requires linkage to the financial inclusion program via bank accounts, a unique identification number linked to a person's biometric and demographic data stored in a national database and a mobile phone account. This JAM (Jan Dhan-Aadhaar-Mobile) triad was institutionalised by 2016 through the passing of the Aadhaar (Targeted Delivery of Financial and Other Subsidies) Bill 2016 which made Aadhaar mandatory to access most government services, including welfare. Though the Supreme Court struck down the provision allowing private companies to use Aadhar verification, the government went on to amend the Act in 2019 allowing mobile phone companies and banks to use it for verification, albeit with the agreement of customers.

All the schemes for women with the addition of JAM are an integral part of the 'financial inclusion' agenda, which inserts new forms of finance into areas where there was no earlier need or demand. This agenda has been pushed globally by the World Bank and other international development agencies backed by some of the most powerful global banking, financial services, credit card and digital payment technology institutions (Bateman, 2017). This approach aligns with the shift in focus in the World Bank and other international development agencies towards Smart Economics – an instrumentalist, business case, efficiency approach to gender equality which calls for 'investing' in girls and women empowering them in the service of economic liberalization. Digital India (which includes the objective of providing government services digitally) launched in 2015 has received major investments from major corporates including Reliance

Industries owned by Ambani. This has led to a major shift from rights-based welfare (social citizenship and employment-based entitlements), to the institutionalization of a process of market based entitlements. The application of the JAM triad to provision of welfare has multiple objectives which have very serious implications. Far from the rhetoric of 'empowerment' of the poor and women, financialization of welfare sets up conditions for indebtedness, increasing burdens on women given their continuing responsibility for domestic labour and digital financialization in particular allows for absolute control and surveillance by the state.

For instance, the much-lauded clean energy fuel PMUY subsidized gas connection scheme for women has the potential to reduce domestic labour time, particularly for rural poor households and the shift away from biomass (firewood, agricultural waste, cow dung, etc.), coal and kerosene, has health and environmental benefits. The scheme is explicitly publicized as a women's empowerment program with slogans such as:

'Time for Family and Education' and 'Every woman will get her dignity and due respect'. The scheme has been implemented widely and in March 2020 the government claimed that 97.4% of households in India had LPG connections and was the 'biggest catalyst of socio-economic change in the status of women in the country'.<sup>23</sup>

The number of households with access to LPG (liquefied petroleum gas) connections says little about the design of the scheme and its long term sustainability. The scheme provides financial assistance of Rs.1,600. The government paid half the money for the connection while the beneficiary paid the other half to buy a cooking stove and an LPG cylinder with a loan from an Oil Marketing Company. The government subsidy was supposed to cover the cost of the first allotment and the loan via monthly payments. Studies have shown that enrolment in the scheme did not translate to

actual LPG use; beneficiaries could not afford to pay for the refills plus they had to deal with paying back the loan from the OMCs.<sup>24</sup>

The potential for indebtedness in these schemes is clearest in the microcredit programs for women's entrepreneurship which have been boosted by the BJP as a major initiative for women's empowerment within the broader programs of Stand Up India and Prime Minister's Employment Generation Program (PMEGP) Scheme. There are nine such programs (Mudra Yojana Scheme, Mahila Udyam Nidhi Scheme, Annapurna Scheme, Stree Shakti Package for Women Entrepreneurs, Bhartiya Mahila Business Bank Loan, Dena Shakti Scheme, Cent Kalyani Scheme, Udyogini Scheme, TREAD (Trade-Related Entrepreneurship Assistance and Development) Scheme) which provide financial and training support for women to set up or expand small and medium scale enterprises in sectors ranging from beauty parlours, tailoring, catering etc. The loans are provided by public sector banks, commercial banks, regional rural banks, small finance banks, microfinance institutions and non-banking financial companies. The interest on these loans ranges from 8% to 11% (and in some cases even 20%) and the loan must be paid back within 3 to 10 years depending on the particular scheme. Specific categories of women- widows, destitute, etc. - are given a subsidy via a concessional reduced interest rate.

So far, few projects have been set up by women entrepreneurs stated to be about 30% of total projects set up under PMEGP and only 13.7% under Startup India. The push however continues with new financial support being offered and projects established for micro women entrepreneurs with development agencies.<sup>25</sup> Numerous studies globally and in India on microcredit and micro enterprises have established that it financialises poverty, leading to a 'bankisation of the poor', spiralling into a debt trap,<sup>26</sup> can reinforce patriarchal controls, and even where it benefits the household, it does not necessarily lead to a transformation in intrahousehold power relations. A number of such anti – poverty programs

(conditional cash transfers, microcredit) lead to additional care work and the 'feminisation of responsibility and obligation' (Molyneaux, 2006).

The promotion of entrepreneurship as the route to women's empowerment creates neoliberal subjectivities, oriented to competitive individual self-advancement. As Karim sums up - 'The out-of-the-home entrepreneur links seamlessly with the ideology of neoliberalism. She is an owner of petty capital. This production of the ownership ethic is against wage labor, overtime pay, retirement benefits and worker's compensation, i.e. against the very foundations of a welfare state. Failure to succeed now rests solely with the individual and not with the corporation/NGO/state. In this scenario, the state withdraws from the welfare of its citizens to the welfare of capital' (Karim, 2008, 14). When such schemes are tightly linked to digital financialisation, by making access subject to JAM, there is a further reconfiguring of the relationship between the state and citizens. The control over populations through data is a central feature of neoliberalism<sup>27</sup> which assumes dangerous possibilities when aligned with authoritarianism.<sup>28</sup>

The promotion of medium and small-scale enterprises which is a key plank of Modi's economic policy (that ignores the saturated markets for the goods and services produced by microenterprises) is a substitution for promotive social protection through creating secure jobs and long-term employment opportunities. This is evident in the Make in India policy and the dismantling of labour rights in 2020.

### **Make in India with flexible labour: labour rights into regulatory Labour Codes**

In 2014 Modi announced the Make in India policy to foster export-oriented growth, inviting foreign inventors to manufacture in India and sell globally. This policy did not really work- though foreign investment did increase between 2013 and 2016, it has plateaued since then and has not been in

the manufacturing sector. India's share in global exports remains 2 per cent compared to China's share of around 18 percent (Chalapati Rao, K.S. and B. Dhar, 2016). To placate big business and invite foreign capital, the government has moved aggressively on labour rights and environmental regulations. India's rank in the 'Ease of Doing Business' index actually slipped from 140 to 142 in 2014-15 (out of 189 countries).

The first step was taken in 2014 when the Ministry of Labour and Employment announced major legislative reforms based on a review of 150 labour laws. At the launch of five schemes under the '*Shramyev Jayate*' (hard work will win) program the measures were presented as the 'triumph of labour'. They were justified under Modi's election slogan 'minimum government and maximum governance' and as an integral part of the vision of Make in India. At the inauguration Modi again overlaid these measures with nationalist tropes saying they would elevate ordinary workers, 'Shram Yogi' (worker), to become 'Rashtra Yogi' ('nationalists') and 'Rashtra Nirmaata' ('nation builders'). The measures established a centralised online portal for businesses to file self-certified online forms on compliance with labour laws, a Random Inspection Scheme, designed to identify businesses to be inspected through a computerised programme using pre-determined criteria. This effectively laid the ground for the end of factory inspections but was euphemized by the Prime Minister as reflecting trust in its citizens.<sup>29</sup> The provision of benefits which were public-private partnerships for health insurance etc. were linked with the JAM triad (Aadhar, bank account, digital payment). While the corporates applauded the proposed changes, all trade unions including the BJP Bharatiya Mazdoor Sangh (BMS) denounced these measures as anti-worker and pro corporate. Under cover of Covid in 2020, BJP state governments promulgated ordinances suspending most labour laws for three years- a push back to the 19<sup>th</sup> century. Finally, in October 2020, again by stealth under Covid, the new labour codes were passed without consultation and without incorporating the recommendations made in

2019 to the Standing Committee. 44 Central labour laws were consolidated into four Labour Codes: Labour Code on Industrial Relations, Labour Code on Wages, Labour Code on Social Security and Labour Code on Occupational Health Safety and Working Conditions.

The Codes have significantly reformulated the labour laws which will lead to an increase in labour flexibilization, informalization and labour market vulnerability. Through the creation of a category of 'fixed term worker' it institutionalizes contract labour and also limits its regulation to establishments employing more than 50 workers as compared to the provision of 20 workers earlier. The restrictions on arbitrary retrenchment which applied to establishments of 100 or more workers now only applies to establishments employing 300 workers. Exemptions from many provisions of the codes have been made easier and industrial action by trade unions will be more difficult. Finally, various consultation committees have been proposed which would undermine the role of trade unions.<sup>30</sup>

The ostensible rationale is that labour laws are rigidities, and the high cost of labour prevents private investment, an argument that has been made since the 1990s. The Indian labour market has always been flexible with the formal sector informalizing since the 1990s- 90.7 percent of workers are in the informal economy of which 36 percent are contract workers (Lerche, 2015). Between 2004-5 and 2017-18, the number of workers in the non -agricultural sector without regular employment contracts increased from 60per cent to 71 percent. (Srivastava, R. 2020a, b). Nothing illustrates the scale of informality and vulnerability of the vast majority of workers better than the migrant crisis during the Covid pandemic. The sudden announcement of the lockdown led to an immediate loss of livelihoods for thousands of migrant workers all over the country. With no money, food, housing or any system of social protection and restrictions on transport they began the long march back to their native villages

(Breman 2020). The government treated this exodus as a law and order problem and support came mainly from civil society groups. Given the scale and public visibility of this crisis it is shocking that the labour codes provide only nominal provisions for migrant workers and the key provision of inter- state migration has been diluted.

Women migrants were particularly affected given their concentration in the informal economy and work as domestic workers, sex workers, beauty parlour workers etc. was no longer possible. The labour codes also have some specific clauses related to women workers – they can now be employed for all types of work and can also work – with their consent- from 6:00 am and after 7:00 pm.<sup>31</sup> This paves the way for extended working hours particularly in export industries.<sup>32</sup> It is not clear if these extended working hours will be counted as overtime and what ‘consent’ means in a context of limited job options, is of course the critical issue.

The overall rate of labour force participation in India has declined with the most drastic reduction in the female labour force participation (FLFP) which declined to 22 percent in 2011-12 and then went down further to 18 percent in 2017-18. Various studies have shown that despite the rise in female education, there were very few jobs available, particularly in urban areas. The combination of limited investment and the Covid pandemic have pushed the economy into contraction (-24 per cent GDP growth), with a continuing agrarian crisis and high unemployment. The farm laws and labour code bills are aimed at creating the ideal environment for corporatizing agricultural and a pool of cheap flexible labour for global supply chains. Given the pandemic and rise of protectionism globally there is little prospect of exports reviving the economy in the immediate future.

The Labour codes have in one stroke done away with decades of labour regulations, furthering labour precarity and presents a perfect neoliberal package for private investment, couched again in the language of the

nation. This nationalist overlaying of a pro- corporate, anti-worker policy was recast in May 2020 with the announcement of the 'Aatma Nirbhar Bharat Abhiyan', an inducement package to move the country to economic recovery post Covid on a path of self-reliance. The language shifted to Made *by* India and has been welcomed by the Swadeshi Jagran Manch resolving the contradiction between swadeshi and globalization mentioned earlier. The BJP affiliated trade union and farmers union have not joined the ongoing protest actions launched by other trade union and farmers association against the Labour Codes and the three Farm bills.

### Conclusion

The BJP's approach shifts the welfare mix from the state to the market fostering individual entrepreneurialism. Rather than rights-based entitlements all the welfare programs lead to further commodification – a process moving away from the previous decades of attempts towards building a welfare state. The schemes create and reproduce stratification by being targeted, for instance with differential policies applied to women as housewives, as entrepreneurs and as working-class women. This is the classic neoliberal model of women's empowerment. What is dangerous firstly is the entanglement of neoliberal patriarchy with Hindutva and the creation of a hindutvatised neoliberal subjectivity through welfare programs that project Modi as the benevolent patriarch and protector. At best this offers women the 'controlled emancipation' that Hansen (1994) elaborated in his analysis of the RSS, extended now to smart economics investment in girls and women. The discourse taps into deeply embedded archetypes with the 'individualism' of neoliberal rationality transformed into a group collectivity/identity as a hindutvatised Indian. Analysis of vote patterns in the 2019 elections have shown that larger number of women voted for Modi and he has cultivated this vote bank through a skilful crafting of his persona. The chameleon-like many faces of the BJP are not opportunist. Secondly when seen in conjunction with other interventions



such as the CAA and NRC, and the compulsory JAM triad required for welfare benefits it redefines citizens into 'statizens', where a state issued document becomes the basis of all life, a shift institutionalizing authoritarianism, as noted by Appadurai (2019). A new political formation has been forged which combines aspirations to be a global leader, with the reconstitution of the Hindu nation, representing a regressive authoritarian alternative modernity. So far, the BJP has been able to forge a new hegemony with consent constantly enforced through coercion and fear. Despite that there are internal tensions: between the centralized state and federalism, between the project of swadeshi and globalisation, between sections of capital, between the aspirations of subaltern groups and non - delivery of quality secure jobs and universal welfare entitlements. One can only draw hope from ongoing social movements led by coalitions against the CAA, environmental issues as well as ongoing protests by Dalits, students, women, workers and farmers.

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## Notes

<sup>1</sup> The other two principles are an aggressive 'flattening of internal diversities and conflicts of Hinduism into an undifferentiated uniform mass' and 'the conflation of the nation with the majority religion' (Poruthiyil, 2019).

<sup>2</sup> Basu's analysis of women militants in the RSS shows that despite the use of traditional religious imagery of the hindu woman as self-sacrificing and docile,

the RSS also celebrates 'brave and powerful women who use violence if necessary, to protect their communities' and projects itself as a champion of women's rights, particularly to distinguish itself from the muslim Other. Bacchetta has further argued that women in the RSS produce a different discourse of the hindu nation relative to the discourse of RSS men with zones of convergence and divergence.

<sup>3</sup> The NAC included well known scholar activists who were involved in the Right to Food campaign such as Jean Dreze, Harsh Mandar and Aruna Roy.

<sup>4</sup> The pogroms against muslims in 2002 in Gujarat pogrom were white washed and the communal polarization consolidated Modi's support from the hindu middle class.

<sup>5</sup> The incorporation of Kashmir- a central component of Hindutva- was accompanied by changes in land laws allowing outsiders to acquire land opening it up for neoliberal economic projects. Social media posts were full of references to 'buy land in Kashmir' and 'marry Kashmiri girls'. See Kaul (2018) for the ways in which gendered discourses of representation, cartography and possession have legitimized violence against Kashmiris.

<sup>6</sup> The original Article 47 of the 1947 Constitution reads:

Duty of the State to raise the level of nutrition and the standard of living and to improve public health. The State shall regard the raising of the level of nutrition and the standard of living of its people and the improvement of public health as among its primary duties and, in particular, the State shall endeavour to bring about prohibition of the consumption except for medicinal purposes of intoxicating drinks and of drugs which are injurious to health.

(<https://www.heraldgoa.in/Edit/Opinions/The-Population-Regulation-Bill-2019/165137>).

<sup>7</sup> Right wing regional party in Maharashtra which had allied with the BJP but is now in open conflict with it.

<sup>8</sup> See <https://www.heraldgoa.in/Edit/Opinions/The-Population-Regulation-Bill-2019/165137>.

<sup>9</sup> See <https://thewire.in/rights/india-population-control-policy>.

<sup>10</sup> See <https://www.hindustantimes.com/india-news/india-proposes-ban-on-commercial-surrogacy-homosexuals-live-ins-worst-hit/story-Vb1fKz0XSJpDCT7GbympkO.html>.

<sup>11</sup> In 2016 the Transgender Bill was passed which was seen as a recognition of discriminated communities and an example of inclusive citizenship. However, as Loh (2018) points out the bill made a distinction between gender variance and sexuality and recognized basically one category – the hijra- whose antecedents could be found in Hindu mythology etc. while denying the existence of the broader LGBTI communities. See also Bacchetta 2019.

<sup>12</sup> During his address on August 8<sup>th</sup> after Articles 370 and 35A were abrogated, PM Modi said:

"In all the other States of India, the rights that our daughters have, were being denied to the daughters of Jammu and Kashmir" (Naqvi 2019). The intervention of the State to regulate sperate personal laws has a contentious history. See Chhachhi 1991 for a discussion on how the Muslim Women (Protection of Rights on Divorce) Act passed by the Congress in 1986 pushed muslim women back into regulation by the community. For the feminist debate on this issue see Menon 1999 and Agnes 2018.

<sup>13</sup> This was followed by a multimedia campaign as part of the Family Planning Program which prioritizes Mardangi [Hindi: manhood] and the involvement of

men (MoHFW Annual Report 2017-18: 93) as one of its main aims. In an analysis of this program Titzmaan (2020) argues that the increased focus on men as agents of social change provides a modernist image of Indian men as responsible fathers, in the context of a 'crisis of masculinity' and a growing global awareness of sexual harassment. Both campaigns do not challenge the patriarchal structure of the family.

<sup>14</sup> <http://selfiewithdaughter.world/about.aspx>

<sup>15</sup> When questions were raised about the need for reforms rather than just photographs by S. Seth, an actress and K. Krishnan a feminist activist, they were subjected to a vitriolic attack online which revealed how skin deep the campaign was, distinguishing 'good women from 'bad women'. See Krishnan 2015 for response to the attacks she received on social media.

<sup>16</sup> As Protector of the Cow as well as Protector of the Nation through his 2019 campaign slogan 'I am your Chowkidar (nightwatchman)'.

<sup>17</sup> See Chacko, 2018:403 for the ways in which Raksha Bandhan has been used by the RSS for nationalist mobilisations as well as anti-muslim campaigns particularly in relation to 'love jihad'.

<sup>18</sup> Dr. Ambedkar and other labour reformers presented strong arguments in favour of the bill in the legislative assembly arguing for both the state and the employer taking the responsibility for providing the benefit, as part of their commitment to a welfare and interventionist state.

<sup>19</sup> <https://web.archive.org/web/20180812060008/http://pib.nic.in:80/newsite/erelease.aspx?relid=156050>

<sup>20</sup> Jean Dreze 2020 Excess stocks of the Food Corporation of India must be released to the poor.

<https://indianexpress.com/article/opinion/columns/coronavirus-lockdown-food-for-poor-migrants-mass-exodus-jean-dreze-6353790/>.

<sup>21</sup> <https://www.businesstoday.in/union-budget-2015-16/hits-and-misses/union-budget-2015-16-arun-jaitley-mnrega/story/216344.html>

<sup>22</sup> <https://www.prsindia.org/report-summaries/summary-announcements-aatmanirbhar-bharat-abhiyaan>

<sup>23</sup> <https://pib.gov.in/PressReleasePage.aspx?PRID=1605507>.

<sup>24</sup> <https://www.downtoearth.org.in/news/energy/1-5-crore-people-didn-t-avail-ujjwala-loan-benefit-1-2-crore-didn-t-go-for-refill-62660>.

<sup>25</sup> See <https://www.financialexpress.com/industry/sme/msme-fin-modis-startup-india-to-give-funding-incubation-more-to-these-many-women-run-businesses/1787275/>.

<sup>26</sup> This new configuration in neoliberal capitalism has been called 'the debtfare state' which intentionally creates forms of micro-debt-based relations with the poor that benefit financial elites (Soederberg, 2014).

<sup>27</sup> Neoliberalism "requires technologies of information creation and capacities to accumulate, store, transfer, analyse, and use massive databases to guide decisions in the global marketplace. Hence neoliberalism's intense interest in and pursuit of information technologies... (Harvey, 2007:3).

<sup>28</sup> "Financialised inclusion is powered by alliances between fintech companies, international development institutions and philanthropic companies who deploy the insights of new behaviourism to transform the poor into better behaved financial subjects through digital monitoring and evaluation (Gabor and Brooks 2017, also Mader 2016), adding an element of digital coercion to the financialisation of everyday life" (Jain and Gabor, 2020:815).

<sup>29</sup> [https://www.pmindia.gov.in/en/news\\_updates/pms-remarks-at-the-pandit-deendayal-upadhyay-shramev-jayate-karyakram/](https://www.pmindia.gov.in/en/news_updates/pms-remarks-at-the-pandit-deendayal-upadhyay-shramev-jayate-karyakram/)

<sup>30</sup> For details on implications of each code see [https://www.ituc-csi.org/IMG/pdf/labour\\_law\\_deregulation\\_in\\_india-en.pdf](https://www.ituc-csi.org/IMG/pdf/labour_law_deregulation_in_india-en.pdf)

<sup>31</sup> It should be noted that the codes recognize rights of transgenders and makes provisions for disability in the workplace.

<sup>32</sup> Unlike in Turkey where as Bugra (2020) has shown, along with privatization and marketization in health and pension systems, labour market de-regulation, a new form of state-supported familialism has emerged to limit the commodification of female labour and has contributed to the exclusion of women from working life, in line with the right-wing nationalism/populism of the AKP. In India the 'inclusion of women' promotes commodification of women's labour either via entrepreneurship or as a flexible female labour force for export manufacturing.



Image 5: Istanbul, March 8, 2020 © Ateş Alpar. All rights reserved.

# In between neo-liberalism and religious fundamentalism: some reflections on contemporary Israel and some of its women<sup>1</sup>

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## Abstract

*This article provides a framework to understand the ways in which the Israeli state, Jewishness, neo-liberalisation and religionization of the Zionist project have been interwoven historically. This interweaving, however, has deepened since the beginning of Israeli religionization after the 1967 war and especially with Israel's embrace of neoliberalisation during the 1980s. It examines the effects these have had on gender relations in Israel, focusing on the incorporation of ultra-orthodox Israeli Jewish women into the labour market and higher education as an illustrative case study.*

Key words: Israel, Zionism, Jewishness, religionization, Jewish fundamentalism, neo-liberalisation, ultra-orthodox women.

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## Introduction

This paper is a work in progress, and I welcome all comments and feedback. I have taken upon myself an ambitious task, to outline in inevitably wide brush strokes, the ways in which the Israeli state, neo-liberalisation and religionization of the Zionist project have been interwoven and the effects these have had on gender relations in Israel. In order to do so I have to, inevitably, examine such questions as the nature of the Zionist project and the Israeli state as they developed, and their relationships to Judaism and Jewishness. While the emphasis in this article

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is on the period from the 1980s when neo-liberalism starts to transform Israeli state and society, these developments have to be seen in their historical context. Although there is no space in this article for a full intersectional analysis, no valid description of Israeli state and society can ignore the very different positionings different national, ethnic, religious, class and political intersected groupings are occupying in it and the gendered nature of these intersections. In the last part of the paper I focus on one of these groupings--ultra-orthodox Jewish women--and use some of the issues relating to their employment and access to higher education as an illustrative case study to show the effects of the interweaving of the Zionist project, neo-liberalisation and religionization of the Israeli state have had on them.

Before turning to a more historical description of the neo-liberalisation and religionization of Israel, I should briefly define what I mean when I use in this paper terms like religionization and Jewish fundamentalism and the very specific ways Jewishness is constructed in Israel.

### **Religionisation**

The term 'religionization' is widely used among Israeli social scientists (see Peled and Peled, 2018). Throughout much of the twentieth century, social sciences were occupied with the 'secularisation' thesis (Turner, B.S., 2011) which assumed as inevitable the de-religionization of societies as part of the process of modernization. Secularisation in this literature was meant as an individual phenomenon, when people lost their faith, stopped going to religious places of worship on a regular basis and ceased to explicitly adhere to religion as the basis of their moral conduct. It was also meant as a collective phenomenon, in which states developed legal codes not based on religion, introduced separation between religion and the state and recognised the right of the citizens and residents in the country to worship different religions and none.

This process of secularisation was never as complete as the authors of the secularisation thesis would have liked us to believe but towards the end of the twentieth century, with the rise of post-colonialism, post-modernism and neo-liberalism, many scholars started to define our age as 'post secular (see Habermas, J., 2008; Asad & al, 2013). They observed a new surge of religious movements, mainly but not only in the global South and among racialised groupings of Southern people in the global North. As Gita Sahgal & I have commented in our introduction to our book *Refusing Holy Orders* (1992), that rise has been linked to the crisis of modernity - of social orders based on the belief in the principles of enlightenment, rationalism and progress. Both capitalism and communism have proved unable to fulfil people's material, emotional and spiritual needs and in the post colonial global South both nationalist and socialist movements failed to bring about successful liberation from oppression, exploitation and poverty. A general sense of despair and disorientation has opened people to religion as a source of solace. Religion has provided to such people a compass and an anchor; it gives people a sense of stability and meaning, as well as a coherent identity and fundamentalist political movements in all major religions have used this for their purposes.

Fundamentalist movements in all religions are far from homogenous. However, beyond all the differences among them, there are two features which are common: one, that they claim their version of religion to be the only true one, and feel threatened by pluralist systems of thought; two, that they use political means to impose their version of the truth on all members of their religion. Fundamentalist movements are not merely a traditional form of religious orthodoxy, nor are they anti-modernist in spite of much of their rhetoric. It is significant, as well as typical, that the original Christian fundamentalist movement arose in the USA in early twentieth century as a response to the rise of liberalism in general and the 'Social Gospel' movement

within the Church in particular, which liberalized religion and had strong progressive elements.

Fundamentalist movements, all over the world, are basically political movements which have a religious imperative and seek in various ways, in widely differing circumstances, to harness modern state and media powers to the service of their gospel. This gospel is presented as the only valid form of religion. It can rely heavily on sacred religious texts, but it can also be more experiential and linked to specific charismatic leadership. Fundamentalism can align itself with different political trends in different countries and manifest itself in many forms. It can appear as a form of orthodoxy - a maintenance of 'traditional values' - or as a revivalist radical phenomenon, dismissing impure and corrupt forms of religion to 'return to original sources'. In Israel, as will be discussed below, the process of religionization started on a national scale after the 1967 war and has been affected by both local specific factors as well as the more general global ones.

### **Jewish fundamentalism**

In relation to Zionism and Israel, one should differentiate roughly between two main kinds of Jewish fundamentalist movements, although they are each internally divided and especially these days quite fragmented, while continuing to be political rivals. However, in terms of lifestyle and mode of religious observance, the followers of these two streams of Jewish fundamentalist movements are more similar to each other these days than they were in the pre-1967 period.

One main stream of Jewish fundamentalism includes the *Kharedim* (or, in Yiddish – the language they often speak – *Frumim* (Etinger, 2019) - ultra-Orthodox Jews who keep to strict religious way of life which crystallised (as can often be seen in their mode of dress) in 18<sup>th</sup> and 19<sup>th</sup> Eastern

Europe (although, by now, in Israel, there are also many kharedim who are of Middle Eastern origin, as discussed later). The kharedim follow different rabbis as their religious leaders but are largely divided between the more populist *Khassidim*, who put emphasis on experiential worship and charismatic leadership, and *Mitnagdim*, who oppose this mode of worship and put emphasis on religious scholarship and strict adherence to the religious laws, *mitzvot*, which are supposed to guide Jewish men and women in the right code of behaviour in all aspects of life with the guidance and interpretation of their learned rabbis.

The other kind of Jewish fundamentalism in Israel consists of the political religious movements which grew out of religious nationalists (see Ravitzky & Ravişqi, 1996). Unlike the kharedim they constituted (originally a small) part of the Zionist movement from the early stages of Zionist settlement in Palestine and saw in Jewish settlement of the country an important religious mission. While the kharedim are deeply suspicious of fake Messiahs which appeared periodically throughout Jewish history (arguably including Jesus) there is a strong Messianic element in this stream of Jewish fundamentalism. They joined the Zionist movement, believing like their leader Harav Cook, that the secular Zionists are like 'the donkey of the Messiah' which carries the Messiah to Jerusalem but does not know what it is doing.<sup>2</sup> Similarly, unknowingly, the secular Zionists help to hasten the coming of the Messiah, as one of the conditions of his coming is the ingathering of all the Jews to the Land of Israel from all over the world and they actively supported Jewish settlement of the 'Promised Land'. This is very similar to the Christian Evangelicals' belief regarding the resurrection of Jesus and thus their massive funding of Jewish settlements in the West Bank and support of the Israeli state (Clark, 2007).

Although politically very significant, it is important to remember that most contemporary Jews, even today, adhere to other modes of Jewishness, both in Israel and in the Jewish diaspora – from liberals, conservative and

reform oriented who follow revised forms of Jewish worship (which are not formally recognized in Israel for reasons discussed below) to traditionalists to atheists - both Zionist and non Zionist – to those who, as Isaac Deutscher defined himself in his 'Non-Jewish Jew' essay (2017), identify themselves as Jews as part of collective Jewish history of persecution and moral duty to defend all persecuted people that arises from that. It is important to remember all this when we contemplate the very specific national and religious constructions of Jewishness in Zionism and Israel.

### **Nationalism and religion in the Zionist movement and the state of Israel**

The relationship between the Zionist movement and Jewishness has been somewhat paradoxical since its inception. The Zionist movement attempted to solve 'the Jewish problem' – i.e. discrimination and persecution of the Jews, especially in Eastern Europe. It also intervened in the more basic question of Jewish membership in the national collectivities in the countries where they were living and their status as citizens of those post-Jewish emancipation states in central and western Europe (see Laqueur, 2009). Significantly, the first leader and visionary of the Zionist movement, Theodore Herzl, was not an East European Jew, from where most of the Zionist membership came at the time, but an assimilated Jewish Austrian journalist who was deeply affected by the French 'Dreyfus Affair' in which antisemitism was directed toward the secular and assimilated Dreyfus who was an officer in the French military (see Kornberg, 1993).

While in emancipated Europe the Jews were formally treated as members of another religion but of the same nationality as their citizenship, the Zionist movement wanted to 'modernize' and 'normalize' the Jews, transforming them from members of ethno-religious communities – the way they lived in the times of pre-emancipation in the West and continued

to live until the Communist Revolution in the East of Europe -- into members of a separate modern (European) nation, which, like other nations, would have its own state and territory.

Although originally Herzl and other Zionist leaders tried to acquire other territories from various colonial powers for the Jewish Zionist project to exercise its 'right for self-determination' – from Uganda to Argentina -- it focused pretty quickly on Palestine where Jewish, or, rather Israelite polities existed in biblical times according to Jewish religious tradition. In this way, Zionism, a largely secular movement, has come to rely on the Jewish religion for its legitimation in two major ways. First, it legitimised Jewish settlement and the claim of the country being 'the promised land' which Jehovah promised to Abraham, the mythical father of the Israelites, who was the first to settle in the land then known as Kena'an, and his descendants.

Secondly, although constructing the Jewish people as 'a nation' rather than as heterogenous, diverse and transnational communities following different versions of the Jewish religion and ethnic cultures (Sand, 2010), Zionism in its formative period relied on the Jewish religion to determine who is a member of this nation. Unlike the other Jewish national movement which arose at the same time in Eastern Europe, the Bund, it did not confine itself to East European or even all European Jews but claimed to represent the Jews from all over the world. This proved very important in a later stage of the Zionist settler project, when especially 'Mizrakhi' (Eastern) Jews, as they came to be known collectively in Israel, were brought from Middle Eastern and North African countries to populate the country and largely replaced the Palestinian labour power after the Palestinian Nakba (Catastrophe), when more than half of the Palestinians were forced out of the country during the 1948 war. The Israeli state was established in a territory in which, before the 1948 war, only around 6% of the lands belonged officially to Jews and Jewish

organisations and the Jewish population amounted to about a third of the total population (Pappe, 2007; Masalha, 2012).

Jewish Kharedi communities lived in Palestine during the time of the Zionist settlement *Yishuv* but did not see themselves as part of it. Although there have been continuous Jewish communities living in Palestine throughout its history, during the late 19<sup>th</sup> century they did not amount to more than a few families. However, especially with the growing persecution of Jews in Eastern Europe, there was a growing number of Orthodox Jews who came to settle in Palestine, to establish *yeshivot* and to die and be buried in the holy land (Reinharz, 1993). Around 1948 they were less than a quarter of the number of Jews who settled in Palestine. The Kharedim, however, did not believe in a Jewish polity, as according to their belief such a polity should – and would – be re-established only after the coming of the Messiah. However, the Zionist movement needed their cooperation in order to gain legitimacy of their claim to represent all Jews.

Thus, in order to bring the leaders of these communities to co-sign the Israeli 'Independence Scroll' declaration in 1947, David Ben-Gurion, the leader of the Labour party and the first Prime Minister of Israel, reached the 'status quo' agreement with the Kharedi leaders (Barak-Erez, 2008). That agreement basically left the public sphere and services in the territory controlled by the Israeli state largely the same way they existed in the pre-state time. In localities where there was a majority of Orthodox Jews, for instance in Jerusalem, there would not be public transport on the Sabbath, while in secular Haifa there would continue to be. More importantly, however, the status quo agreement meant that overall the relationship between religion and the state in Israel continued to be constructed according to the Ottoman Millet system that the British Mandatory authorities, after they took control over Palestine after the first world war, left undisturbed. This meant that the Zionist movement actually gave up its aspiration to establish a western style modern nation state with a

secular public space. All citizens are constructed as part of religious communities and all personal legislation, from birth, through marriage (and divorce) to death, would be controlled by the separate communal authorities which are paid as functionaries of the state. This also included inspectors of *Kashrut* (and for Muslims Halal) regulations of food supplies. Part of the agreement with the Kharedi communities has also been the release of women and men from the duty of serving in the national military on the grounds of 'religion and conscience' (although conscientious objection on the basis of pacificism, for instance, is not accepted as valid especially for men).

This agreement has had a fundamental effect on all Israeli citizens, Jews and non-Jews, but especially on the position of women. It is not only that there is no secular public sphere (which can arguably be said of many western nation-states heavily affected by Christianity) and that no civil marriages, for instance, are formally allowed. As a result of this, Jewish women are not recognized as witnesses in religious courts (in Muslim courts the value of their evidence amounts to half of that of the men) or allowed to be religious judges (although in recent years, as a result of religious women's activism there are some women *dayanim* (junior religious judges)). In cases of divorce, a double court system of religious and secular courts has been established and women's organisations have made it a priority to convince women to first open a file in the secular courts because the religious courts are so much more discriminatory against women (Yuval-Davis, 1980).

It is also the case that as a result of that agreement with the Kharedi communities in 1947, no other version of Judaism, except the Orthodox ones (although the state created and paid for two chief rabbis, Ashkenazi and Sephardi, to reconcile the different Jewish orthodox traditions in different Jewish communities), are seen as legitimate. In the case of American and other Western Jews, it meant that no Reform or



Conservative Rabbi has the authority, formally, to marry or divorce anyone in Israel. In the case of Ethiopian and Indian Jews, however, it manifested itself in much more extreme ways, including originally forced conversion (including re-circumcision) to mainstream Orthodox Judaism (Ribner and Schindler, 1996).

This abnormality is a result of the inherent tension that has existed in Israel throughout its existence between two legal (and ideological) definitions of who is a Jew, which has affected different aspects of Israeli legislation and has caused repetitive crises in Israeli governments throughout its existence. On the one hand there is the definition based on the religious Orthodox law in which a Jew who is anyone born to Jewish mother or converted to Judaism by a (Orthodox) Rabbi. This definition operates in Israeli personal laws, determining who is allowed to marry whom, who is defined as a Jew in Israeli IDs and who could be buried in Jewish cemeteries.

However, the definition of who is a Jew is different in the Israeli Law of Return which determines who is automatically allowed to immigrate and settle in Israel and get full citizenship rights. The Israeli state did not only want to get legitimation as representing Jews all over the world but also to fulfil the Zionist dream of the Jewish state as a potential refuge from persecutions and antisemitism for all Jews. World Jewry were to be encouraged to immigrate or at least identify with Israel and support it financially and politically. For that purpose, the boundaries of who is a Jew in the Israeli citizenship and immigration legislation is based on the Nazi definition of who is a Jew – anyone who has at least one Jewish grandparent. Therefore this law allowed Jews who were converted to Judaism not via Orthodox rabbis to immigrate to Israel as well as those who came from Jewish communities which never accepted European (including Sepharadi/Spanish Jewish modifications of worship in Medieval Europe), such as, as mentioned above, Jewish communities in

Ethiopia and India, but also those who are defined as Jews according to this definition, but who consider themselves of other faiths, as has been the case among many in the large Russian Jewish wave of immigration after the fall of the USSR who define themselves as devout Christian Orthodox (Racionzer, L.M., 2005).

The tensions around the question of 'Who is a Jew' has caused several major political crises in Israel's history and brought down several governments. A related endemic question throughout the history of the Israeli state has been around the question of whether Israel can be a state which is simultaneously democratic and Jewish, something which both the extreme right and left in Israel have always denied the possibility of, but which has been the corner stone of the Israeli Jewish consensus during the hegemonic control of the Israeli state and society by the Zionist Labour movement at least until the late 1970s.

The principle of the simultaneous nature of Israel as both Jewish and democratic was stated in Israel's 1947 declaration of Independence Scroll (Rubinstein, 1998), the Israeli foundational document. The Independence Scroll played symbolically, but not legally, the place of an Israeli constitution which was never written so as not to upset the delicate balance of the different contesting camps within the wide Zionist consensus. In its place it was decided that over time a series of separate Foundation/Basic laws would be passed by the Knesset, the Israeli parliament, for which a two third majority vote would be required. It was not till a couple of years ago that Netanyahu's government felt that public opinion has moved sufficiently to the right that they could propose and pass a foundation law which would clearly prioritise Israel as a Jewish state rather than as a democratic state in which all its inhabitants are ensured complete equality of social and political rights irrespective of religion, race or sex.<sup>3</sup>

In fact, Palestinian citizens of Israel, let alone all those inhabitants who have been under Israeli occupation since 1967, have never had equal rights. The Israeli Law of Return has given any Jew an automatic right to immigrate and settle in Israel but denied this possibility to all Palestinian refugees. But beyond this basic discrimination, Palestinian citizens of Israel have had to deal with a whole range of discriminatory policies concerning allocations of resources, political organizational rights and racist hate crimes. Moreover, from 1948 to 1965 they were ruled directly under military governance which limited their movements and controlled their lives (Jiris, 1976). The emergency regulations which authorized the military governance until 1965 were not abolished when the military governance was suspended and were applied after 1967 to the Palestinians in the Occupied territories and on a regular basis on Palestinians in Israel, in recent years often the nomad Beduines (Abu-Saad, 2008) These regulations were widely used in order to confiscate Palestinian lands in Israel as well as the Occupied Territories as part of the 'Judaization' of the country. State lands were given to the Jewish Agency and the Jewish National Fund according to their constitution, non-Jews are not allowed to lease, let alone buy, any of these lands. As a result, since 1948, no new Palestinian settlement was officially allowed in Israel, in a largely growing population which now constitutes 20% of Israeli citizenry (Davis & Lehn, 1978).

No proper understanding of the processes of neoliberalisation – and religionization - in Israel, therefore, is possible without examining the continuous character of Israeli colonisation and securitisation process.

### **Colonisation and securitisation in post 1967 Israel**

It is important to emphasise that the process of settler colonialism did not stop with the establishment of the Israeli state. A census was carried out in the midst of the 1948 war and the properties of all those who were not

at home on that census day, even Palestinians who remained within the borders of the Israeli state, had them declared vacant, under the so called 'Guardianship' of the Israeli state. Their properties, like other vacant Palestinian refugees' properties when these houses and villages were not actually destroyed and built over, were used to mostly resettle new immigrants in them. As a result, in addition to the Palestinians citizens of Israel and the Palestinian refugees outside its boundaries, there also developed a whole group of 'present-absentees'--Palestinians living in Israel but with no citizenship or entitlement to their properties. However, the process of colonizing new Palestinian lands did not stop there. Sabri Jiris (1976) in his book describes the variety of quasi legal tricks used by the Israeli state to confiscate further Palestinian lands during that period. For example, the state declared particular territories as security zones, which made them inaccessible to their Palestinian owners who could not cultivate their land; then, after 3 years, the land could be confiscated according to an old Ottoman law which declared lands not cultivated for 3 years to be the property of the state. Under the title of 'the Judaisation of the Galilee' a major confiscation of this kind took place during the early 1960s, generating a big – both Palestinian and Jewish - protest movement for the first time. Later confiscations during the 1970s brought the declaration of the annual 'Day of the Land' since 1976 by a strengthening Palestinian Israeli protest movement.

After the 1967 war, these tools of continuous land confiscation were applied in the occupied territories, accompanied by a growing wave of settlements by messianic religious nationalists near the traditional Jewish Holy sites. Although initially declared illegal, rather than being expelled, these settlements were protected by the Israeli military, even when the Israeli government was still controlled by the Labour party. Other settlements of both rural and urban character spread along the Jordan valley and near the Israeli borders.

There is no space here to go into detail of the post 1967 colonisation and how it spread with the years, and especially after the so-called Oslo Accords (1993 and 1995) surrounded and divided Palestinian areas of dense population. What is important for the purpose of this paper is to state that today, about half a million Israeli Jews live in more than 130 settlements, both rural and urban, in the West Bank, heavily defended by the Israeli military, while the territories which are densely inhabited by the Palestinians and are supposedly self-ruled by the Palestinian authority are segmented and isolated from each other. Heavily subsidised housing in the Jewish settlements were offered so that many poor Israeli Jews, especially Kharedi with larger families, settled there and their high fertility rate has been in recent years the major factor in the Jewish population growth in the territories and has had a major demographic effect (Cohen and Gordon, 2018).

The growth of the kharedi communities among the Israeli population has not been the only important demographic change in post-67 Israel. Probably the most significant has been the immigration of about a million Jews from the ex-Soviet bloc after the fall of the USSR in 1989. The majority of that population was highly educated in the former Soviet Union and was mostly secular but with a strong right-wing nationalist ideology. Other important – sometimes more symbolically than demographically – have been immigration waves of Jews from Ethiopia after the famine during the 1980s and of ultra-orthodox Jews from different Western countries, notably the USA and France. It is important to emphasize, however, that with the neo-liberalisation of the Israeli, as well as the global economy, many of the new immigrants, as well as many Israeli born Jews, have become more transnational, moving both personally and in their business endeavours between Israel and other countries, including their countries of origin. This has contributed to a blurring of the definition of Jews as either 'Israeli' or 'diasporic'.

Before turning to examine the effects of neo-liberalisation on Israel, it is important to emphasize another element which is centrally important to understand. This is the fact that Israel has not only been a continuous colonizing society, but also a continuous warfare society. If the war of 1967 was its third major war since the state's establishment (after the 1948 and 1956 Suez wars), the occupation and the Palestinian resistance to it has transformed Israel into a permanent occupation army, in addition to its taking part in other more major military confrontations with Egypt and Syria (1973), Lebanon (1982 & 2006) and Gaza (before and after its withdrawal in 2005). Moreover, this has had profound effects on the social and personal lives of Israelis, as well as on its economy. If in the 1950s and 60s Israel's main exports had been oranges and diamonds, the occupation and military operations – as Jeff Halpern (2015) and others have illustrated – has given Israel a 'living lab conditions' to test its hi tech military and surveillance industries which have become one of the most important exports of Israeli economy. The neo-liberal Israeli economy would not have become so successful if the occupation of the Palestinian territories had not taken place and been exploited in these ways.

It is important to emphasize that Israeli Jewish women, both religious and secular, have been active participants in these post-67 processes of colonisation and securitisation. The settler religious woman who is prepared to sacrifice her children for the sake of the sacred national-religious task of inhabiting all corners of the 'Promised Land' has become an important symbolic icon (El-Or and Aran, 1995) and today there are quite a few women who play public and leading roles in the religious nationalist camp. Further, as a result of changes within the Israeli military which expanded the range of tasks women are allowed to carry out in the military, Israeli women soldiers have become a regular part of the military roadblocks, combat units and as controllers of military drones and other hi tech military equipment (Sasson-Levy, 2003).

### Neo-liberalisation in Israel

The Zionist yishuv (settler community) and the Israeli state post-1948 have been a mixture of urban and rural settlement, private capitalist and cooperative and public ownership. However, since Labour Zionism took control of the Zionist movement in the 1930s, the symbolic mission has become to transform 'the diasporic Jew' into the new Jew – the Sabre (the local prickly pear), strong, attached to the land and with a militarized masculinity, whose main task would be the conquest of the land, the conquest of the labour (market) and the conquest of the products market (Abdo & Yuval-Davis, 1995) as main ideological as well as economic and fiscal strategies (Grinberg, 1991). Women were required not only to be the national biological and cultural reproducers but also, in the Jewish tradition of being the man's helpmate, to undertake all the civil and military roles the men could not fulfil because of their dedication to the national cause (Yuval-Davis, 1986).

During the period of 1948-1967, the status-quo agreement seemed to be a stable cornerstone of the Israeli political and social system. The Labour Zionist parties continued to be hegemonic, including a decisive secular majority, not least because although the majority of the Mizrakhi Jewish new immigrants who amounted to about half of the Israeli population during this period came from a traditional religious background. Many of them were incorporated into the secular education system as part of their overall controlled 'absorption' into Israeli society in which they became largely dependent for their livelihoods and housing on the Jewish Agency, the *Histadrut* (General Union) and the state which were controlled by the secular Labour parties.

Although the tight grip of the Labour party over Israeli politics started to weaken in the early 1970s and in 1977 for the first time the right wing Likud party won the Israeli elections, neo-liberal reform in Israeli policy

was orchestrated in 1985 under a Labour government headed by Shimon Peres, originally as a condition for a further American aid pack of a billion and a half dollars. This was maybe an inevitable result of the closer relationships between the USA and Israel after the 1967 war and the neo-liberalisation which started to take place at the time in the USA and globally. Since then, much of Israeli state and economy became less regulated, sub-contracted with less aid to and protection for the poor (Benjamin and Jones, 2008).

However, given its specific geo-political situation and the continuing occupation, the reconfiguration of the state in Israel has worked somewhat differently in Israel than in other neo-liberal states. The government subsidies given to settlers in the occupied territories, for instance, cushioned many poor families, and the religious parties continued as part of their price of being coalition partners to extract other means of support and subsidies to ultra-orthodox families and educational institutions. At the same time, the growing number of Palestinian citizens of Israel, with gradually higher levels of education and occupations came to enjoy what Amalia Sa'ar calls 'economic citizenship' (Sa'ar, 2016) which integrates them into the labour market but excludes them in other ways from national participation.

The continuous growth of the ultra-orthodox sector (about 4% a year) as the result of the large number of children in each family has taken place while their men are excluded from serving in the Israeli military in favour of studying in the Yeshivot. At the same time, only about half of these men enter the formal labour market (in comparison to 76% of their women), which means that about half of the children of the ultra-orthodox families live under the poverty line. This has created two major conflict foci between neo-liberal Israel and the ultra-orthodox. One has been the disproportionate state welfare and subsidies given to the ultra-orthodox sector in a neo-liberal state that is motivated to reduce state expenditure,



but which is nationally and politically committed to continue and subsidise this sector. The second is a growing resentment of secular Israelis for the disproportionate time and resources they are made to give to the Israeli military, rather than pursuing their individual and business endeavours, while the ultra-orthodox are not required to do so. This has brought down the previous Netanyahu government and caused the political deadlock and repeat elections that have gripped Israel in the last few years.

### **The religionization of Israel**

As discussed earlier in the paper, the inherent connection between Zionism and the Jewish religion has been there from the beginning of the Zionist movement and has affected the public sphere and personal relations in Israel since its establishment. However, as Peled and Peled (2018) claim, what they call the religionization of Israel started only after the 1967 war and the occupation of East Jerusalem and the West Bank where most of the traditional holy sites of Jewish tradition are located. This religionization has been accelerating since 2000 and is manifested in contemporary Israel in a number of key social fields. They also point out that in recent times, under the influence of the younger Rav Kook, the two political tendencies among the ultra-orthodox which they call “principled accommodationism” and “pragmatic rejectionism” have increasingly converged, with some Religious Zionists becoming more orthodox in their religious behaviour and kharedim (with the exception of the “principled rejectionists”) becoming more nationalist in their political outlook.

Peled and Peled also argue that a new type of response to the Israeli state – “counter- nationalism” – which accepts Zionism but seeks to redefine it in an exclusively ethno-religious way, has been developed since the mid-1980s. Unlike the extreme right wing national religious project that started shortly after the 1967 war, with ‘Gush Emunim’, the religious settlers in the occupied territories since shortly after the 1967 war leading it

ideologically (Don-Yehiya, 1987), this counter nationalism is being led by Mizrakhi and not Ashkenazi Israeli Jews. This political project has been developing by the Mizrachi kharedi political party, Shas. Shas seceded from the kharedi Agudat Yisrael party because of the anti-Mizrachi discrimination that prevails in that party, especially in admissions to its educational institutions. Shas has played a major role in the religionization of a sector of the Mizrachi community, transforming it from a mainly “traditionalist” outlook in religious terms to being increasingly kharedi, although many of them continue to support Netanyahu’s Likud party as well as other parties and not Shas. And, as has come up in recent debates in the Israeli press by social scientists, being a Mizrakhi these days in Israel covers diverse political identities, from different classes and politics, although the majority of them have combined religious and nationalist identity politics, which is anti-Ashkenazi but is also very much anti-Arab.

The large wave of Russian immigrants, who are mostly non-religious, after the fall of the Soviet empire transformed the demographics of the Jewish population in Israel, which meant that the tensions between the religious and the non-religious sectors became exacerbated, in addition to the racist tensions between Ashkenazi and Mizrakhi Jews. This, plus the lifestyle effects of the neo-liberalisation of Israel which took place at the same time, resulted in a certain erosion of the status quo as an institutional arrangement in which the Orthodox rabbinical establishment controlled many aspects of Israeli public life. Non-kosher restaurants, cinemas and other businesses opening during the Shabbat, for instance, started to spread and private civil marriages and secular burials in kibbutzim and other places also increased during the 1990s (Ben-Porat 2013).

The rise of Israeli feminism and the spread of gay pride celebrations (the latter especially being used by Israeli propaganda to enhance its international image as a progressive society - what has been described as ‘the pinkwashing’ of Israel (Ritchie, 2015)), have also contributed to the

growing sense among the Israeli religious sector that the status-quo agreement has been undermined.

However, at the same time, neither the formal status quo arrangements nor the status of religion in political life and its importance as vital government coalition partners have really changed. Thus, as Uri Ram (2008) has argued, what has been seen as the secularization of Israel in the 1990s was a superficial process, and the ground was ready for the religious upsurge, beginning in the following decade, which saw a retreat of liberalism in all areas of social life, except in the economy (Ram, 2008). Moreover, the reconfiguration of state, society and economy under neo-liberalism has created new autonomous religious, social and political spaces for alternative political cultures to grow, especially in the yeshivot and the settlements.

Peled and Peled (2018) argue that the war of 1967 was a crucial turning point as it generated a 'legitimacy crisis' among Israeli Jews. The crisis was due to two ethical-political dilemmas that had confronted Zionism in Palestine/Israel all along but were heightened by the results of the war: the Jews' right to the Land of Israel, when exercising that right meant displacing or oppressing the Palestinians; and the justification for the sacrifices demanded of Israeli Jews themselves in order to preserve and defend the Zionist project. They argue that paradoxically, both Israel's success in 1967 and the trauma it experienced in the 1973 Yom Kippur war, made statist answers to these dilemmas unpersuasive, especially for the younger generation.

As discussed earlier in the paper, the tension between universalism and particularism has been present in the definition of the Israeli state as both Jewish and democratic since the 1947 Declaration of Independence. Whereas the dominant citizenship discourse of statism, as well as of socialist Zionism, was what Shafir and Peled (2002) defined as a republican

discourse of pioneering civic virtue, the main citizenship discourse was an ethno-national discourse of primordial belonging, in which the religious Zionist discourse has gained a new hegemony, culminating in the Israeli nationality law of 2019 which defines Israel as an exclusively Jewish state, deleting the universal democratic from its definition.

There have been several major factors which facilitated the religionisation of Israel. First is the sheer demographic growth of the Jewish religious sector which enlarged its proportion in the overall Israeli Jewish population. The growing influence of the religious parties on school curricula in so called secular schools has also been an important factor. But probably the cumulative effect of what I and others like Barukh Kimmerling (2001) have called the existential anxiety of the Israeli Jews, as a result of the indefinite continuity of the conflict with the Palestinians and the crush of the rising expectations after the Oslo agreement, has added to the more generic precarity which neo-liberalisation has brought with it to people in many societies (Neilson, 2015). *Khazara bitshuva*, the Jewish 'born again' movement has been strong among Israeli celebrities as well as among Jews in other western countries, especially the USA. Contributions from both Jewish but especially Christian evangelists and other neo-conservatives have reinforced this trend and has made Netanyahu gradually rely more and more upon the religious sector. As a result, we see the effect of Israeli religionization in many public organisations, the Knesset (Israeli parliament), government ministries (including education and other culture), the media and the military.

As mentioned above, religious men in Israel can ask for an indefinite postponement of military service as long as they are studying in a *yeshiva*. Israel now has a huge number of *yeshiva* students – more than a 125,000 -- and the question of the non-military service of the Ultra-Orthodox has become a major political debate in Israel. At the same time, the growing participation of religious Zionist men, many of them settlers in the

occupied territories, in the military (for example via the specific kind of *Yeshivot Hesder*) has brought its own controversies.<sup>4</sup>

According to Peled and Peled (2018), today national-religious officers comprise about 40% of the junior officer ranks (up to company commander) in infantry units of the Israeli army and about 50% of the cadets graduating from the combat branches of the officers' school. Their presence in the upper echelon is no less significant: already in 2010 six out of the eight most senior commanders in the crack infantry brigade, Golani, were national-religious officers, as were half of the senior commanders in the Kfir brigade, stationed permanently in the West Bank, and three in the Givati brigade. This is in stark contrast to the earlier period in Israel in which the military elite was all secular and many of them were children of the *kibbutzim*.

This has had major implications regarding the normative and moral conduct of the Israeli army. During Israel's military operation in Gaza in the summer of 2014, the commanding officer of the Givati infantry brigade, Colonel Ofer Vinter, called upon his troops to fight 'the terrorists who defame the God of Israel.' This unprecedented call for religious war (rather than for national security) by a senior commander caused an uproar, but it was just one symptom of a profound process of religionization in Israeli society in general and the Israeli military in particular. It is not incidental that the press reported that defying a 2018 High Court ruling, the Israeli military is still pressing Israeli soldiers who are not recognized as Jews according to Rabbinical law (but according to the Law of Return Law) to convert to Judaism.<sup>5</sup>

These developments have had profound effects on the position of women in the Israeli army. For example, Elyakim Levanon, the rabbi of the West Bank settlement of Elon Moreh, was quoted as saying that IDF soldiers should rather choose death than remain at events which include women's

singing.<sup>6</sup> Levanon's comments came as a reaction to a possible military ruling to forbid religious soldiers from leaving events where women sang, signalling death was preferable to complying with such an order.

As Orna Sasson-Levi (2014) points out, the religionization of the Israeli military has nurtured a growing phenomenon of gender separation, or of women's exclusion, which is at the heart of a broader ongoing controversy in Israel. In order to examine the implications of such gender segregation, she quotes from the discussion of the ministerial Committee on the Status of Women on December 27, 2011. In the discussion, Knesset member Rachel Adato asked about a case in which three women soldiers in the Artillery Corps were transferred to other roles because religious soldiers had arrived in their unit. The adviser to the Chief of Staff, Colonel Gila Kalifi-Amir, replied:

We are referring to three women soldiers, two of whom are combat commanders and the third—a combat soldier. We should understand [. . .] in this unit there were [religious] soldiers from the “Yeshivot Hesder” who finished their primary training and then were expected to arrive at the cannon batteries. We knew that one of the women combat soldiers was about to be discharged and the other two could not function as direct commanders of the Hesder soldiers. Even I, who do not come from the religious world, understand what it means that a woman is the direct commander of men. Instead of insisting that [the women] should take the religious soldiers, they were transferred to train in basic training, and everything is in order (The Committee on the Status of Women, 2011).

Whatever we think about the Israeli military and its pivotal role in Israeli public and national life, this incident is illustrative of the ways in which secular women's rights are being marginalized as a result of the

religionization of Israeli society, both civil and military. However, in order to examine more fully the ways in which the religionization of the Israeli society interacts and interweaves with its neo-liberalisation, I shall now turn to examine some of the issues relating to *kharedi* women.

### **Illustrative case study: *Kharedi* women, employment and Israeli High Education**

Among the Israeli population sectors, the ultra-orthodox are the poorest, even more so than the Israeli Palestinians, despite their important political and cultural role in Israeli society and the benefits the kharedi sector receives from the state which I discussed above.

Of course, the kharedi community in Israel is not homogeneous. On the contrary, as described early in the paper, it is markedly segregationist and hierarchical, not only in relation to non-orthodox Jews but also within, between Hassids and *mitnagdim* (those who followed charismatic Rabbis and those who opposed them and focused on a systematic studies of the religious texts), as well as among followers of different rabbis within each tendency. The difference between Ashkenazim (Israeli Jews from European and other Western countries origins) and Mizrakhim (Israeli Jews from Middle Eastern and North African origins) is also highly salient and Ashkenazim claim moral superiority and self-confidence which is lacking among the Mizrakhim who are excluded from local kharedi elites. Nevertheless, the issue of poverty, although not equal, cuts across these differences.

One major cause of this poverty is the very high birth rate among their families which causes the whole sector to grow about 4% a year. Although, as a whole, the sector enjoys many benefits, as Amalya Sa'ar (2016) points out, this has not fully compensated for the loss of generic welfare benefits which disappeared with the neo-liberalisation of the Israeli state. The high

rate of national and international charity donations which is normative in the kharedi communities is not sufficient either.

Another major factor affecting the poverty of the kharedi community is that 60-70% of the ultra-orthodox men voluntarily retreat from official workforce to study the Torah (bible), in yeshivot and *Kollels* (advanced Judaic studies programs), both for religious and social status reasons but also in order to get exemption from the Israeli military. At the same time, unlike in some other extremely religious societies elsewhere, outside employment for women is the norm. Although they are responsible for domestic and childcare work, about 80% of them take part in the formal labour market as well. Many of them work as teachers but others are seamstresses, wig makers, accountants, clerical workers and care takers. Until recently, however, these women worked mostly inside their communities, but this has been changing as this labour market has become more saturated.

Indeed, increasingly, ultra-orthodox women have started to develop home businesses and micro-entrepreneurships, much of which requires training and studying outside their communities. In this, they are strongly encouraged and subsidised by the state. Given the high degree of gender segregation dictated by the kharedi community, which aims to keep women both family oriented and modest, this change has produced new tensions in the wider Israeli society, such as the controversy around the demand for gender segregation on Israeli buses in lines serving larger kharedi communities.

One major scandal which reached all the way to the Israeli High Court relates to the introduction of sex segregated courses in Israeli high education. Sex segregated courses were originally introduced in Israeli universities for men, hoping to attract them into the labour market and stop their families needing state support. Apparently, these courses were



a complete failure, because the kharedi men, for the reasons mentioned above, did not want to come and train for the labour market. Following that, courses for women only were introduced, with much better success. The Israeli universities, with their budgets cut under neo-liberal state policies, were eager to host these courses for extra income, as they have been eager to accept courses specific to soldiers which involve high securitisation of staff and students, including the army's authority to decide which lectures would be allowed to teach particular academic courses.

Yofi Tirosh, a known Israeli feminist and the Head of the Faculty of Law in Tel-Aviv university, headed the application to the Supreme Court against the existence of such courses, claiming that:

Everything starts with micro-interaction: in mutual recognition, in listening to a different point of view and a different life experience in the discussion in the classroom. A healthy society must educate its members on the norm that institutions, organizations, physical and symbolic spaces should be heterogeneous. It is unacceptable for us to tolerate values according to which the person who differs from me is so contemptible that I cannot sit next to him in the same room, or refuse her entry into the institution through the same door as I do.<sup>7</sup>

This sexual segregation breaks the long tradition of mixed education in higher education in Israel, aimed at achieving sex equality, which applied even to Bar-Ilan, the Israeli Jewish religious university and to Israeli Palestinian colleges, such as Al Quasemi in both of which religious students share the same classrooms. The introduction of sex segregated courses in Israeli higher education institutions, in addition to constituting a significant addition to the religionization of the Israeli public sphere, is also making it less and less possible for girls from religious families who have been

studying in mixed high education institutions to normatively be allowed to do so, as this would now be seen as immodest.

In terms of actual mixed work places, Michal Frenkel (2018) carried out an interesting study, observing the career trajectories and specific negotiations kharedi women carried out in hi-tech workplaces which were subsidised by the government as an incentive to give kharedi women employment and engage them as cheap labour since most of them have sub-academic training. Because of their domestic tasks, special arrangements are made for these women to work less hours in a day, but they still earn more money than in their previous jobs inside their community. Frenkel also shows the ways in which different women interpreted their primary obligation to their families differently, particularly in terms of working overtime or not, using the internet or travelling for work purposes. However, these different interpretations are made not only within the context of their husbands' agreement but even more importantly of that of their Rabbis and leaders of the community. Frenkel shows the ways in which the leaders of the community continue to exercise tight control over these women, as well as using their political influence to impose particular conditions on the employers via the intervention of the state in addition to special representations within the workplaces.

Frenkel argues that her most important findings relate to the ways in which

religiosity, power relations, and intersecting ideologies at the institutional level have constructed an inequality regime within which UO (ultra-orthodox) women must negotiate their intersecting identities and working conditions. At the core of this institutional intersectionality is the triangular relationship between a) the centralist, neo-liberal Israeli state and its welfare policy, b) the high-tech industry and its standard employment practices, and

c) the organized UO community. Critically, the latter enjoys political power at the state level due to the coalitional structure of the Israeli government which often depends on UO parties. Thanks to this political leverage, the UO community to which these women belong can influence how (and if) its members are integrated into the labour market (ibid:10).

To quote Orna Sasson-Levy (2003), 'the strategy of gender separation, as a way to gain equality, corresponds to the Aristotelian rule of treating "like cases alike and unlike cases differently" and derives its progressive power from the fact that it is initiated by the oppressed groups themselves... the issue of the initiating party is critical for the understanding of the impact of gender separation.' And, of course, while it might be argued that kharedi women want gender segregation, the overall social, economic and political powers which lead to growing gender segregation in wider sectors of the Israeli society which is undergoing religionization, in both collusion and conflict with neo-liberalism, reinforced by the growing mutual assimilation of kharedi and nationalist-religious camps in Israeli society, cannot be seen in any shape and form as equivalent to feminists wanting to have their own spaces.

### Conclusion

This article examined the relationships between state, religion and neoliberalism in Israeli society. The Zionist colonial project sought to establish an Israeli Jewish nation-state as a modern alternative to the construction of Jewishness as diasporic ethno-religious communities. It was an attempt to resolve 'the Jewish question' with the history of antisemitism. Although most religious Jews were not Zionists, Zionism needed the Jewish religion to get legitimation to its imaginary of all Jews as one nation and of Palestine, the 'Holy Land' of the three monotheistic world religions, as its homeland. After the establishment of the Israeli

state in 1948, Orthodox Jewish religious mainstream were incorporated into the Zionist project and became habitual government coalition partners in exchange for continuing the status quo of the construction of Israeli Jewish society along the Ottoman Millet system, in which religious courts and inspections became part of the state bureaucracy and no secular public spaces, especially in the realm of personal law, but also in other areas such as food and transport industries, were allowed.

My article discusses how after the 1967 war and the occupation of the Palestinian territories which were not included in the Israeli state after 1948, religious Zionists, who until then saw themselves as 'second rate' Zionist and religious, found their own project of settling in the occupied territories, especially near the traditional Jewish holy sites, a means to hasten the coming of the Messiah. The growing hegemony of the settler movement, among both non-religious and non-Zionist religious Jews, encouraged and funded by the state as well as by international Jewish and evangelical Christian movements, without any effective opposition from any other states and international organisations, has gradually brought about a growing religionization of the Israeli state and the Zionist colonising project.

This relationship between state and religion has been deeply affected by the gradual neo-liberalisation of the Israeli state and society since the mid-1980s. As an ideology, neoliberalism can be seen as the opposite of the Jewish ethnocentric collectivist religious ideology. It cares about individuals' rights, freedom and pursuit of happiness and profit; it aspires for globalisation which would enable access to global markets and it gradually eviscerates the state from a wide range of public sector services which have developed in social democratic welfare states. However, while doing so, it gradually brings about what I called elsewhere (Yuval-Davis, 2012; Yuval-Davis & al, 2019) 'the double crisis of governability and governmentality'. In this crisis, states stop representing the interests of

the citizens and become subservient to the interests of multinationals and other supranational forces. Citizens, as a result of this and the growing precarity and inequality in people's everyday lives under neoliberal policies, lose trust in their governments and look elsewhere for reassurance and empowerment, such as in religious or secular nationalist racist populist movements and authoritarian charismatic leaders. This, even when they are known liars and criminals. Governments often respond to these pressures by incorporating securitisation, racialised 'everyday bordering' and populist racist nationalist discourse in attempts to demonstrate their legitimacy (Yuval-Davis et al, 2019).

In Israel, these global processes have been enhanced by several factors. The neo-liberalisation of Israeli economy has been closely tied up with its construction as a permanent colonising and warfare state, thus focusing on security and surveillance industries which colluded with rather than acted against Israeli nationalist projects. At the same time, the growing religionization of Israeli nationalism after the '67 war has strengthened the overall rightward turn of Israeli hegemonic nationalist ideology which since the 1947 Independence Declaration has been ambiguously trying to be both 'Jewish and democratic'. The realities of the continuous post-67 occupation in which, given Israeli national service, the majority of the Israelis have been personally involved, have added into this racialised turn. Given the growing Palestinian resistance to the Occupation, and the tightly balanced demographic relationship between Jews and Palestinians in the areas under the control of the Israeli state, the existential anxiety of Israeli Jews is probably higher than in many other neoliberal societies.

This process, which Benjamin Netanyahu, the longest serving Israeli Prime Minister, has done his most to encourage has involved solidifying the Israeli religious parties, both the Zionist and the others, into his coalition bloc. Although this has not gone uncontested, the traditional Labour Zionist movement has dwindled to almost political insignificance. There

have also been sectors of the Israeli population, especially but not only the young middle-class Ashkenazim, who have adopted universalist secular neoliberal values. A minority of them have come to care for human – and Palestinian - rights; others are focused more on the materialist benefits of transnational neoliberal economy. In both cases, however, the taking for granted of the collectivist orientation of national service in the army has been weakened and the resentment towards the religious people who were released from this national task as a result of government policy has grown, interwoven with racialised contempt towards the ‘primitive’ ultra-orthodox and Mizrakhi Jews. This contestation has been enhanced by the resentment about the fact that while much of the Israeli welfare state has been privatised, members of the religious sector continued to enjoy relatively higher level of benefits. Their leaders’ political pressures combine with the fact that a large number of them live under the poverty line as well as populate the settlements on the West Bank which are subsidised by the government.

However, beyond this contestation the co-adaptation and collusion between the Israeli state, the ultra-orthodox and the neoliberal economy has continued to grow. The case study at the end of the article has illustrated some of the gendered effects of this collusion. It illustrates not only the collusion between the religious leaders, the Israeli government and the neoliberal employers but also suggests that women are not passive objects in these processes. They both adopt and find a variety of strategies of how to survive and benefit from their employment without rebelling against the overall strict patriarchal religious control in their communities. This is happening at the same time when in other Israeli public spaces, civil and military, women’s rights are taking second place to those of the patriarchal religious ones.

Scholars like Saba Mahmood (2011) would probably have applauded these ultra-orthodox women workers and seen their mode of action as signs of

women's empowerment. And indeed, many of these women are active and powerful. However, they adhere not only to an ideology which in principle constructs women as ultimately subject to male control but is also highly racist towards those who are not part of their ethno-religious community.

**Note:** This article has been written before the results of the third-round elections in Israel have taken place and before the outbreak of the Corona virus pandemic which has brought major, probably unprecedented, local and global health, economic, social and political crises. At the same time, these crises have also highlighted the different strategies taken up by different governments and societies to tackle them. In the case of Israel, Netanyahu has used the pandemic as an excuse to reassert his political power and major parts of the centre-right opposition used it as an excuse to join his government, rather than face a situation in which they would have to rely on Israeli Palestinian support for their minority government. At the same time, the pandemic crisis has also exposed the extreme dependency of Netanyahu on the ultra-orthodox, as a result of which they have not been policed into following safety rules adopted as a protection against the pandemic, to the detriment of the Israeli society as a whole.

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## Notes

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- <sup>2</sup> <https://jewishlink.news/op-eds/3222-is-all-zionism-really-religious-zionism>
- <sup>3</sup> <https://www.timesofisrael.com/israels-declaration-of-independence-may-14-1948/>
- <sup>4</sup> <http://www.guardian.co.uk/world/2012/jul/11/mutiny-fear-israeli-army-zionists?INTCMP=SRCH>
- <sup>5</sup> <https://www.haaretz.com/israel-news/.premium-defying-court-idf-still-presses-non-jewish-soldiers-to-convert-1.8946282>
- <sup>6</sup> <http://www.haaretz.com/news/national/israeli-army-rabbi-under-fire-amid-women-s-singing-row-1.405493>
- <sup>7</sup> <https://www.acri.org.il/single-post/16>



Image 6: Istanbul, March 8, 2020 © Ateş Alpar. All rights reserved.

# Wedding Night

Yehudis Fletcher\*

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Covered

Wrapped in white

My mother

led me to the *chuppa*

That night

the light

was switched off when we were alone

Five times he unwrapped me

That first night

Afterwards,

there was light outside

But inside

Like a toy with a broken spring

I was pushed down, again and again

I didn't bleed,

Someone else had done that to me



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## Feminist Dissent

So with light outside, and seeing as I was still pure

I was again

Unwrapped

My skin

wore thin

there was nothing left

Finally

red blood fell

It made me impure

And I was untouchable

Later

On the doctor's couch

He said I was just torn

Still pure

After all.

Those were the first times

The last time was

more than a decade later

I finally said no

I cried and said no



**Explanatory Note:** In orthodox Judaism, menstrual bleeding renders a woman 'impure', and means that sexual contact is forbidden. Some also follow the 'tradition' of categorising a so-called virgin bride bleeding from a ruptured hymen in the same way. Genital bleeding from any other injury does not render a woman 'impure'.

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## The Pitfalls of Secularism in Turkey: An Interview with Deniz Kandiyoti

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**Deniz Kandiyoti** is Emeritus Professor of Development Studies at the School of Oriental and African Studies, University of London. Her work on gender, development, nationalism, and Islam has been deeply influential within feminist studies, development studies and Middle Eastern studies. Her path-breaking essay ‘Bargaining with Patriarchy’ appeared in the journal *Gender and Society* in 1988. She is the author of *Concubines, Sisters and Citizens: Identities and Social Transformation* (1997) and the editor of *Fragments of Culture: The Everyday Life of Modern Turkey* (2002), *Gendering the Middle East* (1996), *Women, Islam and the State* (1991).

**Feminist Dissent** conducted this interview by email.

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**Peer review:** This article has been subject to a double blind peer review process



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**Feminist Dissent (FD):** In the case of Turkey, you have previously written that ‘the secular-Islamic divide is of dubious utility from an analytic point of view’. But what is the historical resonance of this divide? Looking back now at the foundational moment of the Kemalist state in 1923, what do you think were the real possibilities then, if any, for an embedded, democratically articulated secularism?

**Deniz Kandiyoti (DK):** In order to fully understand the specific resonance of the secular-Islamic divide in Turkey it is necessary to look much further back than the foundation of the new Republic in 1923. Different imaginings of citizenship and national belonging were intrinsic to the troubled process of dissolution of the multi-ethnic and multi-confessional Ottoman empire. The *millet* system, which had long governed the relations

of the state with heterogeneous populations ranging from the Balkans to the Arab Middle East, granted relative autonomy to local communities under *shar'ia* legislation that subjected non-Muslims to a discriminatory tax system and different sartorial and residential rules. The Tanzimat reforms of 1839, that were enacted under pressure from imperialist powers in an attempt to modernize and save the failing empire, imposed a new notion of citizenship that granted equal rights to non-Muslim minorities. This amounted to nothing less than an onslaught on the legal and philosophical foundations of the Ottoman state where *shar'ia* rules stipulated differences in the rights and entitlements of members of the *umma* as opposed to non-Muslims.

Following these reforms, fears of further European encroachment on Ottoman territory grew and the political current of Ottomanism developed in an attempt to unite the Empire under an inclusive notion of citizenship, proclaiming the equality of all Ottomans. The concept was, however, practically still-born as the secessionist movements of the Balkan provinces went on unabated. Pan-Islamism became the favoured state policy during the reign of **Sultan Abdulhamid II** (r. 1876 – 1909) and was based on the premise that all Islamic peoples should unite under the Caliphate as a means of supporting the declining power of the Ottoman ruler. The failure of this policy was dramatically illustrated in the break-away Arab provinces that sought to fight for independence under British tutelage rather than rally behind their Sultan-Caliph. Pan-Turkism, which originated mainly among Russian born emigre intellectuals, was the rallying call to unite the nation around an ethno-national Turkic identity in reaction to the failures of Ottomanism and pan-Islamism. The current of Turkism which was dominant under the rule of the Committee of Union and Progress (CUP- aka Young Turks) that deposed **Abdulhamid II**, aimed to rid the country of foreign influences and embark on a policy of “Turkification” of culture, language and the economy. After the dismemberment of the Empire, Anatolian-based Turkism would prevail

with Mustafa Kemal's war of independence starting in 1919 and culminating in the transition to a modern secular republic in 1923.

This genealogy is not only important because of its contemporary avatars but because it places the birth of Turkish secularism in the throes of post-imperial turmoil. Academic treatments of secularism have for a long time remained limited because of their near exclusive focus on republican religious policies (such as the abolition of the Caliphate, and the break with *shar'ia* law) and on Westernizing reforms (namely, the adoption of the Latin alphabet and calendar and changes to the dress codes). These, however, should not be confused with a modern concept of citizenship that positions the state in an equidistant relationship to all its ethnically and religiously diverse citizenry. In fact, the drive towards national homogeneity continued unabated throughout republican history. In demographic terms the percentage of non-Muslims in Turkey declined from around 20 percent in 1914 to 3 per cent in 1927, as a result of war and the exchange of populations with Greece. By the 1950's this ratio had fallen to below 1% and by the 1980s it had further declined to 0.2%.

It took a new generation of scholars to acknowledge that Turkish nationalism rested on a bedrock of social amnesia about the violent history of relations with minorities such as Armenians who were massacred in 1915, pogroms of Greeks, Syrians and Assyrians, discrimination against the heterodox Alevis and the constant repression of Kurdish populations. Behind the veneer of a civic state lay the reality of a majoritarianism that made claims to national belonging co-terminous with being Turkish, Muslim and Sunni. This made a particular blend of Turkish nationalism and Islamism (with a hefty dose of neo-Ottoman nostalgia under the AKP- the ruling Justice and Development Party) the default mode of Turkish politics and a phenomenal roadblock to democratic rule and pluralism. Moreover, after a history of almost seven decades of parliamentary democracy, albeit interrupted by military coups, Turkey

experienced regime change in 2018 with a transition to an executive presidency that institutionalizes one-man, personalistic rule. Thus the promises of a republican civic state, of successive democratic openings from the transition to multi-party democracy to the democratizing reforms of the EU accession process, have received repeated blows. The question is whether this damage has become irreparable.

**FD:** How does the historical context you have recounted in your work explain the power of Erdogan as an authoritarian populist leader? How does it deepen the quandary of democracy in secular states with religious politics?

**DK:** Again, it is first necessary to unpack the notion of the secular state. Keeping the historical context in mind helps us to discern that the entanglements of the republican state with Islamic actors are far from new. After Turkey's accession to NATO in 1952 and during the Cold War years Islam was being promoted as an antidote to communism and an infrastructure of associations, newspapers and publishing houses was systematically put in place. Since the transition to multi-party politics in 1946, the accommodations between the leaders of religious communities – such as the prominent *Nakşibendi* and *Nurcu* orders – and secular political parties, who vied for electoral support from their followers, tended to stop short of more radical demands for constitutional and legal de-secularisation. This changed, however, when political Islam entered electoral politics during and after the 1970s, through a succession of political parties led by Necmettin Erbakan and his *Milli Görüş* (National Vision) ideology, partly inspired by the Muslim Brotherhood. The state's vacillations between accommodation and repression of Islamic actors increasingly shaped the political field.

Ironically, it was the so-called Kemalist military, the self-appointed guardians of secularism, who set the stage for the expansion of Islamic

civic activity and encouraged the public expression of Islam after the 12 September 1980 military coup. They made an official transition from secularism to religion-based nationalism by endorsing the so-called Turkish-Islam Synthesis (TIS) promoted by the right-wing think-tank, Intellectuals' Hearth, in order to 'nationalize' Islam and manufacture public consent for the consolidation of military power. The 1982 Constitution passed under their watch made religious education compulsory, the Directorate of Religious Affairs increased its power and reach and publicly-funded religious education received new impetus.

The AKP, which is an off-shoot of the *Milli Görüş*, came to power in 2002. It broke with its parent constituency in significant ways, most notably in its strong commitment to harmonization reforms and EU membership. This enthusiastic pro-EU stance was without doubt related to the fact that it offered a window of opportunity to broaden the political, economic and cultural spaces that had shrunk as a result of the so-called 28 February 1997 process, an intervention short of a coup that gave the Turkish armed forces even greater scope in influencing the public policy process. The EU democratization reforms were seized upon by the ruling party as an opportunity to finally eliminate the grip of the military on politics and to provide Islamic actors with more autonomy by transmuted religiously based political and social demands (such as the freedom to wear the headscarf) into democracy-based claims framed in the language of human rights and multiculturalism.

Until 2007 the AKP still faced stiff opposition from the military including threats of closure for its alleged 'anti-secular activities'. It took measures to consolidate the regime. When it first came to power in 2002 the party lacked its own technical cadres. The process of eviscerating secular track education whilst supporting publicly funded religious schools ('Imam Hatip' schools) as a source of loyal cadres was slow. The AKP chose to enter into an ill-fated alliance with one of the best established *cemaats*, the

Fethullah Gülen movement, that was particularly active in the field of education both at home and abroad. The technically competent graduates of Gülen schools served as a ready-made reservoir of brainpower for the regime. There was also a meeting of minds between the *cemaat* and the party on the question of educating a new 'pious generation'.

The high point of the AKP-Gülenist alliance surfaced during a wave of prosecutions starting in 2007 against the military and their perceived civilian associates (journalists, politicians and academics) for allegedly plotting a coup to overthrow the government. The court cases which followed targeted senior military personnel and resulted in a comprehensive purge of largely Kemalist/secularist cadres from the armed forces.

For a long time, recruitment into the civil service, public administration, the judiciary, the diplomatic service, the military and the universities still went through competitive and largely meritocratic examination systems. For the first time in 2010 it transpired that examination questions for the civil service had been 'stolen' and leaked to members of the Gülen community, who achieved suspiciously high scores. Similar allegations followed in relation to military colleges with mounting evidence this trend may have started much earlier. It was Gülenist officers who were promoted to fill the ranks of those culled during these trials who turned up in front-line positions during the failed coup of 15 July 2016 that resulted in the most extensive purges in republican history. Erstwhile allies were now designated as a terrorist organization.

In brief, the politics of Islamization had become inseparable from the embedding of unaccountable, non-democratic actors into the body politic, eroding the very basis for democratic representation. Any vestige of media freedom and the independence of the judiciary had evaporated. Furthermore, the power of the leader could no longer securely depend on



the popular vote. The AKP has been struggling to achieve a parliamentary majority since 2015 and has to rely on an alliance of convenience with the ultra-nationalist party, the MHP, that opposes any dialogue on the Kurdish question and backs geopolitical belligerence in Syria, Libya and the eastern Mediterranean. A politics of polarization that demonizes all opposition as treason has become the regime's weapon of choice.

**FD:** Was the initial problem that secularism was perceived and entrenched as an elite project? What about subaltern secular traditions and ways of life? Has there been a vibrant 'secularism of the street', as you have termed it?

**DK:** The master narrative about the Turkish republic was that its top-down secularism was an elite project that oppressed the believing, Muslim masses. However, nearly two decades into AKP rule and after systematic attempts to Islamize education and the public sphere, the discourse of Muslim injury sounds entirely hollow, especially in view of the new crony capitalist elites cultivated by the regime. That this discourse had lost its past purchase became quite evident when the AKP lost the local elections in 2019 in all the major cities (Istanbul, Ankara, Izmir, Adana and Mersin among them) despite making crude attempts to rally the faithful and after forcing a re-run of the Istanbul election which only resulted in increasing the votes of the opposition.

Another narrative that lost its appeal was the equation being made between the secular state and the so-called 'deep state', whereby real power was alleged to lie with non-elected actors in the security apparatus and the military. The AKP, in contrast, was supposed to represent the popular will and any detractors could be denounced as 'putschists'. The fallout of the AKP- Gülen alliance and the failed coup of July 2016 unmasked a 'deep state' of *cemaats* that had infiltrated the nerve centres of the state (in the military, the police and the judiciary). The existence of

paramilitaries, some with mafia-like connections, primed to serve as praetorian guards for the regime also indicated that holding on to power by whatever means might be on the agenda.

However, despite its anachronism the charge of elitism is still worth addressing provided that we disentangle the terms modernization, Westernization and secularism from one another. The process of Ottoman modernization started long before any notion of a secular state appeared on the agenda. Initially confined to the military and bureaucratic fields, Western material culture, fashions and new modes of urban living started making inroads into Ottoman daily life. Although this was not a colonial encounter *per se*, the imperial domination of Western powers in the twilight of the Empire created new cleavages among the winners and losers of changing orders. These were represented in the *Tanzimat*-era novel and later as an opposition between the affluent classes frequenting the European and Levantine quarters of the city and the popular classes inhabiting traditional neighbourhoods permeated by a Muslim *habitus*. On the other hand, much like their peers in the Middle East and South Asia, local reformers in Turkey used the West as a template to critique local customs they saw as outdated and stultifying, such as arranged marriages or veiling. This was quite similar to other colonial and post-colonial encounters where idioms of progress vs. cultural authenticity were circulating freely and where culture had also become a marker of class. The specific sense in which I used the term 'secularism of the street' is to refer to forms of popular resistance that only developed after Islamic parties moved to the centre of Turkish politics in the 1990s and attempted to police the everyday habits and life worlds of citizens, such as bringing restrictions to public drinking. It could be argued that a form of imperial cosmopolitanism tolerant of different modes of life predated the secular republic. But the self-conscious articulation of discontent with forms of top-down Islamic controls was new. It would be facile to assume this discontent was a defence of secularism *per se*. What animated citizens was

primarily an anti-authoritarian impulse which found full blown expression in the Gezi protests of summer 2013. In sociological terms decades of changes in consumption and leisure patterns, in family structures and lifestyles meant that the generation that had grown up under AKP rule (sometimes referred to as the 'Gezi generation') was alienated by the heavy-handed social engineering of the government which coupled with corruption, rampant favouritism and disregard for the environment darkened their futures. Despite heavy investment in religious education numerous public opinion polls suggest that Turkey's youth is becoming increasingly individualistic and secularized.

Whether Turkey has evolved into a 'post-Islamist' society in the sense understood by political sociologists, such as Asef Bayat, is a matter of debate. What remains certain is that it has outgrown both the type of secularism that had become a debased currency at the hands of the military and the era of political Islam which has been waning not just in Turkey but more globally. The AKP dream of a Muslim world dominated by Muslim Brotherhood- style regimes across the Middle East and North Africa with Turkey acting as 'Big Brother' has been shattered. Indeed, prior to the 'Arab uprisings' of 2011 and in their immediate aftermath, Turkey's standing as a Muslim democracy and staunch defender of Palestinian rights made it a model to emulate in the Arab world. Muslim Brotherhood-inspired parties, such as Ennahda in Tunisia, presented themselves as the democratic alternative to autocratic and dynastic regimes and explicitly pointed to the example of Turkey. The rapid unravelling of the so-called "Turkish model" after the debacle of the Muslim Brotherhood in Egypt and the Gezi protests of the summer of 2013 represented a turning point that pushed the regime to intensify its authoritarianism further. As Turkey became the centre of the Muslim Brotherhood in exile, it also became increasingly diplomatically isolated, retaining only Qatar as its main Gulf ally, Somalia and a faction in the Libyan conflict. The geo-politics of the civil wars in Syria and Libya meant that Turkey found itself on opposite

sides of these conflicts with not only Saudi Arabia, UEA and Egypt but with erstwhile allies such as members of NATO and the EU and Russia which is a nominal ally in the tripartite (Turkey-Iran-Russia) Astana accord on Syria. This isolation has been further aggravated by Turkey's belligerent response to oil and gas exploration in the eastern Mediterranean that consolidated a bloc of nations with common interests (Egypt, Israel, Cyprus, Greece and France). Most importantly, Turkey's regime change through shift to one-man rule, its disregard for freedom of the press and politicization of the judiciary invalidated all its former claims to democratic governance. Now buffeted between the demands of an ultra-nationalist camp and the pressures of an Islamic fundamentalist flank the government is veering between inconsistent and self-defeating policies.

**FD:** What sorts of policies?

**DK:** Some of the best illustrations of policy zig zags may be found in relation to gender and women's rights. Like many other countries jumping on the women's rights bandwagon for geopolitical advantage, Turkey made the most of the legal advances of the early 2000s during the first term of the AKP (2002-2007) when EU accession was still high on the policy agenda. Women's NGOs played a key role in pushing through a [new Civil Code](#) in 2001 and a reformed penal code in 2004 and had an active role in advocacy and policy formulation and in the representation of Turkey in international fora. However, systematic attempts at clawing back existing rights started with Erdoğan's declaration in 2010 that he did not believe in gender equality, referring to divinely ordained biological differences. This was followed by pro-natalist family policies, an attempted ban on abortion and assaults on the provisions of the reformed penal code of 2004. The Directorate of Religious Affairs (*Diyanet İşleri Başkanlığı*) started operating in tandem with the Ministry of Family and Social Policies with an enhanced mandate and an enlarged budget, aiming to refashion gender relations and family life.

Nonetheless, Turkey was among the first signatories of the Council of Europe's 2011 Istanbul Convention to combat violence against women. It came into effect August 1, 2014. and Law no. 6284 that protects women against violence was passed through parliament with the full blessing of the AKP. Yet, five years later the Istanbul Convention became the topic of a heated debate among Islamist and conservative circles who claimed it would destroy the family and undermine 'national' values. After president Erdoğan reportedly announced in a meeting that it could be "annulled" anger reached boiling point. Turkey's government had signally failed to live up to its promises to tackle domestic violence as evidenced by soaring rates of femicide (at least 474 women were killed last year at the hands of men and male relatives, marking the highest number in a decade) and cases of rape, mutilation and battery were often treated leniently. The idea that the country might abandon the treaty altogether fuelled outrage and led to protests across the country.

The assault against the Istanbul Convention was masterminded by emboldened members of ultra-conservative *cemaats* and a fundamentalist party which, though totally negligible in electoral terms, represented a threat of competition for the AKP's pious base. Things came to a head when the AKP's own cadres became the target of these attacks and when an Islamist columnist used a sexual slur to refer to female members who supported the agreement. The Women and Democracy Association (KADEM) an officially approved GONGO founded on March 8, 2013, featuring Erdoğan's younger daughter on its executive board, was also castigated by conservative critics. In a 16-point rebuttal, outlining the merits of the Istanbul Convention, KADEM vigorously refuted all the charges, including the notion that it legitimized homosexuality. This rift inside governing circles escalated when the women's branch of the Justice and Development Party made a criminal complaint against the Islamist columnist in question. Erdoğan condemned the insult and called for unity

in his party. The decision on the issue was delayed as the president navigated competing interests.

In contrast, the conversion of the iconic Hagia Sophia church from a museum to a mosque had met with little opposition. This was an issue that had been pushed for years by Islamist constituencies, some openly advocating a return to *shar'ia* law. As late as 2019, the president had been reluctant to act on this question, warning that such a move would have incalculable costs for mosques and believers abroad and in terms of foreign relations. Yet amidst a pandemic and a deepening economic crisis this move was deployed as a trump card to rally the masses and to stage an assertion of national sovereignty. It is the emphasis on sovereignty that cowed the opposition into acquiescence. In the case of the Istanbul Convention, however, Erdoğan might have overplayed his hand by pandering to its critics, creating an unexpected backlash among women, uniting Muslim women joined and their secular sisters in a shared opposition. This was no trivial matter since the AKP is greatly reliant on its female voter base that according to past polls supported the party and the leader to an even greater extent than men.

**FD:** How do you explain the AKP's appeal to women?

**DK:** For women of the elite who were beneficiaries of state largesse with positions in the media, in business or in NGOs, loyalty was understandable. Ironically, these were also the women who were prepared to break ranks when their rights were at stake, as demonstrated by the ongoing struggle over the Istanbul Convention.

The story is somewhat different for women of popular classes. One of the principal pillars of the AKPs electoral success had been the improvement of the economic conditions of the poorer strata through the expansion of welfare entitlements (these made up 0.5 percent of G DP in 2002 and rose

to 1.5 percent of GDP by 2013). There is a gendered pattern to welfare distribution with women making up the majority of aid recipients since they are targeted as mothers and as carers of the elderly, sick and disabled. Moreover, women are not just passive consumers of benefits but active participants in daily interfaces with public bodies at the local level that provide them and their children with health services, educational support and other outreach activities. For women of the popular classes, especially those of rural extraction, this creates a new sense of “citizenship through entitlement”. What is more although the funding for these activities come from taxpayers' money, sometimes augmented by charitable giving, the beneficiaries are persuaded that they result from party largesse- a belief no doubt cemented by the distribution of in-kind help for winter fuel and basic foodstuffs from party coffers especially during election periods. That is why the electoral loss of the most important metropolitan municipalities was such a bitter blow to the regime since it lost one of its main channels of political patronage through the distribution of funds, services and jobs. However, the proof of women's loyalty does not lie in voting behaviour only but in their demonstration that they are among the worthy who have absorbed the party's message about their god-given vocation as mothers and home makers and those who realize that only the deserving will be protected. I would remind those who think that the price of protection is too high that trading acquiescence and loyalty against protection and security is the oldest deal with patriarchal power in all its forms. This also explains the fury at the soaring levels of violence against women and the apparent impunity of perpetrators which gives the lie to promises of protection and dignity.

**FD:** You seem to refer here to a type of ‘patriarchal bargain’, one of the conceptual contributions you’re best known for. Do you consider the situation in post-Arab Spring ME points to new forms of patriarchal bargaining?

**DK:** I most certainly do, which is why I no longer use the term patriarchy to designate novel forms of enforcement of male dominance and forms of resistance to it. I prefer the term *masculinist restoration*. Let me explain why.

For a long time violence against women was primarily apprehended through the lens of domestic violence. Indeed, most abused women tended to know their assailants whose offences were routinely covered up to avoid dishonour and shame while states generally upheld kin prerogatives over the control of women in law or in practice. However, new barriers were breached by reactions to popular uprisings starting with the Arab spring in 2011. The public revulsion felt in Egypt when female demonstrators were subjected to forced virginity tests in police custody or when they became targets of organized mass sexual molestation during demonstrations turned the spotlight on the political nature of violence as never before. Participation in public collective action clearly exposes women to new types of retribution and brutality. Equally telling are instances of violence that occur in anonymous public spaces, are perpetrated by strangers, and have a deceptively random and spontaneous character. Amalgamating the wave of femicides in Ciudad Juarez, Mexico, the gang rape on a bus in New Delhi that created a public furore, forms of systematic attacks on women during and after the popular uprisings of the Arab spring and attacks of women on buses, streets and parks regularly reported in Turkey as emanating from an undefined concept of patriarchy does us a disservice. Both these manifestations of violence, and the societal reactions to them, break the mould of silence and dissimulation that were the hallmarks of patriarchy in its more traditional guise. Gender-based violence has now firmly entered the public domain eliciting storms of protest, debates, demonstrations, petitions, blogs, advocacy and solidarity campaigns. I therefore proposed the term masculinist restoration to denote a break with the past and identify a phase when patriarchy is no longer secure and requires higher levels of



coercion and the deployment of more varied ideological state apparatuses to ensure its reproduction.

In this perspective, new patterns of violence against women can no longer be explained with reference to some assumed routine functioning of patriarchy but point to its threatened demise at a point in time when notions of male dominance and female subordination are no longer securely hegemonic. Whether at street level or at the level of governance the bid to maintain power may be reduced to its crudest coercive means and appeals to orthodoxy in Bourdieu's sense since the taken-for-granted fabric of patriarchal acquiescence is frayed and punctured by daily breaches of the gender order. Likewise, anti-patriarchal resistance takes overtly political forms at a time when misogyny and homophobia emerge as key ingredients of rising populist authoritarian regimes everywhere, from Bolsonaro's Brasil to Erdogan's Turkey, from Putin's Russia to Orban's Hungary. It would be fair to say that there was hardly a time when the politics of gender was more clearly indexed to struggles for democracy.

**FD:** What contribution did the turn to neo-liberalism make to the longstanding divide between religion and secularism in Turkey? How did it contribute specifically to the waning of the secular project?

**DK:** I have already recounted some of the many influences (including the military coup of 1980) that expedited the rise of Islamic actors in Turkey. However, these would not in themselves have provided the boost created by the neo-liberal turn that started with the structural adjustment policies of the 1980s. These entrenched a new capitalist elite, also called 'green capital'. Hitherto, state patronage had been key to the development of the secular big business community in Turkey while religiously conservative smaller entrepreneurs lacked the social capital and political connections to be included in these networks. This changed with the shift from state-led development to an export-oriented market economy which provided

a favourable environment for the development of medium-scale provincial enterprises (dubbed “Anatolian tigers”). Under Turgut Özal’s premiership, the political economy of the 1980s led to a more thorough embedding of Islamic actors in the business world by providing access to alternative channels of finance, to the mobilisation of savings and markets and of the consolidation of the growth of Islamic capital. Processes of market reform involving deregulation and privatisation also affected the educational domain, providing fertile ground for the proliferation of new actors such as the Fethullah Gülen community’s networks of schools, tutorial colleges and monitored student residences. I alluded to the consequences of the fateful alliance between the AKP and the Gülen *cemaat* earlier. It is important to pay attention to how processes of privatization and deregulation contributed to these entanglements.

Initially, the rapid rates of growth stimulated by market reforms raised hopes for a mode of governance that combined a market economy with democratic representation under an Islamic-leaning government that was mindful of EU rules and regulations. However, the regime rapidly morphed into a crony capitalism dominated by an AKP-affiliated elite syphoning off state resources into sectors like construction, public infrastructure and energy to the detriment of the economy as a whole. The structural problems of the economy culminated in a major economic and financial crisis, now aggravated by the effects of the pandemic. The regime’s waning popularity made it more beholden to ultra-nationalists and to religious *cemaats* with their base of more religiously hard-line supporters. While the former push hard-line policies on relations with the Kurdish minority, the latter promote conservatism in the realm of gender and family relations and de-secularization policies.

**FD:** Lastly, we would like to ask you what kind of secular feminist movement exists in Turkey, and what is happening with issues such as sexual rights?

**DK:** There is a robust women's movement in Turkey which predates the republic. Starting initially among urban elites it diversified and expanded into a mass movement with a stubborn presence on the streets and the ability to mobilize across political persuasions on certain key issues (as my discussion of the Istanbul Convention illustrates). With a Civil Code adopted in 1926 that breaks with *shar'ia* law and women being granted the vote in 1934 the republican regime had opened up an arena for state-sponsored 'feminism'. However, while these reforms accorded women equal rights *de jure* some of the fundamental cultural premises underlying gender relations and sexuality remained untouched.

The vanguard of second wave feminism in the 1980s consisted of secular women who had benefited from the educational and employment opportunities afforded by the Kemalist reforms. Many were members of the Turkish left. The break of feminists from movements on the left bore striking resemblances to second wave feminisms in Europe and the United States which were the earlier products of the students' movements of the late 1960s. From then on, we would see both continuities with the earlier Kemalist project in renewed efforts to deepen legal reforms alongside important new departures in the recognition of previously taboo issues such as body politics, gender-based violence and sexualities

Until the 1980s ideological divergences between mainstream Kemalist women, socialist feminists and a budding radical feminist movement could be discerned through their varied platforms, activities and sometimes short-lived publications. After the 1990s women's activism took a turn towards identity politics against the background of, on the one hand, the mobilization of Muslim women against the headscarf ban, and, on the other, the demands for national recognition and autonomy of Turkey's Kurds. This new conjuncture placed secular, Islamic and Kurdish women of various persuasions in complex relationships of conflict, dialogue, and co-operation with one another.

The late 1990s and early 2000s were periods of great ferment and considerable achievement for the women's movement. Whereas there were only 10 registered women's organizations between the years 1973 and 1982, these rose to 64 between 1983 and 1992 and by 2004 there were over 350 women's organizations. Enabling international conjunctures (such as the EU accession process) also created new opportunity structures for women's collective action and opened up spaces for solidarity and coalition building in the 2000s. Networking and advocacy efforts by coalitions of women's NGOs delivered major legislative changes with the Civil Code in 2001 and the Penal Code in 2004. Sexual liberties platforms and NGOs advocating LGBTQ rights also joined these coalitions although these remained fragile as sexual liberties remained a divisive issue. Yet Turkey occupied a relatively liberal space for a long time, as evidenced by the yearly Pride marches in Istanbul where gays from all over the Middle East converged.

However, despite remaining a signatory to international conventions like CEDAW, the regime elaborated a new conservative discourse which was coupled with institutional changes. The General Directorate of Women's Status and Problems, was abolished in 2011 and replaced by the Ministry of the Family and Social Policies. Women were cast primarily as objects of "protection" alongside children, the disabled and the elderly rather than full-fledged bearers of rights. The Directorate of Religious Affairs (*Diyanet İşleri Başkanlığı*) was accorded new and important roles, in co-operation with other ministries, to socialize women into Islamically-sanctioned roles. Gender issues were constantly kept on the agenda by systematic attempts to roll back the gains of the 2001 Civil Code and the 2004 Penal Code, on issues such as child marriage, accepting extenuating circumstance for rapists who marry their victims, divorce and alimony.

Whilst overtly targeting feminist organizations, these top-down policies have also exerted a demobilizing effect on Islamic women's NGOs and had

a crippling effect on Kurdish women's civil society initiatives. The Kurdish women's movement which had been gaining momentum since the 1980s presented conundrums for Turkish women activists across the board. The irony was that the Turkish modernization project that presented itself as the vanguard of women's emancipation during the early years of the republic was now being upstaged by a Kurdish movement which both at the level of rhetoric and in its governance practices appeared to place gender equality at the heart of its political project. The official ideology of the PKK shifted to a position that made the liberation of the Kurdish nation and of its women coterminous. Indeed, you may recall that during the period when Rojava was at the forefront of resistance against ISIS in Northeastern Syria, Kurdish women fighters and forms of democratic governance involving women representatives at all levels received a great deal of publicity in the West. In Turkey, during the period of the now defunct "Kurdish Opening", which started officially in June 2009 and was short lived, both secular and Islamic women's NGOs participated in meetings with their Kurdish counterparts. For instance, the broad-based Women's Initiative for Peace (*Bariş İçin Kadın Girişimi*, or BIKG) which was founded in 2009 acted as a bridge between Turkish and Kurdish feminists. Both secular and Islamic women's NGOs co-operated with ÇATOMs (*Multi-Purpose Community Centres - Çok Amaçlı Toplum Merkezi*), state-sponsored organizations for women that provided Turkish literacy courses, training in health education programmes that included family planning and income generation. These attempts were critiqued by some Kurdish women for having an "assimilationist" bias and independent Kurdish feminist initiatives displayed a range of positions in terms of their willingness to combat patriarchy alongside fighting for the national cause. Nonetheless relations among some sections of Turkish and Kurdish feminist movements matured into more affirmative relationships of both solidarity and coalition-building in the 2000s. These platforms for dialogue were eliminated with the decimation of civil society organizations.

The last International Women's Marches on 8 March, that now also feature some headscarved women, were met with police brutality. The Gay Pride marches were banned altogether and homophobia reached an unprecedented peak. Indeed, one of the allegations made against the Istanbul Convention was that it encouraged homosexuality and destroyed the family. Although KADEM, a government approved women's NGO mounted a spirited defence of the Convention they had earlier been at pains to dissociate themselves from these charges by triggering an anti-Pride campaign on social media denouncing "gay perversity". When it came to the rights of sexual minorities any consensus about core issues relating to women's rights could easily unravel and reveal their utter fragility. This does not prevent some feminist groups in Turkey from castigating one another in terms that are utterly familiar to any UK readership that has been following the bitter debates between radical feminists who have reservations about an overly liberal gender assignment regime and others who denounce them as TERFs. Try to imagine a country where the spectrum of opinion ranges from those who sanction underage marriages and marital rape to feminists who fall out over gender re-assignment practices. These are the sorts of parallel universes and the levels of cacophony you find in Turkey. Sadly, the most conservative platforms are often the ones with the loudest voices, making an insistent bid for legislative changes. The greatest challenge will be to form broad-based political coalitions that cut across gender, religion and ethnicity in defence of pluralism and democratic rights.

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# Christianity and Abortion Rights

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## Abstract

*The struggle for abortion rights continues to rage in the 21st century. On one side feminists, who see it as part of the struggle to establish a woman's right to control her own body, and a wider constituency, who deplore the injury and death resulting from the lack of access to safe abortions, have campaigned energetically for abortion rights. On the other side, various religious fundamentalists have put pressure on states to block any expansion of rights and even take away existing rights. Prominent among the anti-abortion forces are the Roman Catholic establishment and right-wing Evangelical sects. Unable to find any prohibition of abortion in the scriptures, they have relied on the prohibition of murder, arguing that a fertilised ovum constitutes a human life, and therefore its destruction constitutes murder. This extreme anti-abortion position too finds no support in the Bible: indeed, even the Catholic church adopted it only in the latter part of the 19th century, and among Evangelicals it is much more recent, suggesting that it is part of the right-wing fundamentalist backlash against struggles for women's rights. Progressive Christians have been among those fighting for reproductive justice. Their arguments are compatible with the feminist position that having a baby should be a matter of choice, and that those who care for children should do so out of love, not compulsion. Thus reproductive justice is not only a matter of securing the right of women to make decisions about their bodies and their lives, but also a matter of securing the right of children to be loved and wanted.*

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Feminists see abortion rights as part of the struggle to establish a woman's right to control her own body; for a wider constituency, it is also a demand for safeguarding the lives and physical and mental health of women and girls.<sup>1</sup> Far from winding down, the struggle around abortion rights has, if anything, heated up in the twenty-first century. Women in several countries of the world have engaged in unprecedented organisational and outreach activities to win over other women and put the issue on the agenda of progressives. But the backlash has also been severe, and fundamentalists of various religions have been at the forefront of it (*Eternity News*, 2019). Christians are prominent among them.

There are countless Christian denominations with different positions on key issues including abortion, and there are contradictory positions even within each denomination. The most uniform is Roman Catholicism, where the Pope lays down the official anti-abortion stance, yet almost half of lay Catholics think that abortion should be legal. The Orthodox churches (Greek, Russian, Eastern, etc.) also have Patriarchs who oppose abortion, but a survey in the US showed that the majority of lay followers believe abortion should be legal (Pew Research Center, 2014). Mainline Protestant denominations – Anglicans (including US and Scottish Episcopalians, and Anglican churches in former British colonies), Methodists, Lutherans, Presbyterians, Congregationalists, the United Church of Christ and others – support abortion rights, although a small minority of followers do not (Markoe, 2018). Three-quarters of Evangelical Protestant denominations (sometimes known as 'born-again' Christians) oppose abortion, but a quarter do not.

### **The ongoing struggle for abortion rights**

Many countries in which abortion is severely restricted or abortion rights are under threat are ones in which the Catholic church has a strong presence. For example, more than 97 percent of women in Latin America and the Caribbean live in countries with restrictive abortion laws. Only in Cuba, Guyana, Uruguay and Mexico City is there abortion on demand during the first trimester, while in the Dominican Republic, El Salvador, Haiti, Honduras, Nicaragua and Suriname it is illegal under all circumstances. In most other countries of the region, including the rest of Mexico, it is legal only when the woman's or girl's life is at risk, or in cases of rape, incest or foetal anomaly (Guttmacher Institute, 2018). Even when abortion is legal, it is often unavailable to poor women and girls, or is denied for other reasons; for example, in 2007 in Peru, a 13-year-old girl who was pregnant after a neighbour raped her tried to commit suicide by jumping off a roof and was seriously injured; but she was not given the treatment she needed in case it induced a miscarriage, and remained a quadriplegic for the rest of her life (Gianella and Gloppen, 2014).

As a consequence, this region has the highest rate of illegal and unsafe abortions in the world. Somewhat surprisingly, however, many of the most stringent laws were introduced relatively recently, and have remained in force with the complicity of regimes self-defined as left-wing. For example in Chile, therapeutic abortions were banned in 1989, and never decriminalised after democratic regimes were established; Nicaragua adopted a total ban in 2006 in legislation supported by Daniel Ortega; in 1997, El Salvador adopted a total ban, with women who self-induced abortion or anyone who helped them liable to imprisonment for two to eight years; and in October 2013, Ecuador's president Rafael Correa threatened to resign if parliament decriminalised abortion for rape victims. This legal regime has its worst consequences for poor women and girls, who cannot afford private medical termination of their pregnancies

and are therefore forced to rely on illegal abortions that are extremely unsafe (Gianella and Gloppen, 2014).

The huge number of women and girls seeking illegal abortions is one indication of popular resistance to this regime of enforced pregnancy, but there have also been organised protests. For example, women clashed with police in Ecuador after lawmakers failed to pass a bill that would have decriminalised abortion in cases of rape, incest and foetal malformation; activists pointed out that it was a death sentence for a large number of women and girls, given the alarming rates of rape (Daniels, 2019).

The most organised movement has taken shape in Argentina, where the National Campaign for the Right to Legal, Safe and Free Abortion was founded in 2005 to reform the 1921 law, which criminalised abortion unless the pregnancy threatened the life or health of the woman or was the result of rape. It received an enormous boost when the Ni Una Menos (Not One Less) movement, demanding an end to violence against women and girls, was born in 2015. The campaign has introduced legislation to legalise abortion in Congress every two years, but it was only on the seventh attempt in June 2018 that it obtained a narrow majority. That was a great victory for millions of activists with their trade-mark green handkerchiefs, but in August the bill was defeated in the Senate, and therefore failed to become law. Yet the momentum continued, with incoming president Alberto Fernandez, whose term started in December 2019, pledging to decriminalise abortion in 2020 (Caselli, 2020).

Much of the success of the movement comes from the fact that it has employed three strategies simultaneously. The first is legal reform, with the motto 'Sexual education to decide, Contraceptives to avoid abortion, Legal abortion so as not to die'. The second is a public health and rights strategy seeking to implement abortion availability in cases where it is legal under the existing law, as in the case of an 11-year-old girl, who had

been raped by her grandmother's 65-year-old partner and made two attempts to commit suicide, yet was denied an abortion despite being entitled to it under existing legislation; this has involved working with the public health system, creating a network of feminist lawyers, and training judicial personnel to interpret the law in a manner that supports women's rights (Goñi, 2019). The third strategy of direct action and service provision aims at making safe abortion available to women with unwanted pregnancies regardless of the law; it involves two tracks: using hotlines and websites to provide information and assistance for women to self-induce abortions using medication; and health professionals providing medical abortions by arguing that all unwanted pregnancies are a threat to a woman's psychological health (Ruibal and Anderson, 2018).

The majority-Catholic country where the campaign for abortion rights has had the most spectacular victory is Ireland, where in a referendum on 25 May 2018, people voted by a decisive majority – 66 percent – in favour of repealing the Eighth Amendment to the Irish Constitution that made abortion illegal. The massive change in popular feeling can be gauged from the fact that the Eighth Amendment, effectively banning abortion by recognising the 'right to life' of the foetus, was also introduced as the result of a referendum in 1983, and even before that, getting a legal abortion in Ireland was not easy. It has been estimated that between 1980 and 2016, more than 170,000 women travelled abroad to get abortions (Bardon, 2018). Those unable to do so had to resort to unsafe abortions or go through with their pregnancies, even when they were the result of rape or incest, or seriously threatened the life or health of the pregnant woman or girl.

A key event which energised the campaign for repeal was the death of 31-year-old Savita Halappanavar in 2012. Seventeen weeks into her first pregnancy, Savita went to the University Hospital, Galway on 21 October 2012 with severe backache and lower abdominal pain, and was found to

be having a miscarriage. After a day in agony and the rupture of her membranes, leaving her open to infection, she and her husband asked for a termination but were refused because there was a foetal heartbeat. Her condition deteriorated and she went into a coma, but nothing was done, and she died of septic shock on 28 October. The inquiry into her death was chaired by Professor Sabaratnam (2018), who testified that ‘if a termination had been carried out when Savita and her husband had requested, she would not have had sepsis and she would be alive today.’ The gratuitous cruelty with which an otherwise healthy young woman was subjected to an excruciatingly painful death in the name of saving the ‘life’ of an unviable foetus resulted in massive grief and outrage, which found an outlet in the campaign for abortion rights.

Another factor in the success of the campaign was revulsion against the crimes of the Catholic establishment, which will be examined in the next section. This probably changed the stance of the major parliamentary parties, which uniformly – from Fine Gael and Fianna Fáil to Labour and Sinn Féin – had supported the Eighth Amendment or failed to oppose it. But most critical was the all-out effort to mobilise the ‘Yes’ vote, which resulted in an unprecedented surge in voter registration before the referendum. It included crowd-funding to enable thousands of Irish women who had emigrated to travel home in order to vote, but 65 percent of men voted for it too. Young people aged 18-24 voted overwhelmingly (87 percent) in favour of Repeal (Holborow, 2018).

A key factor giving the Catholic Church power to impose measures, including opposition to abortion, contraception, relationship and sex education, and LGBT+ rights, is the status of the Holy See as the government of both the Catholic Church and the State of Vatican City. This allows treaties between the Holy See and other states, called ‘concordats’, to exempt Catholic institutions from being governed by the laws of the country. On the one hand concordats are often signed by states without

prior scrutiny by elected parliaments, or by dictatorships, including those of Mussolini in Italy, Hitler in Germany, Salazar in Portugal, Franco in Spain and many others; on the other, the concluding article of a concordat states that it cannot be changed or abrogated without the agreement of the Vatican. This means that *concordats outlive the governments and dictators who signed them, and continue to remain in place even if they violate a new democratic constitution and are incompatible with international human rights norms* (Concordat Watch, n.d.).

In the United States, the assault on abortion rights has been spearheaded by right-wing Evangelical sects, which have succeeded in imposing increasingly restrictive abortion laws in state after state. In 2019, Ohio, Georgia, Kentucky and Mississippi passed bans on abortions once a foetal heartbeat has been detected, which could be as early as six weeks, when many women may not even know they are pregnant. Nine other states considered similar legislation, and Alabama passed an outright ban that would make providing an abortion a felony punishable by prison (Horton and Holpuch, 2019). Even where sweeping bans were successfully fought, defunding and enforced procedures – including compulsory questioning of women seeking abortions about their reasons for doing so, with some reasons (like Down's Syndrome) being outlawed, abortion clinics and helplines being forced to offer women anti-abortion literature, and the banning of abortion pills – have resulted in a drastic roll-back of abortion rights (Smith, 2019). The drive has been boosted enormously by help from the White House, with the Trump administration withdrawing funding for reproductive health support.

Evangelical opposition to abortion is quite recent. An examination of their publications and statements shows that 'the belief that life begins at birth was widely accepted as "the biblical view" among evangelicals only a few decades ago,' with some even advocating liberalisation of abortion laws (Dudley, 2019). So what changed? Not the Bible, although in typical

fundamentalist fashion, the Evangelical Right has reinterpreted what it says and even tampered with translations. A common explanation is that the Christian Right emerged as a political movement in reaction to the US Supreme Court's 1973 *Roe v. Wade* ruling legalising abortion throughout the US, but Randall Balmer (2014) disagrees, noting that Evangelicals greeted the ruling with silence or even approval. Examining the timeline of Evangelical anti-abortionism, he notes that it emerged only in 1979, six years after the ruling, as part of a campaign to deny then president Jimmy Carter a second term. According to Balmer, the real issue motivating Evangelical leaders was the withdrawal of tax-exempt status from segregated Evangelical private educational establishments; but fearing that racial segregation might not be an issue on which they could rally their members, they fixed upon abortion, portraying Carter's refusal to promise a constitutional amendment outlawing it as 'an unpardonable sin'. Despite the merging of racism and anti-abortionism exemplified by Trump, for a significant section of Latinx voters and even some Black voters, opposition to abortion outweighs opposition to Trump's racism (Long-García, 2019; Lockhart, 2018).

The religious Right in the US has attacked abortion rights not just with legislation, withdrawal of funding, delicensing, cumbersome regulations and raucous demonstrations outside abortion clinics, but also with the murder of abortion providers and bombing of abortion clinics, a pattern of violence that resembles right-wing White-supremacist terrorism (Stack, 2015). Women activists, especially Black women, have responded by fundraising, volunteering to provide alternative reproductive healthcare services to women needing it, helplines telling women how they can access abortion, and accompanying and supporting women seeking abortions (Okeowo, 2019).

Policies of the Christian Right in the US have global consequences. Since 1973, the Helms Amendment, authored by Senator Jesse Helms, has

prohibited US foreign aid being used for any abortion services. The Mexico City Policy or 'global gag rule,' adopted by Republican presidents starting with Ronald Reagan in 1984 and including Donald Trump, goes further, denying US funding to international reproductive health organisations providing abortion counselling, referrals or services, or advocating decriminalisation of abortion, even if this is done with non-US funding. As Marie Stopes International (2019) points out, the irony is that this actually *increases* the number of women undergoing abortions by depriving them of access to contraception.

In the US, the battle over abortion rights rages on into the 2020s. On one side, Trump nominated Amy Coney Barrett, member of the patriarchal, anti-abortion, fundamentalist Christian sect 'People of Praise,' to replace deceased liberal justice Ruth Bader Ginsburg in the US Supreme Court; on the other, the Abortion is Health Care Everywhere Act to repeal the Helms Amendment was introduced in Congress (Schakowsky, 2020).

Africa accounts for a devastating 62 percent of global abortion-related deaths, partly the legacy of colonial-era laws criminalising abortion unless it was to save a pregnant woman's life. In 2003, the landmark African Charter's Protocol on the Rights of Women in Africa, also known as the Maputo Protocol, attempted to bring these figures down by requiring governments to legalise medical abortion in cases of rape and incest, or where continuation of a pregnancy threatened the life or physical and mental health of a woman (Ngwenā, 2014). Countries which ratified the protocol and liberalised abortion legislation did indeed reduce unsafe abortions, but improvements were hampered because these governments feared to publicise such legislation or implement it vigorously. Even NGOs working to provide abortions to women who needed them were afraid of provoking a backlash by campaigning openly, and instead worked behind the scenes to make maximum use of existing exceptions (for example, interpreting the 'risk to a woman's life' very liberally), and to help women



to have abortions regardless of the law (Blystad et al., 2019). This fear was produced by the power of homophobic, anti-abortion Roman Catholic and Evangelical movements, themselves bolstered by interventions from the Christian Right in the US (Smith, 2012).

These are not the only countries where women are fighting back against assaults on abortion rights, but they are major examples of the way in which some Christian churches have spearheaded these assaults.

### **What does the Bible say?**

The Bible is divided into the Old Testament, containing pre-Christian Jewish scriptures, and the New Testament, containing the Gospels, which describe the life and teachings of Jesus, and narratives of subsequent developments.

Numerous Bible scholars, like Rick Lowery (2012), testify that it says nothing about abortion. This is why Christian anti-abortionists have to argue that the embryo and foetus are full human persons, and therefore the prohibition of murder applies to them. Yet the Bible generally puts forward the view that life begins with the first breath and ends with the last. Old Testament case law expounding what should be done when a pregnant woman intervenes in a fight between her husband and another man and suffers injuries that cause a miscarriage says that if the miscarriage is the only injury, the other man must pay compensation, but if the woman dies, it is a capital crime and the man must pay with his life; in other words, the foetus is not yet a person, whereas the woman is. All this is completely compatible with the scientific and medical knowledge of the time. As Lowery comments, in the light of modern medical knowledge and procedures, we may need to modify this ancient view by specifying that once the foetus is fully viable and can survive outside the woman's body (around 24 weeks into the pregnancy), it should be regarded as a

separate person. In principle, however, that should not affect the right of a woman to terminate her pregnancy whenever she wishes to do so, since before the foetus can survive outside her body it is not yet an independent life, and after it can survive outside her body it can be helped to do so, although late abortions are better avoided. In fact the Catholic church, including some of its most elevated saints, earlier allowed abortions until the 'quickening', when a woman began to feel foetal movements – in 1591 Pope Gregory XIV set the date at 166 days of pregnancy (almost 24 weeks) – and only in 1869 did Pope Pius IX prohibit all abortions (McGarry, 2013).

One can question whether the real purpose of anti-abortion church leaders is to move towards ending abortion. What would be the best way to achieve such a goal? Firstly, by making contraception widely and freely available, and secondly, through relationship and sex education that teaches young people to avoid unwanted pregnancies and condemns rape and incest. Yet this is precisely what these church leaders oppose. The Bible does not prohibit contraception;<sup>2</sup> 80 percent of the members of a Pontifical Commission held between 1963 and 1968 recommended accepting contraception, but were overruled by Pope Paul VI (McClain, 2018). For Evangelicals, opposition to contraception is even more recent. The Catholic hierarchy and right-wing Evangelicals came together in opposition to the clauses in President Obama's Affordable Care Act that made it mandatory for insurance schemes provided by employers to include free contraception – not that this prevented 68 percent of Catholic women and 74 percent of Evangelical women from using an IUD or hormonal contraceptive like the pill (Thomson-Deveaux, 2014).

As for relationship and sex education, many Catholic priests and right-wing Evangelicals have joined with other religious leaders to oppose schools teaching pupils to respect and value people equally regardless of sex, gender and sexual orientation. They have lobbied to have children withdrawn from these classes, and participated in virulent campaigns

against teachers and schools standing by these values. The Vatican has issued sex education guidelines based on the notion that the ideal sexual relationship to be pursued by all is marriage between a man and a woman, indissoluble and open to life (i.e. rejecting contraception and abortion) (San Martín, 2016). Joining the Vatican and Muslim fundamentalists, the Evangelical Right has been part of a global campaign against relationship and sex education based on equality and inclusiveness, in some cases even trying to make it illegal (Hemery and Archer, 2019).

The illusion that there is anything 'pro-life' or 'pro-children' about any of this is dispelled when the fatal consequences of refusing to talk about safe sex in the context of the HIV-AIDS crisis is considered. Deaths like that of Savita Halappanavar and so many other women and girls denied medical termination of their pregnancies must also be included. The steadfast opposition of the Evangelical Right to gun control, despite the massacres (including many in schools) that have resulted from gun violence, can be traced to the same determination to defend the 'traditional family' that is expressed in their opposition to abortion and LGBT+ rights (Young, 2019). The Catholic establishment has sided with brutal dictatorships in Latin America which have incarcerated, tortured and killed thousands of dissidents. The large number of child sexual abuse cases against Catholic priests worldwide was supplemented by the systematic physical, sexual and emotional abuse of tens of thousands of children in Catholic institutions revealed by the 2009 Ryan report in Ireland, where the imprisonment in appalling conditions and slave labour of unmarried mothers in church-run 'Magdalene laundries' was revealed in 2013 by the McAleese report. Most gruesome of all was what happened to the babies of these women: 802 babies and children were buried at the Mother and Baby home in Tuam, County Galway, between 1925 and 1961 (Lonergan, 2019). Emer O'Toole (2017) points out the hypocrisy of attributing full personhood to embryos but not to women or children: 'Hundreds of dead babies are not an asset to those invested in the myth of abortion-free

Ireland; they inconveniently suggest that Catholic Ireland always had abortions, just very late-term ones, administered slowly by nuns after the children were already born.'

It is abundantly clear, therefore, that the motivation for these anti-abortionists is not a defence of life or love of babies but reinforcement of the patriarchal, authoritarian family modelled on their vision of the church. As Verónica Gago (2018) shows in her analysis of the abortion rights movement in Argentina, even Catholics who see themselves as exponents of Liberation Theology have the same attitude to poor women as the establishment, taking it upon themselves to make decisions on behalf of these women and claiming falsely that the demand for abortion is associated with neoliberalism and middle- and upper-class women, whereas it is in fact the demand of poor women fighting against neoliberalism. This shows that people who have progressive views on some issues may also have sexist, regressive attitudes that deny full personhood and agency to women and girls.

However, many Christians do not subscribe to these attitudes, and some have argued and campaigned explicitly against them. Rebecca Todd Peters, author of *Trust Women: A Progressive Christian Argument for Reproductive Justice*, an ordained minister in the Presbyterian Church and professor of religious studies at Elon University, points out that counterposing 'pro-life' to 'pro-choice' is a flawed paradigm because one is a theological position and the other is a legal one: they are incommensurable. She suggests instead a moral framework based on a foundation of reproductive justice, which recognises the right not to have a child, the right to have a child, and the right to raise children in a healthy and safe environment;<sup>3</sup> she coins the term 'prenate' for the developing foetus, since she found that few women used the term 'foetus', and yet it was important to emphasise the distinction between a 'prenate' and a baby in order to argue that in many cases, abortion can be a morally good

decision. This is a position compatible with her feminist interpretation of Christianity, but it could be equally compatible with other faiths or none (Russell-Kraft, 2019).

Willie Parker's trajectory was different. The fourth of six children of a Black single mother, he grew up in abject poverty, and despite all the obstacles stacked up against him became a doctor, specialising in obstetrics and gynaecology. A Christian who initially assumed that abortions were wrong, he explains in his memoir *Life's Work: A Moral Argument for Choice* that he became convinced that the freedom to take part in the reproductive process or not belongs as much to women as to men; forcing a woman to continue a pregnancy she wishes to terminate denies rights to a life that already exists, because if women and men have equal agency, women have the right to be self-governing, to have bodily integrity and moral authority to make decisions about their bodies, including decisions about reproduction. He points out that abortion is never mentioned in the Bible, and feels that 'the idea that life begins with the mere meeting of sperm and egg is offensive to God'; based on this belief, he 'continues providing safe and compassionate abortion care to the women who need it in the southern states where they are least likely to see their rights honoured – Alabama, Georgia and Mississippi,' despite legal obstacles and threats to his life (Merelli, 2017).<sup>4</sup>

### **Pregnancy, motherhood and mothering**

Pregnancy has been described as a 'biological war' between the embryo and the woman: on one side, the embryo punctures arteries and widens them to capture more blood, and pregnancy puts so much stress on the woman's body that even today, around 800 women die each day of pregnancy-related causes; on the other side, the woman's body attempts to protect itself from unviable embryos by making the endometrial wall of the uterus so difficult to penetrate that around half of pregnancies fail,

mostly at the implantation stage (Sahedin, 2014). In other words, nature has no qualms about abortion, and even seems to require it in order to ensure the survival of the species. The way in which the embryo, and later the foetus, develops by taking oxygen and nutrition from the woman – leaching calcium from her bones and exacerbating anaemia if she is undernourished – has led Catherine McKinnon (1991: 1314) to compare it to a parasite, although it is obviously not one. The physical demands on the woman continue after birth if the baby is breast-fed – which is ideal for the baby – and in the majority of cases, the mother also carries out most of the round-the-clock caring and nurturing of the infant and toddler, putting obstacles in the way of her doing any other work unless she can afford a nanny, or a nursery is available. In every way, her life is turned upside down.

This is why so much depends on whether the woman or girl wants the baby or not.<sup>5</sup> If she does, then the discomfort of pregnancy, pain of childbirth, and associated risks are all worthwhile; if she doesn't, then they are inflicted on her against her will, along with the disruption of her life caused by having a baby.<sup>6</sup> In Adrienne Rich's groundbreaking book *Of Woman Born* (1986/1976), she explains, 'I try to distinguish between two meanings of motherhood, one superimposed on the other: the *potential relationship* of any woman to her powers of reproduction and her children,' which she identifies as the practice of mothering, 'and the *institution*, which aims at ensuring that that potential – and all women – shall remain under male control.' In the long introduction to the 1986 edition of her book, Rich acknowledges the limitations of the White, middle-class perspective from which she wrote it; but despite these, her critique of the way in which women are oppressed by the assumption that childcare comes naturally to them and childrearing is the sole responsibility of the biological mother, even while she has no control over the conditions in which it is carried out, remains a powerful indictment of the institution of motherhood. 'Furthermore,' as Andrea O'Reilly (2004: 2–3) points out, '*Of Woman Born*

influenced the way feminist scholars theorize mothering-motherhood... In privileging subjective knowledge and by blending, blurring and bending the conventional oppositions of theory and experience, *Of Woman Born* cleared the way for a feminist narration of maternity in both literature and theory.<sup>7</sup>

In her last chapter, 'Violence: The heart of maternal darkness,' Rich links her critique of the institution of motherhood to the demand for autonomy and choice by showing how forced maternity, especially in cultures where unmarried mothers are despised, can lead to despair and a sense of having lost control, which can in turn lead to infanticide. Emily Jeremiah (2004) extends Rich's analysis by comparing it with Toni Morrison's novel *Beloved*, in which the mother, Sethe, kills her daughter in an attempt to save her from slavery: an act of love and resistance given the context of patriarchy and slavery, but one which haunts her. To such cases of deliberate infanticide we should add those in which unwanted children die of neglect and abuse at the hands of their mothers, their mothers' partners, their adoptive parents, or the institutions that take them away from their mothers, and those who die of malnutrition or disease because their poverty-stricken mothers are unable to provide for them. The children who die are only the tip of the iceberg; below them lie millions more who are damaged because their mothers are too overworked and harassed to give them the sustained loving attention they need, nor do others provide it. Finally, there are the child victims of rape, who are doubly traumatised or even at risk of dying if the pregnancy is continued, like the 10-year-old Brazilian girl persecuted by anti-abortion campaigners and forced to fly over 900 miles for an abortion after being raped (Phillips and Briso, 2020). When we add them up, it becomes evident that the issue of reproductive justice is not simply one of women's human rights but also of children's human rights.

How, then, do we account for the vociferous Christian women who are part of the anti-abortion movement? It is likely that most of them lack enough knowledge of biology and the Bible to question the depiction of the foetus as a baby and abortion as infanticide. But Jes Kast, a woman who grew up in an Evangelical community and participated in anti-abortion protests from the age of 12, changed her mind on abortion when she began caring about racial justice, bodily autonomy and other justice issues; she eventually became a pastor in the United Church of Christ, serving on the clergy-advocacy board of Planned Parenthood (Green, 2019). So that leads us to another question: what prevents these women from questioning and rejecting their mistaken beliefs?

One possibility, especially for Catholic women, is that their community provides them with a sense of belonging and some degree of agency within a 'feminine' sphere of activity, which they could lose if they challenge the teachings of church leaders. In the case of the Evangelical Right in the US, a survey found that respondents who opposed abortion, including women, were significantly more likely to be hostile to gender equality (Filipovic, 2019); it is likely that having grown up in families where the father's authority goes unchallenged, they accepted women's subordination as right and proper. Women who are devoted followers of Trump, despite his overt sexism, are reminiscent of the Nazi women who were devoted to Hitler, despite the Nazi contempt for women, and proclaimed that National Socialism would restore women to their true profession: motherhood (Koonz, 1987: 72–77). In both cases, the racism and ultranationalism of the leaders probably constitute(d) an important element of their attractiveness to White women as well as men. Finally, the role of money: Norma McCorvey, the 'Jane Roe' of the Roe v Wade case, turned into an anti-abortion campaigner after becoming a born-again Christian in 1995, but in 2016, shortly before she died, revealed that she had been paid at least \$456,911 by Evangelical leaders to switch sides (Horton, 2020).



## Conclusion

Despite setbacks in the struggle for reproductive justice, abortion laws globally were liberalised between 2000 and 2017. Twenty-seven countries expanded legal grounds for abortion to include protection of a woman's health, socioeconomic reasons, or without restriction as to reason, while only one country (Nicaragua) made abortion laws more restrictive; in addition, 24 countries approved at least one of three additional grounds for abortion: rape, incest and foetal anomaly. Improvements in the reach of safe abortion services and post-abortion care, even in highly restrictive contexts, means that fewer women are dying from unsafe abortion: 'Globally, the estimated abortion-related fatality rate (i.e. the number of deaths per 100,000 induced abortions) dropped by 42% between 1990–1994 and 2000–2014, from 108 to 63' (Singh et al., 2018). This is still far too high, but it represents progress.

The struggle for reproductive justice continues, and Christians can be found on both sides of the divide. The relatively recent and totally arbitrary adoption of a hardline position opposing abortion by the Vatican and Evangelical Right fits the pattern of religious fundamentalist responses to the undermining of traditional hierarchies by democracy, which in all cases have a strong patriarchal component. The Evangelical Right's wholesale backing of Trump – a man who boasted about grabbing women 'by the pussy' – shows that their so-called 'family values' boil down to pure misogyny. Their strategy of seizing upon obscure Biblical passages and misrepresenting them to boost their own message while ignoring numerous passages that contradict their message is also straight out of the fundamentalist playbook. This conclusion is supported by research which found that 'increased religiosity – that is, taking your religion seriously and acting accordingly – actually increased support for abortion rights,' whereas 'religious orthodoxy, a.k.a. adherence to hard-line tenets, was strongly associated with opposition to abortion rights' (Jacobs, 2018).

Having an abortion is not a pleasant experience, and no woman or girl would opt for it unless the alternative would be worse. Free and reliable contraceptives, in combination with relationship and sex education that teaches men and boys to respect the autonomy of women and girls and eliminates rape and incest, would result in a drastic reduction of the need for abortion, although it may still be necessary on rare occasions. Until then, however, its availability is crucial for ensuring the right of women and girls to make decisions about their own bodies and lives, and the right of children to be loved and wanted.

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**Notes**

<sup>1</sup> An estimated 25 million women and girls have unsafe abortions every year. Around 22,800 die as a consequence, and many of those who survive suffer long-term damage (Marie Stopes International, 2019).

<sup>2</sup> The Old Testament story of Onan is often cited as prohibiting contraception and masturbation, but it does nothing of the sort. In it, God kills Onan for 'spilling his semen on the ground' *in order to avoid 'raising up an heir' for his deceased elder brother by impregnating his childless sister-in-law*, as commanded by his father Judah. According to Leviticus 15: 16–18, the only penalty for nocturnal emissions, masturbation or coitus interruptus is that the man (or man and woman) must bathe with water, and be considered unclean till evening.

- <sup>3</sup> This definition of ‘reproductive justice’ was first articulated at a conference in 1994 by a group of African-American women who were advocating a more holistic approach to reproductive rights that included social justice and human rights, and it became the basis of their activism (Starkey and Seager, n.d.).
- <sup>4</sup> In March 2019, Parker was accused of sexual assault by abortion-rights activist Candice Russell. She was not working with him but was 20 years younger (he was 52, she was 32). In an exhaustive investigation, Maggie Bullock (2020) found that Russell alleged in an essay that in October 2016 he had sex with her while she was drunk; she also alleged that he was a serial predator, but Bullock found no evidence of other assaults; and that she had received hundreds of abusive emails in response to her article, but was unable to produce them. Parker, who as a result of the allegations lost his position on boards of various reproductive-rights organisations and was no longer invited to conferences and talks, said that she made him sound like the stereotypical sexualised black man; he didn’t buy her any drinks on that occasion; and she showed no signs of being intoxicated. Black feminists Loretta Ross (who had been director of the first rape crisis centre in the USA) and Toni M. Bond (2019), founders of the reproductive justice framework, cautioned that while sexual assault survivors should be able to name perpetrators without fear of retribution, there was also a danger of violating the human rights of the accused, given that ‘the court of public opinion has never been a fair process, especially for people of color,’ and therefore called for ‘a process that seeks to unearth the truth’.
- <sup>5</sup> The third possibility – commercial surrogacy, where the woman wants the pregnancy but not the baby – cannot be considered here. And of course an unplanned pregnancy can produce a wanted baby.
- <sup>6</sup> Disclosure: I loved babies from an early age, welcomed my first two pregnancies, and adored my babies when they were born. But when I got pregnant for a third time due to failure of my IUD, after my children started going to school and I had begun going out to work again, I was astonished at the wave of dismay and resentment that swept over me. There were economic reasons for the dismay – even with my income, we could hardly make ends meet – but the resentment was because I found my work satisfying, felt it was socially useful, and didn’t want to give it up. Luckily for me, it was Indian government policy to encourage women in my position to terminate their pregnancies and get tubal ligation, so I was provided with both procedures at no cost. I still love babies, but have never regretted that abortion.
- <sup>7</sup> I have reservations about the use of the term ‘mothering’ for the non-patriarchal nurturing of children. After an infant is weaned, a man can do everything for a baby that a woman can do, and even before that can bottle-feed the baby with formula or expressed breast milk. There are cases where a man – either gay or heterosexual – is desperate to have a baby and a woman agrees to go through with a pregnancy provided he does the bulk of caring for the child. Challenging the gender division of labour in childcare is an important way of undermining the patriarchal institution of motherhood, and the term ‘mothering’ is too gendered to do that.



Image 9: Buenos Aires, March 8, 2019 ©Cecilia Garcia. All rights reserved

# The Perils of Fundamentalism in France

## Interview with Caroline Fourest by Stephen Cowden

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**Stephen Cowden (SC):** Caroline, you've had a distinguished career of acting as investigative journalist into questions of religious fundamentalism. Could you tell us how you first got interested in those questions?

**Caroline Fourest (CF):** Since the beginning, my interest about fundamentalism is connected to my interest in feminism and gender-based approaches. Because the first group I did work on was the Christian fundamentalist, and especially the anti-abortion movement, who were, at

that time, very active in France, helping the National Front who were my, also, first big work. So, I moved really slowly to the study of all fundamentalism. For years, I only specialised in Christian fundamentalism, especially Catholic ones.

**SC:** This was primarily Christian fundamentalism in France? Which you said is linked to the Front Nationale?

**CF:** Yes. Then I did enlarge to the study of the Christian fundamentalism in France to include the USA, also the pro-life movement behind the election of George Bush. But after 9/11, it became more and more difficult to not work on all kinds of fundamentalism, especially because, for years, many of my Algerian friends told me, "But you need to focus also, Caroline, on what is going on in Algeria, where the Islamists are just basically killing us, and you only speak about Christian fundamentalism."

**SC:** What years are we talking about here around the Algerian situation?

**CF:** It was the black years of the civil war between Islamists and democratic secularists (1991-2002), who were themselves in a very difficult situation because they had to accept the protection of the authoritarian regime, just to avoid being killed by the Islamists. So, it was basically the beginning of the inferno, and the nightmare, we are living since many years now, including in Europe. So, once 9/11 occurred, the only way to continue to be effective and useful on fundamentalism without fuelling the extreme right and the racist groups was to work on Islamism exactly the same way I did on Christian fundamentalism.

**SC:** And how did you start doing this work? What was your early focus when you started doing this work on Islamist fundamentalism?

**CF:** I wrote a book with Fiammetta Venner, who is a political scientist, named *Crossfire*<sup>1</sup> which concerned the way secularism was under fire from Christian, Jewish and Muslim fundamentalism. We also compared them on the question of women's rights, approach to the culture, gay rights, also terrorism of course. This study led us to say it's not a question of religion, it's not a question of culture, it's rather a question of the political instrumentalisation of religion. This is the basic definition of fanaticism; what we call in France 'intégrisme', which is more precise.

**SC:** Could you just tell us a bit more about what that term might mean for people outside France?

**CF:** I know that in English the term used is basically 'fundamentalism', but this is only one sort of religious radicality. On the side of the practice, for example, you have orthodox Jews, you have Protestant fundamentalists, you have also Islamic fundamentalists. When we say 'intégriste' in France, that means it's not only that you are radical on the religious point of view, it's that you are radical on the political view in the name of your religion. And that's what I'm studying. I'm not interested in working on spiritualists, on some cults who want to retire from the world in a very dogmatic way. I'm interested in when the groups who sometimes can appear even less radical on the question of the practice of the faith, but, in fact, are more radical on the political impact, on the society.

For example, if you compare the different branches of the Salafism today; there is a Salafism that is very orthodox, very purist in its practice, which can definitely lead some to Jihad. But some of these communities are living far from the society and are not getting involved in politics. Other more reformist Salafists can be less fundamentalist, in the sense that they are trying to adapt their practice to society, so as to appear more modern.

It is the case of the Muslim Brothers, for example, which is from my point of view, after 20 years studying those groups, the most dangerous

politically. This is because they have a global strategy to destabilise many countries, many societies by many means, at the same time as being very smart and attractive in the media, using very soft, polite speech. They can be seductive, including for very smart students and people who are usually not attracted by radicality. And at the same time they are preparing groups of people to be ready to fight for their cause, which involves them being very aggressive and intimidating toward any secularist Muslims who are in front of them. My theory is that they are the most dangerous because they are the most active in fighting secular and peaceful Islam in Europe.

**SC:** Okay. Let me just take you back a bit to thinking about how we might define what we call fundamentalism. And I think you made a really interesting point there, that some of the most pernicious forms of religious fundamentalism that you're talking about within Islam are not necessarily strictly orthodox, they are not necessarily interested in the highly orthodox practice, but they are much more interested in politics? So if we're trying to characterise the relationship between what we might call religious fundamentalism and what we might call loosely 'mainstream religion', how might we think about that relationship?

**CF:** I think we have to go back also to a very simple test that a part of the left is forgetting when it is about religion these days. It is that in every culture, religion, political movements, there are progressive and there are reactionary elements. Fanatics, fundamentalists, integristes, whatever you want to call them - when their fundamental interest is in the political, they are more than reactionary. This is because they want to bring about a big backlash for all of the society where they are living. And their first victims, and first targets are definitely the secular Muslims. These are the Muslims who want to practice their faith, or sometimes who are just born in a Muslim culture without practicing the religion and want to live in a modern society like everyone, like every citizen, who suddenly find themselves at the centre of a campaign of intimidation, blamed for being



'false Muslims', the "wrong sort" of Muslims, "collaborating with modern society", etc.

And this war really is a war because it is a battle over freedom of speech. In the name of being offended, the most reactionary representatives of a community can silence the most progressive, the one who is open minded and open especially to the critics of the religion. So, this is where the cultural battle for me is the most important, more than the fight against terrorism. Because terrorism will end one day, it will take time, because when ISIS is down, Al Qaeda will be back again and other groups will be back again. But as long as we don't have this broader and more expansive view of how these forms of politics emerge within the cultural and intellectual background of this fanaticism, we won't solve it.

**SC:** What you've said there might be thought by many people as a reversal of how these things are usually thought about, right across the political spectrum, from the left to the right. Most people and most government policy is focussed on the fight against terrorism. Are you saying that the 'cultural battle' is more important than the fight against terrorism?

**CF:** Of course I'm saying that both are necessary, and if we don't stop terrorist attacks we will lose the cultural battle, alongside the way these events fuel racism, hate, anger. So it's important that there is, at least, the minimum in democracy, a sort of national consensus in every country of modern society that wants to live in peace, about fighting terrorism. But politicians are really lazy, because they are stopping there, and especially in countries where the communitarian vote is so important to be elected. At the moment that politicians think they have to seduce communities to be elected instead of defending the national interest for all. They don't address this, also because sometimes they don't have level of understanding and insight that is needed to do so, because they themselves confused about 'who are the Muslims' and who are not. What

they are doing is speaking about the Muslims as though they are a whole united community - while there is an internal war, so brutal, between the fanatics and the progressives and open-minded ones that is going on all the time. And every time that a politician is doing that, they fail to be very clear about the fact that they are not supporting not only the terrorists, but also the fundamentalists. In this way politicians are helping the reactionary, the more brutal, the more violent, the more sexist, the most homophobic, the most unfair, to be dominant at the cost of all of the others.

**SC:** Yes, I think this is a really crucial point you make, which is firstly that there is something deeply patronising about the failure to recognise the range of political views amongst Muslims, but also that there are many Muslims who are directly being targeted by Islamists. It's common for politicians in Britain to talk about 'the Muslim community', implying that this community is all of one mind. So, in a sense that war that you're describing which is, as you say, a violent and brutal war, is something which is unrepresented, really, in the western media, and something which the vast majority of people don't know about.

**CF:** Honestly it is the case. In France we're speaking a lot about it, but while every time I'm crossing the borders and I'm speaking with, especially British colleagues, I'm really surprised the way this is not yet a debate. The simplification of this whole question, especially in English speaking countries, is terrifying. I've done lectures in the USA recently, and while there I spoke with students who are very progressive, very proud to be on the side of democracy, and very, of course, depressed by the victory of Donald Trump, without beginning to think about why it was that Donald Trump did win. Why was it so easy for him to win this cultural battle?

And when you are looking to the level of debate inside the American left, you have the answer. If, when there is a brutal, reactionary movement as

is the case of fanaticism today, which is destabilising, attacking everyone who is not like them, everywhere in the world, and the only leftist answer is to say, "Respect the culture, respect Islam." Every time you have this confusion between respecting the individuals in a very antiracist perspective that I share, of course, but then when it comes to Islamic reactionaries you suddenly stop being progressist and leftist? You are supposed to continue to be in solidarity with their victims which, again, are the open-minded Muslims.

I'll just give you one example about what is going on in Britain and one that I have been fascinated by. This is the campaign *One Law for All*, because for the first time, and especially most ex-Muslim feminists addressed this issue, these are women from Iran, from Bangladesh, from Pakistan. It's not a coincidence. It's because those feminists, coming from a Muslim background, are the first to know that every time they are confused with the fanatics in the name of respecting a community, they are losing their rights, and they are the victims of this patronising way to view the Muslim community.

And if you decide that 'the community itself should deal with those issues', then what does that mean? This can mean that when immigrants, who for example could be a girl coming from Pakistan or Iran to escape the fanatics, who then arrives as an immigrant in Britain, then who will defend her rights when she is in a situation of domestic violence or being under this domination of the male? This leaves her just alone in the face of that brutality, a brutality which comes to be tolerated as part of 'respecting culture'. That's anti-feminist.

**SC:** Absolutely. Now Caroline I want to move the discussion in a way that is talking about another aspect of your work which is very closely related to what you talked about with relation to the weakness of these arguments about 'respect the culture'. What you are saying is that when

people say they are respecting cultures they are essentially respecting a very patriarchal culture. That makes women's lives and struggles invisible. But in your own work, you have raised the question of how one should criticise religion in a more definite way, and I'm particularly thinking about your work around blasphemy. In a recent article which has been translated into English you talk about the 'sacred right to blaspheme'. Could you tell us something about why you think this whole question of blasphemy is so important?

**CF:** I used the word 'sacred' to balance, a bit, the situation where the religious people and the more intolerant religious people are always using the argument of their sacred right to be not offended, to silence everyone who is not thinking like them. So, at one point, I felt that the only way to say, "Okay, we are living both in the same society and expression is for all," was to say blasphemy is a right also. Because blasphemy is an opinion, you're not killing someone, you are not forbidding someone to think or to speak, you are just expressing your view on religion. And we know that every society who is not allowing free minds to criticise religion turns to authoritarian countries.

Every freedom in Europe has been won by first criticising the authoritarian regime and the authority in the name of a god used to silence the others. Especially with regard to France, when Charlie Hebdo was so passionate about defending the right to publish cartoons about Mohammed in a very specific context, I have to remind, maybe a thousand times on many TV programmes all over the world, that it was not a free provocation. It was a way to respond to a specific context where some Danish newspaper's journalist and cartoonist were under death threats. And where the only way to support this freedom of expression in the face of really serious death threats was to say, "Of course we are not following the rules of the fanatics".

There were a lot of people who helped the fanatics to think that the religious rules apply to everyone around who is not necessarily from that religion or is even religious. This is the beginning of domination which has no end. When you start to say that the taboo of one specific group, from their very restrictive view on religion, applies to everyone, then it's the beginning of the end of individual liberties. Nothing less.

So, this is why Charlie Hebdo and many newspapers, not only Charlie Hebdo, stand on the fact that it was important to continue to show the heart of polemic. First because this is the elementary job of a journalist, to inform and to let people think about the drawing themselves.

**SC:** Which Charlie Hebdo definitely did.

**CF:** I know that it was a very, very complex article about the context of the Danish cartoons. Whether they were good or not was not the point, we did not say it was fantastic.

**SC:** It was an argument fundamentally about freedom of expression.

**CF:** It's just a worldwide polemic that fanatics are threatening to kill cartoonists for those little drawings. And we think that our duty is at least to let you judge if this violence is justified, if there is not an unbalanced reaction there. Obviously, the aftermath of the story proved that the unbalanced reaction was predominant and clearly the beginning of something we should worry about. And after the 7<sup>th</sup> of January attack in 2015, it was, at least for a few days we thought, okay, now the world will understand the importance of standing for freedom of expression. But it only stayed for a few days, and the week after the same journalists who were so sorry about the loss of colleagues insulted me almost... not insulted, but were so brutal and violent about the cover of Charlie Hebdo saying everything is forgiven. And the way this material was censored on

British channels, on British newspapers - this was, for me, like killing them both a second time, refusing to do the journalist's job, refusing to inform, censoring... why? To please some fanatics? To please some people who are intolerant and incapable of looking at a drawing? This is the beginning of the Middle Ages coming back to Europe. You don't stop when you are on that path, because it's never enough to please those who are claiming to be offended because they are fanatics and intolerant, and so sensitive. They are happy only where you are following their rules. So, I'm not saying that every drawing is smart or is appropriate, I'm just saying that you cannot let think that the newspaper should act, the media should act as a religious fundamentalist court.

**SC:** These arguments you are putting forward might be those you would think that leftist progressives, feminists etc., would be absolutely rallying behind. Yet, what we see is massive confusion around these issues. Would you like to speculate on why you think that might be the case?

**CF:** Yes. And I wrote a book also, I think it's 15 years ago now, about trying to find an answer to that very troubling question.

**SC:** This book was called?

**CF:** 'The Obscure Temptation'.<sup>2</sup> It was about the temptation of the left to deny those issues, and more than that, to collaborate sometimes with extremely reactionary groups in the name of patronising the Muslim, in the name of being anti-imperialist, in the name of fearing racism which is, to my point of view, the best way to fuel it. I don't think that the extreme right in Europe is growing because of terrorist attacks directly than because of the blindness of the left about it. It's helping them so much to appear to be the only concerned people about what is going on.

**SC:** You're in the paradoxical situation where the only people who will name Islamist terror, Islamist violence, are the right.

**CF:** I don't think it's the case today anymore, at least in France. And honestly, I think that if we did escape from having the National Front in power – including after all the terrorist attacks we faced, almost one every week successful or not successful – it was partly because there is still, in France, a secular movement, right wing sometimes, leftist most of the times, who defend this middle approach of not denying Islamism, naming the problems, and at the same time confronting the extreme right and the racist movement who take advantage of it.

Of course, that is more difficult, that pushes you to be on both fronts every time. To lead two battles at the same time all the time, it's exhausting, but I find it quite healthy and balanced. The difference of the left who think that they will avoid racism by denying Islamism, it's not working because terrorism is there. It's just pushing people to be so angry that they are going to create more hate. Terrorist hate and racist attacks, fortunately we don't have it yet in France, and I hope it will never occur, but nobody can say that. But the denial is only helping hate to grow.

**SC:** But you do have faith in this kind of growing secular movement.? Tell me this: if we're thinking about the, sort of secular movement which is reacting against these kinds of forces, what kind of a political language is such a movement using?

**CF:** The secular movement, at least in France, succeeded in offering a cultural resistance to both the politics of hate and the politics of fundamentalism. But we have no political representation. It's a grassroots resistance, and this is the best situation. But the politicians are starting to be a bit like in Britain, starting to search for a 'cultural approach',

community votes, simplification about identities in a very capitalistic way, or post-intellectual way. Let's say, in a very pragmatic politician approach.

So, the danger is definitely there, even if we did avoid the National Front, we didn't have Brexit, we didn't Frexit, we didn't elect Donald Trump. Because for years, since especially the 7<sup>th</sup> of January (2015) terrorist attacks, I've heard from American and British journalists that France will be the country that will be the most Islamophobic and failing in extremism while it was proved that USA was so tolerant that it would never happen, and that Britain was not the target of the terrorists, and was safe because of the political tolerance. All of that has gone now, because now we know that terrorists don't choose. They don't preserve countries who preserve them.

Britain is in the middle of the Tornado with all of us, unfortunately. And the USA has elected Donald Trump, who is far more extremist than Marine Le Pen is. Of course we still have problems in France. The National Front is still on a high. We avoided them, but not by luck, but by grassroots work. And yes, I do think that this secular movement is for Europe's protection. It's the best way to both avoid people who want to destroy the capacity of people to live together, and people who want to use it as a way to let the fundamentalist groups have power in the name of multiculturalism.

**SC:** So, basically just to kind of think about all of that together, you really think there is a need to go back to those fundamental principles about the right to criticise religion, and the right to free speech and the right to blaspheme? These are fundamental principles, and really, in many respects, they go back to the French Revolution.

**CF:** Oh yes.



**SC:** Yet we're in this paradoxical situation where a lot of those values associated with the Enlightenment have become things which many academics and intellectuals don't defend, they are seen to be associated...

**CF:** They are even fighting it actually.

**SC:** The Enlightenment is presented as an oppressive extension of colonialism. How might we combat those kinds of arguments?

**CF:** First, we have just to notice the irony of that. You're right, many academics today in the name of postcolonial studies are creating that confusion between Enlightenment and cultural imperialism, forgetting that, for example, all the blasphemy laws, which are still sometimes used by fanatics against the progressives in Pakistan or in Bangladesh, are the fruits of the colonial empire of Britain and the monarchy.

So, this is a complete propaganda about confusing universalism with imperialism. Cultural imperialism would be to force people of the other country under economic domination to adopt cultural views, habits, and rights. We are speaking about citizens of their own country, with common law... If not this is actually working like during the colonial time inside your own territories, where there are the exotic, indigenous people who are the immigrants, who are not considered as citizens like the others, and the natives who are supposed to have rights, including to dignity of life. But this is not the same expectation for the others.

In my book *The Last Utopia*<sup>3</sup> I speak about the threats on universalism. Most of those attacks are coming from academics, and also authoritarian states helping them in the United Nations. They are creating that confusion between, again, universalism and imperialism, or tolerating fundamentalism in the name of multiculturalism. I'm believe in secular universalism, which is the most effective way to be equal, to respect

equality, to fight against domination. It can be cultural domination, it can be economic domination, it can be gender domination. And for all.

**SC:** Yes. Can I just ask you how you feel, as a feminist, if there is a specific way as a feminist you need to talk about universalism?

**CF:** Of course, there is a need today to refresh memories about the fact that feminism is a universalism and has always been a universalism. Feminism is the best way to say human gender, humankind, must respect equality for all. For centuries we had to fight against the official patriarchal defenders. It was already a very huge battle, and at the moment I think patriarchy is a very smart ideology, which always finds someone to defend it. At the moment, where feminism starts to win more and more battles, it's at this moment that we start to see people defending patriarchal attitudes in the name of feminism itself, using the word feminism to fight feminists.

**SC:** Could you give us an example of that?

**CF:** I'm thinking about all the academics and feminists who twisted the question of intersectionality, which was supposed to combine the antiracist movement and the feminist movement, to articulate it, to do the deconstructive work against dominations. It tends to be, today, a tool in the hand of some people who have never been part of the feminist movement before, not fighting for the right to abortion, not fighting for gay rights, not fighting for anything, who just appear to say that they are feminist in the name of fighting the other feminists, accusing them of being white, defending the veil and defending prostitution.

So, basically it says that antiracism is first. And as long as antiracism is first, we are not supposed to defend women's rights. Why? This is the cleverest way to break the feminist movement and the resistance to patriarchy in the name of tolerating culture and the name of not fuelling racism.

Unfortunately, that's really working on the young generation. I have students in Sciences Po, and I have met students in many countries around the world at conferences and lectures... I am really worried about the way they are confused about those issues, the way they are less and less political, less and less intellectual, and more and more attracted by this identity politics.

But actually, what happens here is that you reproduce segregation, you reproduce all the racist stereotypes because you think, for example, that a white feminist is not supposed to speak about black issues. So, that means that white people cannot support the antiracist cause. I have met students who are gay being accused by transgender students of being transphobic just because they wanted to debate about whether it is too soon for a 10-year-old to initiate gender transformation? And the transgender people on the campus were saying, "We feel offended, we want a safe room, we want to be separated from those gay, feminist, lesbian girls, because we don't want to hear about that." This is just segregation reproducing stereotypes and forbidding everyone to have a common debate.

When you cannot debate together, you don't live together. It's not a society, it's becoming a capitalistic parking lot where ideology is dead, but identity approach replaces it. But replaces it in the direction of what? Confrontation between minorities, while all this time Donald Trump is waiting, and the right wing is giving the impression of addressing the real issues. It's a nightmare for the left.

**SC:** You're absolutely right. This whole emergence of identity politics and the takeover of that paradigm has really had a detrimental effect, particularly on the younger generation of activists who are confused and who don't have the understanding. It's also related to what you talked earlier about the lack of a political language, about universality.

**CF:** It is related to the end of ideology. And don't get me wrong, I'm coming from a generation, 20 years ago when I started to be a gay activist and feminist activist, my nightmare was the exact opposite. I was inside the left, where they were so obsessed by social questions that they didn't want to hear about gender questions or homophobia. It was not an issue; it was supposed to be second in the list of the priorities. We were supposed to 'wait for the revolution'. In 20 years, we pass from one extreme to another. So, the point I try to make is not: forget about those questions at all. But keep it in a universalist way when you articulate the fight against domination, all kinds of domination. We are supposed to defend the right to progress and not back the backlash, not helping the reactionary, not helping the fundamentalist in the name of identity, respecting identity.

**SC:** So, in a sense, what we're really taking about is reconstructing universalism.

**CF:** Yes, or making it... Universalism is always a promise, it's never achieved. The universal declaration of rights is the most important document which brings together so many nations, so many cultures, so many people around a very simple text which is perfectly clear about the fact that there is no citizen above any other. And no one loves to be tortured, and no one loves to be killed or exorcised or having female mutilation. Nobody likes it. But it's a horizon, as we say in French, meaning it's a view you are watching from afar and you want to reach one day, it's a direction. It's a goal.

**SC:** A process?

**CF:** It's a process... But if you are sure you will never reach it, you are sure to quit. And this is what, actually, some of the political left is doing, quitting the quest of progress in the name of being elected by communities.

**SC:** I want to move the discussion away from those sorts of broader political questions and think about some of your specific areas of research. You've written books both on Tariq Ramadan and Marine Le Pen. I'm really interested in the way you've talked about your work evolving out of concerns with originally Christian fundamentalism, and then you went to look more at Islamist fundamentalism through Algerian colleagues who were telling you about what was going on there.

**CF:** First, yes, they are very similar in some way, Marine Le Pen and Tariq Ramadan, but they have a lot of differences too. The Muslim Brothers, the movement where Tariq Ramadan grew up, and this is the ideology he is promoting among the European young. Muslim Brothers are the National Front of Islam, they are not neo-Nazis, they are not Salafists, Jihadists, they are not stupid terrorists. They are just very, very reactionary people who think that the law is coming from the Qur'an, that the soldier of that law should align the law of their country more and more with Islam's approach. I'm quoting Tariq Ramadan in certain circles, of course he's never saying that on TV.

Marine Le Pen also tried to not say everything she has in mind when she wanted to be elected. Of course, she is never saying, "I'm racist, my main goal of my politics is to do a xenophobic politics." She is saying that she wants to defend secularism, the country, to be a patriot, but when you go behind you see that the National Front has not changed, that its only obsession is immigration and xenophobia as a solution that they have to offer us.

So, on those two figures my main work was to basically do what some journalists never do, that means realising that what Marine Le Pen or Tariq Ramadan are saying in the media and on TV is enough. To do an investigation, to confront those talks with what they really do on the ground, to show to the audience – who can be sometimes tempted into

believing them – who is around them, what is the background? What are the references that infuse that official speech? And it's a lot of work. And I understand why some journalists don't take the time to do it, because I did work on the National Front since 98, and on Marine Le Pen only... it took me, with Fiammetta Venner, months and months to establish exactly what was her ideology, and what could be the politics she would really do once she is elected, if she is elected.

Ramadan was worse. He is more than a politician. I have never seen a politician who can compete with him in terms of hiding his agenda. He has more than double speech, or a double personality. He has, really, a capacity to say whatever people want to hear, and at the same time is giving some glimpse of the fundamentalist agenda to his real audience. And it took me years to be able to confront that, to find proof of this double speech.

I did it in a book which was a nightmare for him in France, as the book about Marine Le Pen was... it really pissed her off a lot. Since then, honestly, my life became quite difficult because criticising Tariq Ramadan is far worse than fighting Jihadists, sometimes. This is because this involves years of harassment on the web, people who are accusing you of being Islamophobic, just because you criticise Tariq Ramadan and his double speech, and then you prove it, as you did with many fanatics before from the Christian world. And also, because he is always changing his sentences in a way to be not caught.

Finally, he is caught now. We really did see his double game, and the fact that he is serving a very, very fundamentalist agenda. There was one fact which at the time was not easy to prove and this involved his relationship with the Qatar Foundation of Yusuf al-Qaradawi. Tariq Ramadan always tries to look modern in his way as a way to promote fundamentalist Islam. But it comes to theology he is under the guidance of Yusuf al-Qaradawi,

who is the guide of the Muslim Brothers, who has written books which are very clear about the fact that, for example, we have to burn the homosexuals to clean the world from their impurity.

But now, today, Tariq Ramadan is officially employed by the Institute of Yusuf al-Qaradawi. He is his chief theological and business chief. So, there is no doubt about that at all now, except many people don't want to see that.

**SC:** You touched on the dangerous and violent nature of confronting Islamist fundamentalism. Would you like to say something about why you think it is so violent? And that there is this very direct danger of people who criticise it. And then how would you characterise Christian fundamentalism in relation to that?

**CF:** It is not that Christian fundamentalists are angels. I mean when you are working on the anti-abortion movement you receive death threats. My partner did receive a real heart of beef in blood by the post office, and there is some crazy Christian fanatics who can kill doctors, who can kill feminists for supporting abortion. Just the level of threats is absolutely not the same in terms of scale, because the number of crazy guys who can kill in the name of religion is far more, today, in the world, in the name of Islam.

When you have more countries less secularised and more Muslim countries are not well secularised because the nationalists, the Arab nationalism, used religion to control their opinion, for years. So, when Arab nationalism failed, and it was authoritarian, the only opposition that was organised was in the mosque, the only place where you can speak freely without fearing the police. And of course, it's the case in Egypt, it's the case in Algeria also. So, you have generations who have been pushed in this alternative of choosing Islamism instead of Arab nationalism.

**SC:** That's the historical context.

**CF:** Historical explanation for the scale of Islamism today. They win in authoritarian regimes because they are the opposition, and as adversity grows, they grow as a grassroots movement. And they win inside open societies where they use the open mindedness of their society to grow too. You join the two and you have the success of the Islamists internationally today, especially in a world where politics has forgotten the taste of being ideological, and what it means to believe in something.

So, this is why, today, when there are the young, and they have the same needs to believe in something, they need a goal. They need to feel alive, they need sense to their life. The Islamists give them that, because they give them a strong ideology to follow. They give the sense that if you go to Syria today to do the Jihad you will have sexual slaves, a colonial palace that you take from the indigenous Syrian people...

Universalism and secularism are the only ways to not fail into the trap of nationalism and racism. As long as you don't accept addressing another important ideology, Islamism will continue to recruit new young people.

**SC:** Thank you very much.

**CF:** Thank you, thanks to you.

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## Notes

- <sup>1</sup> Fourest, Caroline and Fiammetta Venner (2003). *Tirs croisés: la laïcité à l'épreuve des intégrismes juif, chrétien et musulman* [Crossfire: Jewish, Christian and Muslim fanaticism against secularism] (in French). Paris: Calmann-Lévy.
- <sup>2</sup> Caroline (2009). *La tentation obscurantiste* [The Obscure Temptation] (in French). Paris: Grasset.
- <sup>3</sup> *La dernière utopie: Menaces sur l'universalisme* (2009) [The Last Utopia: The Threats Against Universalism] Paris, Grasset



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# A postmodern Post-feminism without Women

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## Abstract

*This article aims at showing the way in which the discursive constructivism and ethical relativism characteristic of postmodern feminism and post-feminism leads to a neo-liberal and conservative political agenda that threatens women's sex-based rights. The article will especially focus on the thought of Paul-B Preciado as a post-feminist activist. It draws a comparison also with the work of Saba Mahmood. In such a context, we will point out the necessity of a neo-material and realist framework able to account for the ontological reality of women, and their irreducibility to social hetero-norms.*

Keywords: Constructivism, nominalism, embodiment, sexual difference, human rights, materialism.

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## Introduction

This paper is an intervention in the debate about postmodern post feminisms in the light of new materialism. It engages critically with the work of Butler and that of Paul Preciado and seeks to show some of the political consequences of the work of the latter. We argue that some of these are neo-liberal and conservative.<sup>1</sup>

The paper defends a dynamic conception of the biological against those who reduce the latter to an inert essence. It sets out to show how the 'performative' conception of the body, articulated by the brilliant theorist, Judith Butler, has led, on the one hand, to a version of queer theory, in the work of Preciado, where 'anything goes' including forms of sexual practice that hark back to de Sade. Of course, there are a myriad effects of the work

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of Butler some of which have had positive political consequences. But another influential follower of Butler is Saba Mahmood who has critiqued human rights and claimed that they are 'western' constructions. This paper deals mainly with the work of Preciado and sets out to show the trajectory from Butler to Preciado. Our article focuses on Preciado's work, rather than that of other queer theorists, as we believe that their work is particularly compelling. But it also mentions the parallel move, from the work of Butler to that of Mahmood and suggests links between these two progenitors of Butler's work. Both Preciado and Mahmood end up, we suggest, in positions that are conservative and neo-liberal. We make no claim, of course, that Butler would agree with positions taken by those who have been profoundly influenced by her work.

What is presented, in Preciado's work, as a dissection of the 'heteronormative and colonial epistemology of the body' (Preciado, 2018, 5) moves, we believe, into something politically altogether more disturbing. We will also argue that although there are contexts where binaries deserve criticism, the proposal that the binary man/woman is a creation of western colonial capitalism is politically damaging and dangerous. It connects with the denial of universals and with the critique of human rights in the work of Mahmood. This is a paper that is partly philosophical. But it is a philosophical paper with political effects.

Postmodern feminisms occurred in part as a result of the linguistic turn in philosophy in the twentieth century. The latter was a major development in philosophy whereby key philosophical problems were to be resolved by focusing on the meaning of expressions. So, for example, a concept like 'responsibility' or 'class' was to be analysed by focusing on the way 'we' use these expressions. Many concepts, therefore, in this way of thinking, can be reduced to socio-linguistic constructions performed by speaking subjects. In her book *Enlightened Women*, Assiter (Assiter, 1996) made a connection between this philosophical perspective and Humean

skepticism, where no connection can be made between an 'idea' or a concept and a real body. Real bodies effectively cease to exist since their existence can never be known with certainty.

Post modernism, then, in a certain vein, lies in this broad trajectory. For one of the most famous of the thinkers broadly associated with this position, Judith Butler, the idea that there is a 'subject', woman, is wrong headed. Instead the category 'woman' is a construct produced by the very system that is supposed to facilitate its emancipation. There is no woman who initiates feminist goals. Rather 'woman' is a production; she is effectively a fiction. Butler critiques feminists use of the category 'woman' as falsely essentialising a notion that is historically and culturally formed, and that, indeed, skates over significant differences amongst women. Butler is, of course, not by any means the only person to have argued this but, as we will demonstrate, there is a very big difference between accepting that there are many categories of woman and suggesting that the very concept of 'woman' is a fiction. Moreover her thesis, as Karen Barad (Barad, 2003) has pointed out, is not the simple claim that speaking subjects construct the self. It is rather a more subtle view to the effect that there are 'unexamined' habits of mind that give language power in constructing the self.

We begin the article, then, with what we see as a crucial aspect of Butler's writing that leads to a certain version of queer theory. This is Butler's discussion of what would now be termed 'abject bodies'.

### **Butler on Abject Bodies**

For Butler, in *Bodies that Matter*, (Butler, 1993) 'performativity' is equated with the power of discourse to produce bodies. Instead of being born women we are rather constructed as women. Norms of gender work on bodies to create woman in a hetero-normative fashion. In a recent twist in

this story, post-modernism, in a certain vein, has become post-feminism where women are nothing but the old-fashioned constructions of hetero-normative regimes. Preciado's work draws on that of Butler but moves in an entirely new direction. We believe that their work, as noted, although it draws on other queer theorists and philosophers, is particularly significant.

Sex, then, as well as gender, for Butler and others, is a construction, defined as the set of effects—namely, representations, behaviors, desires, social relations, etc. produced in bodies by the deployment of complex political technologies (de Lauretis, 1987, 3). Prior to this, the theory of gender was articulated within the so-called 'sex/gender system' (Gayle Rubin, 1975, 159) and was interpreted as the political economy of material bodies. This sex-gender system reproduced the classic —phallogocentric—dualism between a merely passive, indeterminate and receptive material substratum, and an active, determinant and generating form, attributed in some cases to the socio-linguistic performativity of rational and speaking subjects (Gatens, 1996).

The hylomorphism involved in versions of the sex/gender system installed a dualist opposition and radical discontinuity between material bodies and speaking subjects, nature and culture, human and non-human beings. This kind of dualism is conceptually fragile, unstable, and tends under its own weight to a monist reductionism, as shown by feminist queer theory. Judith Butler took the decisive step in that direction overcoming the sex/gender dualism by a linguistic monism — the denial of a duality between discursive construction and material bodies — performed by socio-discursive agents.

Butler is skeptical of the Enlightenment subject; of foundationalism; of mind/body dualism; of substance metaphysics and of the dualism that goes along with that between mind and body, between freedom and

determinism. We concur with her critique of these positions but dissent from her conclusion. The conclusion she draws from her critique is a Foucauldian inspired one—namely that there is no ‘identity’ of woman; there is no universal human. Rather, the body itself and the self are ‘performatively enacted significations’ (Butler, 1990, 33). For her, following Foucault, the ‘body is not «sexed» in any significant sense prior to its determination within a discourse through which it becomes invested with an «idea» of natural or essential sex’ (Butler, 1990, 92) ‘Sexuality is an historically specific organization of power, discourse, bodies and affectivity’ (Butler, 1990, 192). What Butler calls the ‘maternal libidinal economy’ is, following Foucault’s approach, an effect of discursively constructed power relations. The ‘maternal body’ is discursively produced but constituted as natural and ‘pre-discursive’ (Butler, 1990, 92).

In this way, sex-gender dualism is replaced by a version of nominalism beyond whose discursive practices there is nothing. Bodies, sexes, sexualities, libidinal economy, affects, desires, maternal attachment all turn out to be the historical and contingent outcomes of power-relationships. They are not materially formed, but rather they are socio-linguistically materialized in and by discursive practices. That means that physical materiality, bodies, desire, sexes and sexualities are language’s coagulations - purely the *flatus* of their discourses.

Language performs the real, normalizes some identities and marginalizes others. One of the classic arguments used by Butler to show how language normalizes reality is focused on the so-called abject bodies, kept out of the norm. In *Gender Trouble*, Butler recovers the story of Herculine Barbin and discusses Foucault’s engagement with the case in his work *The History of Sexuality*. Herculine was a nineteenth century French ‘hermaphrodite’ (she was so labelled by both Foucault and Butler). ‘She’ was assigned the sex of female at birth. In her twenties she was legally forced to alter her sex to that of male. Butler is sympathetic to the overall approach taken by

Foucault, in his claim to the effect that the sexed body is 'produced' by discursive practices in the context of power relations. Following him, she reads sex and sexuality as historically specific organizations of power relations.

However, she thinks that Foucault does not understand Herculine and he contradicts his own theoretical framework in his discussion of the 'hermaphrodite'. She criticizes Foucault for romanticizing Herculine in a world of 'pleasures as the 'happy limbo of non-identity', a domain that exceeds the categories of sex and of identity' (Butler, 1990, 94). Foucault, Butler argues, 'takes a stand' (Butler, 1990, 95) against some liberatory models of sexuality because they don't acknowledge the historical production of sex as a category. Some previous feminist analysis, according to Butler's reading of Foucault on this subject, takes sex as its point of departure whereas he wants to outline the way in which sexual difference is 'constructed' within discourse. According to Foucault, if, therefore, 'sex' disappears, then there is a happy world of bodily pleasures outside the binary construction of most sexed bodies. Herculine, according to Foucault, depicts a world of a primary sexual multiplicity analogous to the 'primary polymorphousness' of psychoanalysis or the 'original and creative bisexual Eros' of Marcuse.

In her challenge to this picture, Butler argues that Foucault has failed properly to understand Herculine. The latter's journals narrate his/her unhappy, tragic life of 'unjust victimization, deceit, longing, and inevitable dissatisfaction' that culminates in her/his suicide. Butler chooses to read Herculine very differently from Foucault. She asks the Foucaultian question: 'what social practices produce sexuality in this form?' Herculine is 'produced', in Butler's reading, 'by romantic and sentimental narratives of impossible loves'. It is especially difficult, according to Butler, to separate 'gender' from 'sex' in Herculine's case. Herculine's confusions and unhappiness point to their unsettling of binary categories. Herculine's



'laughter' or is it Foucault's laughter following a reading of Borges shattering of the Aristotelian distinction between universals and particulars, designates 'humiliation or scorn' (Butler, 1990, 104). For Butler, Herculine's sexuality is both produced by the law and outside the law. 'She' 'embodies the law, not as an entitled subject, but as an enacted testimony to the law's uncanny capacity to produce only those rebellions that it can guarantee will – out of fidelity – defeat themselves and those subjects who, utterly subjected, have no choice but to reiterate the law of their genesis' (Butler, 1990,106). In other words, Herculine is constructed by the law in such a way that she always remains outside its sphere of jurisdiction.

Summing up, the case of inter sex people –labelled by Butler and Foucault 'hermaphrodites'– serves to illustrate the constructive and normative character of sexual difference, that is, the political construction of women along with the fictional construction of feminism. According to Butler, 'woman' is a normative category used for including and excluding, rewarding and punishing. Men and women exist as social norms, political signifiers of a hetero-normative regime that it is urgent to remove.

Butler claims that there is no universal women partly because some women would dissent from being thus labelled, i.e., according to her, labeled as the dominated class of a hetero-normative regime (Butler, 1990, 3). She dissents from what she calls 'fictive' forms of universality or the false claims of some universalisms that disguise westo-centric assumptions about women. She is also critical of foundationalism and she implies that the 'liberal' universalizing project rests on false foundationalist premises.

Butler's radical socio-linguisticism marks the passage from feminist philosophy to post-feminist queer studies, focused on abject bodies released from all heteronormativity and, then, constructed beyond sexual

difference as free materializations. Queer multitudes are the very vanguard: the true advanced performers in counter-sexual and counter-reproductive matters.

### Preciado

Paul Preciado is brilliant writer, philosopher, curator and an influential thinker. In an interview conducted when Paul wrote as Beatriz Preciado, Ricky Tucker writes: Beatriz ‘toggles between a personal account of using topical testosterone, Testogel, as a kind of performative homage to a fallen queer friend, and a cultural analysis that investigates how pharmaceutical companies politicize the body– down to the molecule (Tucker, 2013). Earlier, Tucker had been desperately trying to worm his way into a packed lecture theatre where Beatriz was speaking about their then new text *Testo Junkie*.

Preciado, as noted, challenges the existence of ‘binaries’ and argues that binary thinking is an effect of western colonial capitalism. Quoting them: ‘The homosexual identity, for example, is a systematic accident produced by the heterosexual machinery; in the interest of the stability of nature-producing practices, it is stigmatized as unnatural, abnormal, and abject’ (Preciado, 2018, 28). This ‘bourgeois, colonial, central European genital-prosthetic machinery’ stigmatises abject bodies. Among all of these bodies therefore, woman and man ‘are reduced to two elements with equal status as Butch or Drag King’ (Žižek, 2017, 135), that is, woman and man are registered like so many other cultural constructs but, unlike the others, they are basically determined by hetero-norms. The normative discourses construct our sexuality, our gender and our sex. Preciado’s own taking of testosterone is not merely an act designed for themselves. It is, for them, a political act. Preciado takes it to ‘foil’ what society wanted of them.

For Preciado, the various creations of the pharmaco/pornographic discourse, the 'queer multitudes', are enriched by the prosthetic, hormonal, cybernetic, pharmarco- and neuro-devices of postindustrial capitalism available for discovering new transgender experiences. Prosthetic bodies injected with silicones, hormonally controlled, surgically amputated, and inspired by sophisticated technologies of pleasure relying on dildos, anal practices, fist-fuckings, sadomasochism, intoxications and many other possibilities of queer invention open for us the way to counter-sexuality (Preciado, 2018). 'The cyber-teratological social imaginary of late postmodernity' (Braidotti, 2002, 170), invite us to perform the emptiness of the real by a pharmaco-pornographic reason of counter-sexual character. Preciado themselves claims to want to 'feel a form of pleasure that is post pornographic' (Preciado, 2013, 1).

On the stage of a radical post-feminism come forward the 'multitudes queer' (Preciado, 2003), potentially infinite, undecidable and in permanent construction. In *Testo Junkie*, Preciado's bodies become the effects of the pharmaceutical and the pornography industries. In this text, Preciado demonstrates how hormones have affected the way in which gender and sexual identity are formulated, and how the pharmaceutical and pornography industries serve to create desire. It includes a dramatic account, as noted, of Preciado's use of testosterone each day for a year and its effect on their desires as well as their imagination and writings. What we have, in Foucauldian vein is the 'biomolecular (pharmaco) and semiotic- technical (pornographic) government of sexual subjectivity' (Preciado, 2013). To quote Preciado once more: 'The psychoanalytic notion of castration depends on a heteronormative and colonial epistemology of the body, a binary anatomical cartography in which there are only two bodies and two sexes: the masculine body and subjectivity, defined in relation to the penis, a (more or less) extruded genital organ, and the female body and subjectivity, defined by the absence of a penis' (Preciado, 2018, 5). Although the intention is no doubt different, is

Preciado here smuggling in a defence of castration? One of Preciado's talks was called *Hacking the Binary*<sup>2</sup> so does the word 'hacking' have more than metaphorical significance?

More likely, though, is it that, for Preciado, discursive practices are the *non plus ultra* of a nominal reality. Such a scenario recreates the long history of nominalism – the idea that universal concepts are merely names without any reality – in the form of a radical trans-constructivism, philosophically resolved in skepticism, relativism and nihilism, and politically effectively annihilating many forms of critique of the status quo.<sup>3</sup> Nominalists effectively deny the existence of universal kinds and see only a proliferation of particulars. Obviously, the use of testosterone affected Preciado's hormone balance and therefore their biology. However, this, like the use of a dildo, is, for them, a choice. It is possible, Preciado argues, governed, in part, by the pharmaco-pornography industries, to choose one's sex, one's gender alongside other aspects of one's personality. We have therefore a proliferation of particular types of sexuality and no general categories like men or women. Being a man or a woman is also a choice.

Categories such as gender, trans genders, cross dressers and queerness and many more dominate Preciado's post-feminist scene. There is of course nothing wrong with celebrating both some aberrant forms of sexuality and 'abject bodies'. Indeed it is politically important to celebrate 'deviant' bodies of many kinds in a capitalist world that discriminates against the 'abnormal'. One of our worries, though, reflects a point made some time ago about Butler's work. Some time ago Martha Nussbaum argued of the work of Butler and related theorists, that: 'It is the virtually complete turning from the material side of life, toward a type of verbal and symbolic politics that makes only the flimsiest of connections with the real situation of real women. Feminist thinkers of the new symbolic type would appear to believe that the way to do feminist politics is to use words

in a subversive way, in academic publications of lofty obscurity and disdainful abstractness. The new feminism, moreover, instructs its members that there is little room for large-scale social change, and maybe no room at all. We are all, more or less, prisoners of the structures of power that have defined our identity as women; we can never change those structures in a large-scale way, and we can never escape from them' (Nussbaum, 1999). Nussbaum also wrote, in the same piece: 'In India, for example, academic feminists have thrown themselves into practical struggles, and feminist theorizing is closely tethered to practical commitments such as female literacy, the reform of unequal land laws, changes in rape law (which, in India today, has most of the flaws that the first generation of American feminists targeted). In other words, according to Nussbaum, these academic feminists are activists in important feminist campaigns.

Our – Assiter and Binetti's – point is not that it is wrong to write theory. Our concern is rather about a particular type of theory that challenges the existence of real embodied women, who, as embodied women are, for example, victims of rape and unequal land laws. As another writer put it: 'Where did we ever get the idea that nature – as opposed to culture – is ahistorical and timeless' (Shaviro, 1997).

We might ask the question of Preciado: why is it that it is seen to be specifically 'colonial' capitalism that is said to create the binary man/woman? It is important to note that it is not merely characters who experiment with their sexual desire, like Preciado and other recent western queer theorists, who are said to challenge the binary man/woman. For example, in some Native American cultures it is seen as discriminatory to ask a Two Spirit person (who can be a man or a woman) to perform the gender role of male or female.<sup>4</sup> The Ojibwe language describes such people who can be men or women. We – Assiter and Binetti – appreciate that there has been and still is significant and disturbing

discrimination by western colonial powers against these such people as well as against trans persons in contemporary western cultures. Indeed, a 16 year old Navaho was the victim of a hate crime, killed for being a 'two spirit' or (pejoratively) an 'effeminate male'.<sup>5</sup> But the step from this to the assumption that it is western, colonial capitalism that has 'created' the binary of sex seems to us to be a step too far. There are sexed beings amongst animals and there is a real risk, if human sex differences are seen to be brought into being by ideological forces stemming from western capitalism, that a new form of what we see as a destructive binary – between animal and human – is created. According to Preciado and others, human sexual difference is created by colonial capitalism. Animal sexual difference is outside this. This view, however, challenges the continuity that we need to assume, between human animals and other animals in order to accord the natural world the value that it deserves and requires in the contemporary context. It seems moreover, that it may be the case, as Gita Sahgal has suggested, that the idea of transgender is a modern western construct which has been applied to Two Spirit people and many other pre-colonial gender fluid people/ subcultures. Indeed, according to de Vries (de Vries, 2009) the term was adopted at a conference in 1990 at an indigenous lesbian and gay gathering in Winnipeg. If it were not for the imposition of western categories on native people, why would the very binary – man/woman or male animal/female animal – be seen to be a construction of colonial capitalism? It is a huge step from appreciating and condemning the discrimination against Navaho peoples to suggesting that two spirit people challenged the very existence of men and women.

It is worth mentioning another body of work at this point that may suggest that biological sex is connected to western, Eurocentric normative assumptions. This is, to mention only one of a number of important works, the book *The Invention of Women: Making an African Sense of Western Gender Discourses*, by Oyeronke Oyewuma.<sup>6</sup> Oyewuma argues that the view that sex and gender are universal organising categories is a western

normative assumption effectively imposed upon all African cultures. She suggests that this assumption is founded upon western dualist distinctions between mind and body (with body associated with irrationality and with women). In turn, these western assumptions rest upon visual cultures. In the Oyo-Yoruba lived experience in western Nigeria, by contrast, she argues, other senses are used. The dominant organising principle of everyday life is 'seniority' – seniority within the family. 'Outsiders' occupy less senior roles. Gender and sex, by contrast, are not significant organising principles. One of her arguments in support of the latter view is that there are no words for 'man' and 'woman' in the Yoruba language but only words for 'female' and 'male'. Anatomy, therefore, she argues, plays no role in position or status in Yoruba language and culture.

We would like to make three brief points in response to this. Firstly, we entirely concur with Oyewuma's critique of the western binary mind/body and with her critique of the dominance of vision in certain versions of western philosophy. However, ironically, it is feminists in the west who have been amongst the primary critics of these assumptions. Our own work which focuses on a dynamic materiality, in continuity with the animal world, challenges the form of dualism Oyewuma critiques. But we believe, with Bibi Bakare-Yusuf, however, that Oyewuma perhaps over-estimates the power of language in social, cultural and, indeed, biological realities. Bakare-Yusuf argues that, in her view, the power dynamics in Yoruba social realities are more fluid and there are more of them, than is suggested by the picture painted by Oyewuma. To offer a counter-example of our own to Oyewuma, there are no gendered pronouns in Farsi but I have yet to meet a first language Farsi speaker who would claim that this indicates a lack of gendered power relations in Iranian culture. Moreover, one important point, for us here, is that Oyewuma does not deny the existence of males and females and she therefore is making a different claim from that of Preciado. Accepting her view about Oyo-Yoruba cultural assumptions and lived reality, therefore, indeed suggests that gender is

less significant as a normative organising principle than it is in many parts of the world. However, this does not lead to the view that biological sex is a construction of western colonial capitalism. We suggest that Oyewuma's work has some features in common with the tradition of Foucault and Butler in her emphasis on the power of language in shaping cultural realities but she does not go so far as Preciado.

Preciado is continuing the tradition of Foucault and Butler, then, in their histories of the various modes of normative construction of bodies. Like them, Preciado is offering an analysis and critique of these modes of normative construction. However, like them, he is complicit in creating a mode of discursive analysis that 'essentialises' in a reductive fashion and effectively therefore denies, the biological body and its rights. It is important to note that while there are many LGBTQ victims of domestic violence, it is still the case that the vast majority of perpetrators are men (see Romans et.al, 2000). Women experience higher rates of repeated victimisation and are much more likely to be seriously hurt or killed than men (see Walby and Towers, 2017, also Walby and Allen, 2004). Moreover if Preciado's view were adopted, the UN definition, which is vital for protecting all women, would no longer make sense. The UN defines gender based violence as 'violence directed towards a woman because she is a woman' (CEDAW, 1992, para 6. See also Hague, 2021)<sup>7</sup> Less seriously but still importantly, Preciado's position may lead to the denial, for example, of the rights of women in the following groups: a recent survey conducted for a group in Spain found that 80% of the 12,600 women who responded were struggling to balance teleworking with childcare. In Valencia a study showed that mothers were the ones 'ensuring children kept up with online classes and homework during the lockdown' (Connolly, Kate and Kassam, 2020). These women's rights cannot be articulated as women's rights, on Preciado's analysis, since the category 'woman' is said to be a hetero-normative construction. Moreover, if men and women are



purely creations of these discourses and industries how can they act to change these and other practices?

### Counter-sexual Trans-fictions

Paul Beatriz Preciado, then, draws from Butler's abject and abnormal bodies the measure of a fictional reality. Drag kings, men without penises, werewolves, butch women, handi-cyborgs, and so on (Preciado, 2003, 23) become the new criteria for a fictional techno-constructive order, which takes revenge against the old regimes of normalization. They declare the reality of all self-perception, desire and discourse. Self-labelling is not merely a psychic expression but becomes the person in her reality. A person who self-defines as trans or queer or bi, by virtue of that self-definition takes on that form. Preciado and those who follow such a stance, take revenge against any theory that supports the ontological status of sexual difference. Rather they replace it with pharmaco-techno-sexualities on demand.

To quote from Preciado's *Counter-sexual Manifesto*: 'The elaborations on queer theory carried out by Judith Butler and Eve Kosofsky Sedgwick in the 1990s have made it clear that the apparently descriptive expressions 'it's a girl' and 'it's a boy,' spoken at the moment of birth (or even at the moment the fetus is visualized via ultrasound), are in fact performative invocations, closer to the contractual expressions spoken in social rituals, such as the 'I do' of marriage, than to descriptive statements such as 'this body has two legs, two arms, and a tail' (Preciado, 2018, 27). Instead the body is a 'living, constructed text'. (Preciado, 2018, 25). It is indeed, an interesting point that, in the contemporary activist debates 'cis' women are defined as those who were labelled female at birth. Is it not a possibility, then, that the vary act that is used, in these debates, to define 'biological' women may itself be a fictional construction? Instead of being born a male, as with a male monkey, it is the act of naming 'it's a boy' that

defines who counts as a male or female on this way of thinking. But what then counts as defining which one is a female or a male monkey? Is there a parallel act of naming for them?

The fictional universe of Preciado rests on the first principle of the «dildo» as the de-ontologizing imperative of everything. It says: 'in the beginning was the dildo. The dildo preceded the penis. It is the origin of the penis' (Preciado, 2018, 22). The universal dildonization discovers the caricature of the origin by a sort of trans-masculine performance of phallogentrism. And given that from the dildo nothing comes out, all becoming is real. Preciado's dildos offer a long line-up of postmodern narratives about simulacrum without original or copy, fables without morals, and signifiers without signified. Hence, in tune with the post- metaphysical and post-historical parody, Preciado states the dildonization of everything. Given, therefore, that the penis is erased, does the drag queen then not become the 'real' woman?

The *conditio sine qua non* for queer policies is the 'de-ontologization of the subject of identity's politics: there is no more natural base (woman, gay, etc.) that can legitimize the political action' (Preciado, 2003, 24). By 'natural' Preciado understands – just like Butler – a given and immediate substrate that pre-exists and determinates the cultural world according to eternal designs. By contrast, Preciado offers the political action of de-ontologized subjects of enunciation. Speaking subjects perform whatever counter-sexuality they want. They can perform as 'intersex bodies, transgender and transsexual bodies, queens, diesel dykes, faggots, butches, the hysterical, the horny and the frigid, the sexually disabled and the mentally ill, hermaphrodykes, etc'. Indeed, they can perform in whatever manner they wish, to 'bolster the power of deviating and drifting from the heterocentric biowriting machine' (Preciado, 2018).

According to Preciado, 'bodies recognize themselves and others not as men or women but as living bodies. They recognize in themselves the possibility of gaining access to every signifying practices as well as every position of enunciation' (Preciado, 2018, 20). In the constructivist framework of postmodernity, to live is to speak.

The first article of the *Counter-sexual Manifesto* demands that we erase the sexual codes of masculinity and femininity and turn them into 'open and copyleft registers available to speaking, living bodies within the framework of mutually agreed-upon impermanent contracts' (Preciado, 2018, 32). The categories of male and female, in this world, become currencies of exchange in the free market of culture. They become political signifiers available to somatic fictions or somatechnics of free choice. All unborn people, all babies and children must be preserved from a sexual ascription which forces them into a hetero-normative system. Instead, they must be ensured the right to a sexed-free birthing, an indeterminate body, to asexual registers, a gender-free upbringing, and the use of the neutral pronoun «elle» or 'they' (used in the English language as a singular form). 'The body's countersexual resignification shall become operational with the gradual introduction of certain countersexual policies. First, practices stigmatized as abject within the framework of heterocentrism shall be universalized. Second, high-tech countersexual research squads shall be created so that new forms of feeling and affection can be subjected to collective experimentation' (Preciado, 2018, 33).

Queer subjects are neutral parlêtre who perform their own countersexualities according to self-referential perceptions, imaginaries, desires and with the help of pharmaco- or cybertechnologies of high complexity and sophistication. These counter-sexualities are 'products, instruments, apparatuses, gimmicks, prostheses, networks, applications, programs, connections, fluxes of energies and information, circuits and circuit breakers, switches, traffic laws, borders, constraints, designs, logics, hard

drives, formats, accidents, detritus, mechanisms, usages, and detours' (Preciado, 2018, 21). The construction of such artifacts is a hard task that consumes large amounts of linguistic energies. The difference between this sort of sexual *homo faber* and the classic androcentric subject consists in the naive constructivism of the former compared with the naive realism of the latter, both unilaterally built on a reason either instrumental or contemplative.

Counter-sexualities, on this view, are the techno-constructions of a discursive and instrumental reason empowered by bio-capitalism. All this has little to do with what Sigmund Freud has called sexuality and psychoanalysis. To judge by the techno-sexual practices described by Preciado, namely: sadomasochism, fetishism, fist-fucking, counter-pornography, dildotectonics, surgeries, flows of hormones, silicone and so on, then counter-sexuality would be close to what Freud calls the 'death drive' or *Todestrieb*, and is opposed to the sexual drive or *Sexualtrieb*. In fact, counter-sexual drives, in Preciado's thought, reveal a will to power, a control and disciplining of bodies rather than eros and vital energy. In Preciado's own terms, counter-sexuality is a 'politics about death, without any vitalistic populism', a 'cultural necrophilia' that leads us to 'via mortis' (Preciado, 2013, 417-18). What does this mean, then, for reproduction?

Counter-sexual drives take us back to Foucault and, along with Foucault, to the Marquis of Sade. In his *Lectures on Sade*, Foucault (Foucault, 2015, 93-146; Raymond, 2001, 43 ff.) reveals to us the quintessence of queer counter-sexuality, i.e., cruelty, evil, crime, disorder, and libertinage. This is de Sade, the queer referent of a desire released from all social norm, transcendent ideal or immanent measure, and surrendered to the arbitrariness of self-perceptions and self-referent signifiers. Just like queer multitudes, Sade's libertines are micro-politicians for whom 'there is no general system of libertinage, but for each libertine there is a system, and those systems define the singularity' (Foucault, 2015, 139-40).

It is no accident that Preciado begins the *Counter-Sexual Manifesto* with a discussion of de Sade. De Sade, he writes, wrote the *120 Days of Sodom* while in prison and hid the manuscript in a dildo. Both for Foucault and Preciado, 'Freudian discourse and Sadean discourse are strictly incompatible' (Foucault, 2015,144). But it seems that this is, in Preciado's work, to the detriment of Freud and the advantage of de Sade. Moreover, to the extent that both are just fictional discourses, there is no criterion, neither transcendent nor immanent, of truth. There is merely the invention of discursive practices in constant counter-normativity. No matter if Sade leads us to the torture and rape of women, to sexual or reproductive exploitation, to pederasty or female brutalization. The important thing is the abnormality, the transgression and the resistance to the norm under the premise of the performative parlêtre in a disciplinary society.

In the Foreward to the *Counter-Sexual Manifesto*, we read... 'it is epistemological warfare in which the butch must be recognized not as an anachronism, a failed copy, a sad imitation of men, but as part of a new postwar industrial landscape in which soldiers, housewives, and Hollywood actors all deploy prosthetics to try to cover up the shattered land- scape of the natural world' (Preciado, 2018, x).

Even if the linguistic nominalism does not lead quite to de Sade, the difficulty is that there is no independent norm against which to judge which practices are abhorrent, which run counter to any form of feminism or which are merely odd. Accepting that a trans man is a man and therefore a father giving birth, is one thing. But accepting the different point that a sex offender can gain access to a woman's prison or an athlete can get access to a sport where 'she' has an unfair advantage of a male body, to take two examples, is different.

The very least that this perspective leads us to, then, is a form of absurdity where any clothes fit any person but also to a form of dictatorship where no-one else is able to deny that they fit for fear of hurting the feelings of the person concerned. More strongly, any abusive language is allowable from someone who wishes to challenge the self-referential perceived sex of the person concerned.

### **The Downfall of any universal Institution**

The queer multitudes, with their socio-linguistic origin and becoming, like Mahmood and her followers, reject any concept of universality – ontological, political or scientific– and adjust their politics to individual decisions and particular contexts. They interpret the universal as the representative abstraction of some common socio-linguistic features, with the conclusion that there are no ‘essential’ or ‘universal’ characteristics of humanity, and therefore no universal claims for democracy, republican institutions, human rights, animal rights, scientific knowledge and so on. The claim for any of these institutions would be, for them, inspired by the foundational narrative on some transcendent and eternal essences, that are supposed to direct the progress of universal history to a happy and perfect end. There could be no sex rights, no rights of women not to wear a hijab, no universal human rights of any kind at all.

The end result in this universe of mere *flatus vocis* is, however, the ontological liquidation of woman’s identity, the setting of a post-feminism performed by transvestites and MTF, and the dissemination of an undecidable form of socio-linguisticism that eliminates the possibility of any universalist perspective. It capitulates to the relativism of interest groups. Any attempt to dispute such an ‘oversimplification’ is disciplined by allegations of transphobia, essentialism and biologism

We reject the de-ontologization of women, the reification of hegemonic stereotypes and the radical relativism of the framework. The framework, we believe, is both contrary to and incompatible with human, women's and indeed animal and other natural rights. It is incompatible with feminist demands in areas like Pakistan or Iran where real women use secular human rights discourse, against another post postmodern feminist, Saba Mahmood. Mahmood, as mentioned, is another who draws on and develops the work of Judith Butler and Foucault, in fashioning her concept of agency in *The Politics of Piety* (Mahmood, 2011). She suggests that it is imperialism that has, partially, produced the liberal, secular autonomous subject of rights and effectively imposed this on those who may wish, to use Mufti's words, 'to embrace docility, submission, conservatism, patriarchy and even Islamism' (Mufti, in Zia, 2018, 39). 'Mahmood challenges what she sees as western normative assumptions effectively imposed on would be pious women in Egypt. She questions what she sees as the liberal western model of 'agency' that derives from inappropriate 'autonomous' choices that are not governed by tradition and custom. While Preciado challenges the binary man/woman, Mahmood, in parallel fashion, challenges human rights and sees these as 'western normative assumptions.

However, there are several notable activists from post -colonial Muslim majority nations who have roundly challenged these claims of Mahmood. They have celebrated the notion of universal human rights as genuinely universal and suggested that human rights are not only not western but are frequently used by activists to defend themselves against many crimes but particularly against the creeping Islamisation of their nations. Afia Zia has pointed to the many contexts in Pakistan where women activists, rather than setting out to be 'docile Muslims' have campaigned against the creeping Islamisation of Pakistan and the imposition upon them of misogynist sharia law (Zia, 2018). They have used universalist inspired human rights discourse to make their case. Assiter has also argued, in a

forthcoming book, that the view that human rights originated in the European Enlightenment, a view that is propounded by defenders and critics of the concept alike, may itself be a form of Eurocentrism since it conveniently forgets the history of the concept in the Persian Zoroastrian tradition (Assiter, 2021).

The existence of human rights for all depends on a conception of universal humanity. The slogan 'Black Lives Matter' is important not just because all lives and the rights of all matter but because black lives and black rights have not mattered to the same degree as white lives and white rights. But it also assumes that black people exist. Similarly the existence of rights for women depends on the existence of women. So there is a link between the work of Preciado and that of Mahmood. In simple terms, Mahmood denies the existence and veracity of human rights in a Muslim majority nation context while Preciado effectively denies the existence of men and women outside the creations of colonial capitalism.

There are, we believe therefore, significant connections between our criticisms of Mahmood and the views of Preciado. If man/woman are merely fictional constructions alongside other queer multitudes then how is it possible to have women's rights not to be raped; women's rights to land; rights not to be victims of domestic violence and so on? On Preciado's analysis, these are only the 'rights' of fictional entities constructed by colonial capitalism. It would seem to follow, anyway, that pre-colonial Hindu practices that were detrimental to the interests of women, just to take one example, become acceptable because women did not exist prior to the arrival of colonial capitalism.

Post-modern feminists and some queer post-feminists suggest that the early feminists unconsciously and falsely assume this kind of abstract and formal universality in order to universalize their own perspectives. These criticisms followed on the heels of the earlier feminists' insistence that



their male counterparts had universalized from their own partial perspective. Such criticism drew on the work of Lyotard, particularly his classic text on the subject, *The Postmodern Condition* (Lyotard, 1979), where the author objected to the 'foundationalism' implicit in what he labelled 'grand narratives' as well as to their Enlightenment inspired and falsely optimistic faith in progress. The postmodern condition claims an identity between ontology, foundationalism, and political totalitarianism.

In this vein, some feminists argued that feminist theory must be 'explicitly historical' and 'non universalist' (Fraser and Nicholson 1990, 19-38), i.e., focused on contingent and territorial micro-agencies. Fraser and Nicholson described universalizing theories, in Lyotardian vein, as 'quasi metanarratives' (Fraser and Nicholson, 1990, 27). As another writer on the subject put it: such theories falsely universalized features of the theorists' own 'era, society, culture, class, sexual orientation, and ethnic or racial group'. In fact, to give one example, these writers argued 'there are no common areas of experience between the wife of a plantation owner in the pre-Civil War south and the female slaves her husband owns' (Bordo, (1990, 133-56)) There are, however, a number of responses to this criticism. Universalising theories need not exclude anyone, if they are based on a developing, changing series of characteristics shared by all members of the kind.

In the world of the recent post -feminist constructivists, the presumed universalist fiction of sexual difference –that used to sustain the historical feminist struggles and multiply their claims– is now deconstructed and disseminated in multiple differences of class, races, sexual orientation, age, ethnicities, handicaps, choice of sexual object, etc. Strictly speaking, sexual difference becomes socio-linguistically undecidable with regard to many other differences, potentially infinite.

On this new perspective, each individual becomes an undecidable assemblage of reciprocally active characteristics, actant of micropolitics geographically determined. The ontological possibility for women to be political subjects, active in state or other contexts, is abolished as will also be the chance to make any claim of equal treatment and justice outside the micropolitical premises. Instead, we would have claims locally set in communities or identity groups, if there remain any groups at all in Preciado's universe, that represent the interests of the grouping, rather than claiming justice. There is nothing wrong, to clarify, with particular claims or group claims. The problem comes when this also involves the denial of universals altogether.

On some of Preciado's assumptions there will not even be any 'identity groups' since identity is primarily a matter of self-definition and there may not even be two people sharing a particular identity category. However, even where it is possible to identify a group of people who share an identity, different problems will arise. One problematic issue would arise if the demanded interest or identity benefits some members of the group or identity and harms others, or when there are disagreements about what constitutes an identity. A seriously problematic interpretation of interest based or identity politics, therefore, is when 'community' values, like, for example, reactionary and extreme views about any group of people, are allowed to reign unchecked within certain 'identity groups'. As Pragna Patel (Patel, 2013) has pointed out, (self-appointed) community leaders often become the spokespeople and therefore the 'authentic voice' of certain communities, or of certain identity groups and this is harmful to less powerful groups within those communities. Patel speaks of the way in which the religious right in certain 'ethnic minority' communities in the UK has been granted representative status. Another problematic issue of the political position arises when a defense of the 'identity' of any one of these groupings becomes either a failure to recognize multiple forms of oppression, on the one hand, or, more controversially, circumstances

when individuals or groups within such identified collectivities or identity groups become themselves oppressors. When, as with the work of Preciado, the 'community' includes testo junkies, 'off label characters who 'experiment' with testosterone and with their desire, who knows who might be the leaders and who the followers? In this 'community' when gender becomes a biotech-industrial artefact, in the 'pharmaco-pornographic era', testosterone may be just another molecule to control gendered subjectivity.

Communities, or identities in general, are important when they allow for the flourishing of all in the grouping. Where they work against this, then they cease to be valuable. The identity of some groups when expressed through the interest of the leaders of such groups glosses over inequalities and injustices within the collectivity. This problem is a real one. However, another problematic matter for us is that this does not concern many postmodern post-feminists, because they reject the universalist republican policies that grant recognition, the political institutions that are considered universally representative, and the sexopolitical epistemologies that dominate the production of science (Preciado, 2003, 25). Therefore, what would be necessary, according to them, is not more concrete universality, but more and more abstract particularities. However, these abstract particularities cannot offer a conception of justice even within groupings let alone across them and inside a state or a nation and this constitutes a serious limitation of the perspective, from a moral and political point of view. If all interests are to weigh equally, how are we to defend, for example, the sex trafficked person from the trafficker; the domestic violence victim from the perpetrator and so on? There would be, for example, the 'right' to have millions of dollars and the 'right' to do what one likes with one's own body. There would be no way of adjudicating between these rights. Indeed, as noted, the concept of a right would not even exist since universals are fictional constructions.

### **Sed contra postmodern Post-feminisms**

The radical contingentism of post-modern and post-feminist theories then are problematic in various ways. Our orientation derives from the ontological, realist and material feminisms of sexual difference, and we renounce the concealed phallogocentrism of the above trend, which we suggest serves to defend the patriarchal and capitalist *status quo*. It does this, partly, as we have suggested above, through failing to consider questions of equality or justice and instead focusing, in a radically sceptical manner, on 'letting a thousand flowers bloom'. Some of these flowers, though, will be exploiting others. But it also constitutes, ironically a conservative form of neo-liberalism, since it erases, as fictional constructions, the very categories necessary to sustain justice and equality. It erases the categories in equalities legislation that sustain liberal democracies, in favour of the fictional constructions of capitalist neo-liberalism. Although it purports to be radical, it renounces the resources necessary for radicalism and treats all practices, all forms of 'abjection' as on a par. It therefore fails to provide the tools for excluding far right practices – such as medical experiments on children – since anything 'abject' is allowable. We submit, and we have defended this elsewhere, that it is possible to defend a form of universalizing, materialist feminism without being committed either to determinism, essentialism or foundationalism – the various positions denounced by Butler. Suffice it to say for now that our position derives, rather, from a Schellingian and Hegelian<sup>8</sup> inspired form of 'universal becoming' which is also partially Darwinian in inspiration.

Other feminists than us have denounced the disguised misogyny and femino-phobia (Braidotti, 2002, 29, 50) of removing women as ontological subjects and deconstructing their identity into socio-linguistic variables of class, ethnicity, race, culture, religion, choice of sexual object, etc,

Women's sex, according to the postmodernists and the post feminists, must be eliminated along with the hetero-normative construction to which it has been assimilated. But this has the main effect of reinforcing sexist stereotypes and disabling the change of old sociocultural signifiers associated to female identity by the active and creative transformation of women. That is why authors like Rosi Bradotti or Elizabeth Grosz consider that the notion of a queer multitude is 'a reactive category that sees itself in opposition to a straight norm' (Grosz, 1995, 219), so that it reifies or essentializes the norms in order to transgress them.

Another deceit of the de/constructivist theory is the (a)sexual neutrality of the speaking subjects: a sort of tabula rasa in which it is possible to inscribe all libidos, desires, genders, sexes, sexualities, materialities, bodies, etc. As feminist thinkers well know, where there is supposed to be neutrality, there is likely to be a disguised masculinization. In fact, some counter-sexual queer groups reproduce the cult of male supremacy and the subordination of female positions within homo- or trans-normative performances (Jeffreys, 2003). Homosexuality in itself does not overcome patriarchy. To the contrary, there is a homosexual patriarchy as well as there is a hetero-sexual one, both based –as Sade teaches– on the domination of women in the frame of a homo-normative system which is negotiated from a man -to man -women exchange.

The reduction of woman to a heteronormative social construction takes for granted that patriarchy constitutes a heteronormative system, and neglects that it is actually also a homonormative regime settled from man to man (Raymond, 2001, 10-11). Patriarchal homo-reality expresses the subordination of women to male exchanges. Besides, identifying woman with heteronormativity, post-feminism reduces sexual libido to discursive practices and cultural representations, equates sexuality with genitality, oversimplifies vital drives, passes over material and unconscious energies, and turns sexed bodies into mere devices of power. For Preciado, 'we

don't have a body that we come later to reflect ourselves upon. We make ourselves a body, we earn our own body' (Preciado, 2018, 14).

As Slavoj Žižek has pointed out, the question is to what extent the infinite counter-sexual variations that have come to liberate sexuality from the binary oppression actually 'end up in the abandoning of the very sphere of sexuality—the liberation *of* sexuality has to ends up in the liberation (of humanity) *from* sexuality' (Žižek, 2017, 134). As a matter of fact, countersexuality has nothing to do with the vital or living drives that Freud has described, and one is bound to wonder, again with Žižek, how many other features usually identified with sexuality such as art, creativity, consciousness, we will also abandon (Žižek, 2017, 134). Neutral subjects and transsexual constructions speak to us about a trans-humanity no less fictional than postmodernity.

Ontologically speaking, the de-ontologization of women entails a 'theoretical violence' (Malabou, 2011, 99) that supports the practical violence exercised historically against them. Such a conceptual violence is based on a dualistic scheme according to which there are just two opposite alternatives: either the classic metaphysics of the substance, formalized by the logic of the representational and abstract understanding, or the post-metaphysical de/constructivism, articulated by discursive performances signifying in the emptiness of the real. Both coincide in the exclusive and irreconcilable opposition between the immediately given and the historically constructed, the fixed identity and the dissolvent difference, the natural and the cultural, the subjective and objective, the necessary universal and the contingent particular, as if the one cannot be dialectical and the other cannot be dynamic. This false alternative forces us to a fake choice.

Post-modern post-feminism chooses a fictional nominalism that ends in relativism and skepticism, and, paradoxically, promotes the most

reactionary and conservative positions. In their desire not to fall foul of the supposed Enlightenment conceit – as a foundationalist project – well-meaning non-universalists may have inadvertently allowed pernicious and right-wing values to take root.

As an analogous example, while it is the case that racism in general or ‘racism’ against Muslims or other religious groupings, or discrimination against Christians (expressed in many parts of the Middle East and elsewhere today) are each unjust and oppressive practices, it is also true that fundamentalist forms of religion that may be practiced by those Christians or those Muslims are also oppressive and unjust. It is only a belief that both racism and sexism are unjust, that allows and indeed requires all of us to condemn both. In other words, in the present context, a universalizing voice is important in order to challenge oppressive forms of self-definition, exploitative forms of sexuality and indeed even to be able to make the point that certain forms of sexuality are oppressive and discriminatory.

There is, then, a universalist perspective outside the dualist alternative between a totalitarian foundationalism, based on the logic of abstract identity, and a multicultural relativism, based on the logic of abstract multitudes. Our alternative proposal is a concrete and singular universality –or universal individual– capable of mediating the rational demands of justice in each particular and contingent case, the *unum* into the *alia*. We propose an immanent, dialectical and dynamic universality instead of a transcendent, substantial and immutable one. We agree that a representational universality abstracted from the particular may involve an inappropriate denial of difference or ‘alterity’ amongst subjects – differences arising from situation, context, class, race, emotion and other aspects of individuality – and may leave out important characteristics that differentiate humans from one another. However, we uphold a concrete universality mediated by material, emotional and cultural determinations.

In the same vein, it is important to note that it is possible to believe in a universal theory without upholding a foundationalist epistemology, i.e., without supporting the transcendence of an eternal and immutable substance that regulates the end of all movement. On the contrary, we endorse a kind of universality which means immanent action – instead of objective representation – and belongs to an emancipatory reason that provides a basis for critiquing exclusionary and oppressive norms.

Therefore, it is possible to uphold a universalist outlook about women without falsely generalizing from one's own perspective. As Margaret Whitford once put it (Whitford, 1991, 5), feminist membership is like Merleau-Ponty's heap of sand: each grain individually is minute and slightly different from all the others, but the whole sandbank may block a river.

Woman is multiple. There are many classes of women, many races, sexual orientations, ages, ethnicities etc. Perhaps each one of these has come into being as the result of a number of processes or as the expression of a number of powers. Some of these powers are biological; some are social; some psychic or spiritual. All these differences do not deny but confirm her universality.

It is a universalizing perspective that recognizes our collective shared humanity and the needs and rights that stem from this. Such a universalizing perspective allows us to recognize crimes against humanity in general and women in particular. It sees universal humanity as lying in a continuum with the natural and the non-human world. The fictional nominalism of postmodern post-feminism reinforces what should be eliminated. And the same applies for gender stereotypes, extrinsically reified as social norms instead of internally transformed by women's emancipation.



There is one last objection that must be considered and this resides in post modern and post --feminist abolition of matter as active and creative energy. In this regard, post-feminism seems to consummate what Luciana Parisi calls 'the most classical of patriarchal dreams: independence from matter' (Parisi, 2004, 2). Precisely the reduction of materiality to socio-linguistic materializations is one of the issues most criticized by the new material and realist feminisms (Alaimo, Hekman, 2008). According to them, postmodern socio-linguisticisms reproduce the phallogocentric vice of turning matter into the mere passive recipient of active per-forms. To quote Shaviro once more: 'Where did we ever get the idea that nature – as opposed to culture – is ahistorical and timeless?' (Shaviro, 1997).

In this instance, the classical patriarchal dream merges with the omnipotence fantasy of queer multitudes, those fantasies of 'escaping from the body' (Braidotti, 2002, 223) in order to become the techno-construction one wants. This will-to-disembodiment has the support of a pharmacopornographic bio-capitalism eager to produce new embodiments. The advanced commodities of the free market are now trans-species, minds, bodies, desires, affects, femininities, masculinities (Preciado, 2013, 51). The transgender trans-humanity of the future is coming between fiction and reality, life and death, male and female.

And while the era of total disembodiment is nigh, we have the bodies of women and children in off-shore production plants (Braidotti, 2006, 30), the bodies of sexual and reproductive exploitation, the ablated bodies of Muslim women, the amputated and intoxicated bodies of FTM and MTF. Whereas the utopia of neutral cyborgs and the fictions of transgender techno-sexualities continue in undecidable expansion, the only objection to postmodern post-feminism is the actual matter of living beings. These living beings are the beings who protest against fundamentalist regimes and fundamentalist politics in India, Pakistan, Iran, Brazil, USA and in many more nations and places in the world. These living beings indeed include

trans men and women who are also real beings and who themselves protest about some of the above fundamentalist practices.

The fictional world of Preciado, indeed, may itself be a product of advanced capitalism, that provides opportunities for some to practice a sophisticated form of desire. It leaves others without the framework – really existent human beings – to protest about their poverty. Some who experience the extreme control of their thoughts, desires and behaviour by the forces of fundamentalism in nations governed by sharia law, need to come together as women, as trans people, as anti-racists or as any other really oppressed person, to fight for their rights. They don't need 'dildoisation'.

This paper has challenged a number of aspects of the new post-feminist fictional universe of Preciado as politically dangerous in a number of different respects. We have demonstrated that there is a move from a fictional reality and a recognition and appreciation of abject bodies, to a celebration of destructive and dangerous forms of sexuality. We have expressed worries about the very idea of a fictional reality in so far as it leaves no scope for determining which practices are dangerous and which are harmless and/or wrongly unrecognized. We have suggested, therefore, that Preciado's theory may be conservative and neo-liberal in its consequences. We have challenged, moreover, the idea that the binary of man/woman is a product of western colonial capitalism since this itself creates a further unwelcome binary – that between human and the natural world and it also has the odd consequence that women and men did not exist prior colonial capitalism. We have, finally, suggested a new form of universalist essentialism – a dynamic<sup>9</sup> Schellingian/Hegelian concrete universality partially biologically formed.

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**Notes**

- <sup>1</sup> We are very grateful for the incisive comments on an earlier version of the paper from Gita Sahgal, Rebecca Durand, Nira Yuval-Davis and Sukhwant Dhaliwal.
- <sup>2</sup> See *Hacking the Binary: JCU Welcomes Philosopher Paul B. Preciado*, October 31st 2019
- <sup>3</sup> These claims about postmodernism will seem controversial to some. We have argued the case for this in Assiter A. *Enlightened Women: Modernist Feminism in a Post Modern Age*, Routledge, 1996.
- <sup>4</sup> This was drawn to our attention by my (Assiter's) student Isobel Stringfellow, in her dissertation, *Intersectionality: Does Gender Equality Lie in their Analysis of Interlocking Oppressive Forces?* Dissertation level 3, August 2020.
- <sup>5</sup> The film, *Two Spirits*, directed by Lydia Nibley documented this story.
- <sup>6</sup> I am grateful to Rebecca Durand for drawing my attention to this body of work.
- <sup>7</sup> I am indebted to the domestic violence expert Gill Hague for this information. See also <https://www.womensaid.org.uk/information-support/what-is-domestic-abuse/domestic-abuse-is-a-gendered-crime/>
- <sup>8</sup> Our inspirations are the work of Schelling and Hegel as well as some contemporary biologists who emphasise a dynamic view of the biological. See, for example Andreas Weber and Francisco J. Varela, *Life after Kant: Natural Purposes and the Autopoietic Foundations of Biological Individuality*, *Phenomenology and the Cognitive Sciences* 1:97-125, 2002, 97.





Image 11: Park Circus, Kolkata, January 2020 © Nazes Afroz. All rights reserved.

# Don't Call Me "awrah<sup>1</sup>", for I am the "thawrah<sup>2</sup>": Why Sudan's December 2018 Revolution was Named Women's Revolution

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Ahead of men, on the front lines, Sudanese women sparked an astounding revolutionary movement and until this moment they continue to play key political roles throughout its various stages as millions of people broke their silence and stormed out in the streets across the country demanding freedom, peace and justice. Sudan's December 2018 Revolution was indeed an amazing success and led to the toppling of a 30-year fundamentalist Islamic-military regime. Through their narratives of resistance and dissent, women take pride in such a historical transformation and in their ability to challenge the state and male-defined revolutions. Therefore, despite a predominance of patriarchy and the existence of asymmetrical power dynamics of gender systems in Sudanese society, women's contributions were widely acknowledged and praised, and the revolution itself was defined largely as a 'women's act'.

This is the third revolution in the history of Sudan since its independence in 1956. However, as 'revolution is a force of history'<sup>3</sup>, many have traced the leading positions of women in the revolution to a very long history of women's organizing, manifested in forming movements and bodies as early as the beginning of last century<sup>4</sup>. That said, in the middle of the post-revolution transformation process, women are now assessing and considering their venues and positions with a renewed struggle to fight

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against patriarchy and to reap ‘egalitarian’, rather than ‘patriarchal outcomes’<sup>5</sup>, of the revolution.

I

It was precisely the afternoon of 10 February 2019 when a chorus of ‘*zagroda*’, typically performed by women in Sudan to symbolize joy and celebration, was hurled and pitched at 1pm Khartoum time. This was a few weeks before a big day to come and remain engraved in the history of people’s revolutions as it marked the downfall of a three-decade long entrenched and oppressive dictatorship led by Omer El Bashir; The sound of *zagroda* came this time but not to announce the birth of a new baby nor a new couple getting married; instead these cries signified the official launch of the 1pm scheduled ‘*mawakib*’ (rallies; sing. *mawkib*) which had been going on every day in recent months and weeks. These *mawakib* were conducted with determination demanding first and foremost that Bashir step down immediately: ‘*allilah tasgot bas*’ (fall down today).

The 10<sup>th</sup> February *mawkib* was quite unique in terms of how it came to take place. Called jointly by the Sudanese Professional Association (SAP) and other opposition political powers, it was organized in solidarity with women activists and journalists who were arbitrarily detained in Omdurman Prison for Women. Detained women in Omduramn Prison and in other “ghost houses” such as *mawgaf Shandi* were heard with full lungs chatting in their cells after long hours of torture at the hands of the security officers, dreaming of a great victory to come and calling loudly for “*freedom, peace, and justice*”.

The ‘solidarity with detained women’ February *mawkib* was attended largely by women who were quite visible publicly and at the forefront of leading the protests. A conversation between two female protesters was heard in the background exposing their discontent because the number of men attending in solidarity was small. Another woman whispered to her

friend: let us make this *mawkib* a success, then men will be surprised and news of our success will spread.

An important component of Sudanese culture, the *zagroda* is now indispensable. Uniquely the whole revolutionary process was sparked by a *zagroda* bringing a collective voice of dissent. Women powerfully launched their *zagrodas* as a birth scream, as a defining moment, as an all-inclusive wake-up call against a long history of oppression, brutality, corruption and discrimination. This empowered them to own and inspire this revolution and to assert a leading role towards its success.

In fact, the participation of women in Sudan and in the diaspora in the political movement/revolution has to be considered in the larger context of the long history of oppression that was imposed by the Ingaz regime and its systematic attempts to undermine women's enlightenment and liberation. The revolution generation is ironically the same generation who grew up in the darkness of a fundamentalist project that impoverished the country and humiliated its people.

Women and men across the country stormed out in the streets despite the brutality of the regime that continued its oppression for three decades. It is not a surprise that a fundamentalist, 'Muslim' extremist regime like the one in Khartoum targets women and practices all sorts of control over their lives both in the public and in the private realm. It is not an exaggeration to say that the *Ingaz* regime saw women, especially those who did not conform to its Islamic-militant ideology as a 'sexualized-danger', as enemies whose bodies and existence should be regulated and oppressed through restrictive state control and structural violence. The regime employed this 'religious' discourse politically to please many in a largely conservative society that was proud of its Muslim identity.

If you are outside Sudan, the story of these revolutionary women contradicts the images of Sudanese women from mainstream media. Surely the first thing that comes to mind is the image of Sudanese women in courts being punished because they were wearing trousers; or because they were walking outside without a headscarf – no excuse if some of them were not even Muslims as if women in Sudan were an undifferentiated group; or being forcibly married underage since the law gives fathers the right to marry off their daughters at the age of 10<sup>6</sup>; or being physically tortured or raped in detention and sexually abused, or being sent back from the airport not allowed to fly because they don't have the permission of a male guardian to travel, or being flogged<sup>7</sup> in the infamous 'public order' courts. All these gender-based atrocities were perpetuated under the name of Islamic Sharia<sup>8</sup>, and led by the NCP's three-decade strategy of adopting and enforcing full-fledged Islamization and Arabization processes, by promoting Islamic ideology and empowering Arab-origin tribes and imposing Arabic language over local dialects. The regime's brutality was in fact a manifestation of multiple-level institutionalized violence, suppressing voices of its opponents, and committing genocide, war crimes, and crimes against humanity, including rape, which have all been referred to the International Criminal Court (ICC) for prosecution. Women were victims of this oppression, as their freedom of expression and movement were severely curtailed by restrictive "moral" laws and by dedicated public order security forces to ensure immediate enforcement. This extended to vulnerable street tea sellers, a whole class of ethnically and economically marginalized women who would sell tea and food to support their families. These women were systematically prosecuted by the security and their work equipment were always confiscated and stolen by the police.

The *Inagz* regime came as well to undermine decades of Sudanese women's struggle and gains towards social justice and equality, and regressed the role of women a few centuries back to the *Hareem* age and

to their solely reproductive roles. It is worth noting that the rise of the Sudanese women movement began as early as the 40<sup>th</sup> of last century and the first Sudanese Women Union was formed in 1952, meanwhile women's participation in political parties had increased remarkably. During the 30 years of the Ingaz regime, the women's agenda was the concern of a number of organizations including political parties and Civil Society Organizations e.g. the Sudanese Women Union, No to Oppression Against Women Initiative, SIHA, El-Manar, etc – many of whom were constantly at odds with the ruling regime.

The voice of women as *awrah* is what Bashair and his people wanted to foster and maintain, but to their surprise the revolution came to assert that the voice of women is not *awrah* or sinful but in fact it is *thawrah* (revolutionary) and that women's voices in this incredible wave of change are vigorously indispensable. Female revolutionary actors used the avenues of the revolution and constantly reminded Sudan and the world that this revolution is an important milestone to create change that would lead to a more accommodating and gender-sensitive place for women in Sudanese society, and to denounce the existing ideologies and practices that subordinate them.

## II

For 30 years, women in Sudan lived resentfully against a vicious regime and ruthless political leadership that harassed and targeted them in every aspect of their lives, with unprecedented cruelty violating their pride and dignity. Things reached a deadlock and the government in its isolation appeared staggered and incapable. The 'General in His Labyrinth' tightened his grip; corruption became appallingly rampant, regime oppression aggravated and manifested itself via an abusive security apparatus and unfair and humiliating trials. Women from across all backgrounds were targeted, but working-class women, mainly street

vendors and tea sellers, were the most affected. The government was moving into lifting subsidies from basic goods, including bread and fuel, which mounted the burden on the shoulders of the people. President Bashir had nowhere to go but to resort to his military and security leaders to enforce order and to take vicious measures to suppress anti-government voices.

The sentiments against the regime mounted and came to a boiling point when women and men stormed out in prolonged peaceful and organized street protests. The 2018 December uprisings were not exclusive to political activists. Sudanese women across different class, religion, and ethnic backgrounds rallied in the streets across the country, acting as leading agents of change, and calling for radical transformations through various techniques of non-violent resistance.

Women proactively took part and shouldered additional burdens to achieve desirable outcomes of freedom, social justice and regime change. Their belief and contribution to what was perceived as an improbable revolution is immense, and despite the risks they challenged the regime apparatus and were present and visible in large numbers over four-months long demonstrations until the overthrow of the notorious dictatorship. Bold and beautiful, they consciously took the road to engage in *double* revolution -- rebelling against the military state as well as the patriarchal social system and ideology -- that is intertwined and reinforced by conservative state discourse and behaviors. Thus, during the *mawakib*, especially the earlier ones, girls in particular were confined to their houses and their participation in the rallies was prohibited by family members. But young girls exchanged stories on how to smuggle themselves out of the house and join the protests without being noticed by their parents and brothers. One of the girls who was not allowed to go out by her father decided to make posters and hung them all around the house as a sign of dissatisfaction with her father's decision.

In the whole process of the revolution, whether at home or outside, women's presence and role was overwhelmingly remarkable. They were represented in the revolution's leading forces, most importantly the neighborhood resistance committees. Older women at home prepared food and beverages for the protesters and provided them with shelter and protection during the riots of the security forces. For those who were physically there in the crowds, they marched, launched their *zagroda* and showed astonishing bravery that shocked the regime and its affiliates. One of the slogans of the revolution states, '*kandaka*'<sup>9</sup> *came, police ran away*', which directly subverts the ideology and gendered associations of the passive helpless homemaker woman. A stunning picture depicts a young lady named "Rifqa" in one of the rallies while she grabbed a *bomban* (tear-gas bomb) before it exploded and threw it back to the security men. On social media, the well-known Facebook women's group *monbarshat* did a magical job and specialized in disclosing the identity of the security personnel, using the photos that are taken for them during the rallies. *Monbarshat* profiled these men and shamed and named them. Their action scared the security officers to the point that they started to be seen in the streets oppressing the protesters with their faces covered with scarfs. To shame a man in the Sudanese culture as not being brave enough or un-masculine, he would be told to 'wear scarf and stay at home – *like women*'. Hence, these security men appearing with a scarf on their faces presented a target of mockery and sarcasm by the public. As a result of the humiliation, some of them insisted to go on leave and some others quit their jobs altogether.

Yet, this was not an easy journey as detention campaigns began to seize the activists and resulted in the largest number of female martyrs and detainees in the history of Sudan. Despite the fact that women were determined to make the revolution successful and were willing to die in the streets rather than go home and surrender to more repression, this is one of the most popular slogans chanted during the revolution '*the bullet*



*does not kill ... kills the silence of the people'*. In these times of adversity, they showed solidarity with each other and collectively chanted '*Oh girls be resilient ... this revolution is a girls' revolution*'.

The big day came when tens of thousands of protesters, who later became millions in what's known now as *mawakib* 6 April, arrived in the vicinity of the Military Headquarters and embarked on a long peaceful sit-in. A few days later Omer El Bashir was forced to step down and a transitional government to be led by the military was announced. Not trusting the army and the security forces and fearing a duplication of the post-Arab Spring scenarios, the protesters rejected the new military government and decided to prolong their sit-in until a full handover of power to civilians, namely the Forces of Freedom and Change<sup>10</sup> (FFC) alliance was in place. It is important to mention that women's groups such as *mansam* and *No to Oppression Against Women Initiative* continued to be represented in the FCC alliance. In the wake of this, the head of the recently announced military government General Awad Ibn Aouf stepped down within only 30 hours, and a temporary military government led by the Transnational Military Council (TMC) was appointed to launch talks with FCC and arrange for a transition of power to a civilian government.

The peaceful sit-in was regarded as a utopia by the protesters, a republic inside the republic, a holy city where the revolution's martyrs are honored and remembered via music, painting and all forms of art. It was considered a spot of light illuminating the way and promising of an auspicious future. Activities, celebrations, and services including food, health care, media, education, awareness raising, seminars, psychosocial support – all never stopped and were provided by volunteers, the majority of them were women. The massive congregation came together to unify based on shared, non-violent cultural values and narratives that inform the ways they aspire to live and act in the world, creating a 'political culture of creation' (Forman, 2014 in Perrin, 2015). A vibrant life where talents

exploded and expressed themselves, people for the first time breathed hope and freedom, and the sit-in witnessed the emergence of new young and female leaders.

The sit-in lasted from 6 April until the TMC and the Rapid Support Forces (RSP) – formerly the Janjaweed<sup>11</sup> - brutally evacuated the military headquarters on June 3<sup>rd</sup> on the eve of Eid El-Fitr. This resulted in the death of more than 300 protesters by torture, and the disappearance of many others many of whom remain missing to this day. Both women and men were also sexually assaulted and figures identify 60 women as victims of rape on that bloody day. Some of those women went on to commit suicide as a result. Both the TMC and the RSF denied they were behind these horrendous atrocities and investigations are still under way.

Despite the tragic end of the sit-in and the trauma and pain left, women's presence there and then later in the *mawkib* 30 June and in all political events leads to the legitimate question: how can women guarantee fair representation and political roles in the post-revolution leadership?

### III

The negotiation between the TMC and the FCC took place under the auspices of the African Union, and both delegations were dominated by men, until women activists mobilized and exerted pressure on the FCC to add a female member to the civilian team. After the negotiation rounds were complete, a deal was concluded and resulted in a power sharing agreement between the civilian powers and the military, yielding in a transitional government to rule the country for the next three years with three main structures of governance: 1. a Sovereign Council (11 members); 2. an Executive Cabinet of Ministers (20 ministers); and 3. a Parliament (300 representatives). At the beginning, women were neglected in high-level politics, as political powers didn't fulfill their promise of giving

women 40% of the seats in the cabinet. The FCC prepared lists that had no female names, but after a lot of pressure, two seats were secured for women in the Sovereign Council, and one of them is a Coptic Christian. As for the cabinet, the newly appointed Prime Minister (Dr. Abdallah Hamdouk) insisted that the lists offered to him by FCC should be amended and updated with women nominees. Currently, there are four women ministers out of 20. Regarding the appointment of the regional states governors, women activists and bodies such as *mansam* and *No to Oppression Against Women Initiative* prepared a massive roster of women's CVs and brought up a list of women nominees to avoid what happened before, but the political forces insisted on a 'women-blind' list. Paradoxically, a statement was issued by women affiliates of the political parties and announced their support of the men's list, and they signed the statement as 'Women Politicians'. Finally, it was decided that the Parliament – still to be formed - according to the Constitutional Document<sup>12</sup> should dedicate 40% of its seats to women.

The example of the 'Women Politicians' statement and the tension between women it created reminds feminist movements that they 'must also address the balance between organizing outside the patriarchal institutions they aim to change and avoiding co-optation when working within those institutions' (Kampwirth, 2004; Kaufman & Williams, 2010 in Perrin, 2015:40).

Sudanese women objected to the fact that they were not consulted nor represented in the peace talks with the armed groups of the margins (who did not accept the FCC-TMC deal). Women were also excluded from the main political and security bodies and special committees such as the Empowerment Elimination Anti-Corruption and Funds Recovery, a special committee mandated to dismantling the structures of the previous regime, remove empowerment<sup>13</sup>, and bring its convicted leaders to justice.

Some women activists decided to use social media and mobilize for an increasing representation of women in senior political positions. They exhibited profiles and CVs of massive numbers of women. Social platforms were flooded with such profiles and CVs were posted everywhere. This act found criticism and was described as being unprofessional, ineffective and bringing to light only a superior class of women who have historically enjoyed privilege and power. Some even went further and condemned Sudanese feminists and their contemporary movement as lacking vision, and they critiqued the movement as elitist, hierarchal, fragile, fragmented, and working only on behalf of women who belong to certain classes and ethnicities. Regardless of how the public reacted, what led to this online market of CVs was the highlighting of the weakness of existing formal channels, and the seemingly unequal women's representation within the main political powers.

That's not all. Women activists also were criticized for being divided among themselves and along the lines of their political affiliations which sometimes conflicted with the interests of mainstream women. The engagement of women activists in politics was also regarded as being historically manipulated by male-dominant political ideologies and structures. As such, the contemporary feminist movement is portrayed to be lacking a viable all-encompassing vision to foster the principles of gender justice and equality. Finally, the dominant feminist discourse is seen as distracting and deviating from the real problems: focusing on elitist or western notions of feminism is exclusionary and overlooks the class, ethnicity and other heterogeneities and hierarchies that differentiate women in Sudan. It is noteworthy to mention that this same criticism targeted the women's movement and activists in other countries in the aftermath of their revolutions e.g. Egypt, Turkey, Eritria and also in earlier revolutions in Latin America.

Despite their leading role during all the stages of the revolution, the efforts that women activists have put forth to realize gender balance in the transitional government have received minimal attention or support. This is indeed disappointing but not surprising, as the culture of patriarchy regardless of the cultural context typically tends to view human and women's rights issues as marginal and trifling. This is again not unique to women in Sudan. Feminists remind us that 'inclusion of female participants is part of a careful balancing act between losing followers of the revolution and avoiding women's rights becoming a priority that could threaten patriarchal power' (Randall, 1992; Tétreault, 1994). Pioneering feminist theorist Sheila Rowbotham (2013, p. 205) observes that while it may be necessary to call on women to participate, often male revolutionaries envision 'women "put back firmly in their place". Thus, women's participation is often only valued for as long as it supports the interests of men who, historically, oversee the agenda and outcomes of revolution'. This is exactly what's happening now in Sudan. What is promising though is that women have not stopped and will continue their struggle demanding full rights and equal representation as the main 'owners' of this revolution. There is still a long walk ahead of us, but achievements have begun to trickle down, including drafting a national plan of action for women 2025, enforcing the anti-FGM law, and relinquishing freedom-restrictive laws such as the infamous public order law. Hence, the revolution was not the penultimate goal. Rather, it represents the beginning of a longer trajectory of progressive change. The aspiration of the revolutionary women is to make this revolution an egalitarian process that results in women's liberation and a total transformation of Sudanese society.

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## Notes

<sup>1</sup> Awrah (Arabic: عورة) is a term used within Islam which denotes the intimate parts of the body, for both men and women, which must be covered with clothing. Exposing the awrah is unlawful in Islam and is regarded as a sin.

- <sup>2</sup> It means “revolution” in Arabic. <https://islamic-dictionary.tumblr.com/post/5658467793/awrah-arabic-%D8%B9%D9%88%D8%B1%D8%A9-is-a-term-used>
- <sup>3</sup> Hannah Arendt (1963) in Perrin (2015: 41).
- <sup>4</sup> Integrated into the primary school system as early as 1907, female Sudanese students joined the university for the first time in 30 years, paving the way for women to contribute to scholarship and activism in areas of concern to their sex.
- <sup>5</sup> Moghadam 1997 & 2013 in Perrin, 2015:41.
- <sup>6</sup> One in three women are married before the age of 18.
- <sup>7</sup> [https://www.youtube.com/watch?v=wn\\_61qUxbq0](https://www.youtube.com/watch?v=wn_61qUxbq0)
- <sup>8</sup> Few days before the separation of the South, Omer El-Bashir publicly announced that: "If south Sudan secedes, we will change the constitution, and at that time there will be no time to speak of diversity of culture and ethnicity ... Sharia and Islam will be the main source for the constitution, Islam the official religion and Arabic the official language." In this statement he presumed that with the separation of the south the impediments to the full realization of an Arab and Islamic Sudanese state should be naturally removed.
- <sup>9</sup> *Kandaka* is the title given to ancient Nubian queens who were known to be brave fiercely fought and defeated the county against the invaders and the enemies.
- <sup>10</sup> The alliance consisted of political parties and entities such “Sudan Call” and “the Forces of National Consensus”, in addition to women’s associations, youth groups, community groups, and trade unions.
- <sup>11</sup> The Janjaweed is an Arabic word means a *jinnī* (spirit) and *jawad* (horse) i.e. “a sprit/man on a horse”, is a militia that was formed in 2003 and supported by the Sudanese government after the insurgency escalated in the Sudanese western region Darfur. The Janjaweed comprised Sudanese “Arab” tribes who were mobilized to fight against the rebels from “African” tribes i.e. the Movement of Justice and Equality and the Sudan’s Liberation Movement. The Janjaweed were led by Shiekh Musa Hilal and Ali Kushayb who voluntarily surrendered himself for arrest in the Central African Republic in June 2020 and was in ICC custody on 9 June 2020. This Janjaweed militia committed horrendous atrocities in Darfur leading to the killing of 300,000 people and the displacement of three million. As a result, the ICC issued an indictment warrant against al-Bashir and a number of top-ranked officials in the government and the Janjaweed leaders in 2008. In a later stage, with the bless of Omer Al-Bashir, Mohamed Hamdan Daglo “Hemidti” led and restructured the Janjaweed into a para-military force called the Rapid Support Forces (RSF).
- <sup>12</sup> The CD’s provisions explicitly outline the protection of the economic rights of Sudanese women. That declaration indeed raised the threshold on gender-sensitive provisions of Track I peace agreements in Africa. <https://giwps.georgetown.edu/sudan-spring-lessons-from-sudanese-women-revolutionaries/>
- <sup>13</sup> The term empowerment was used by the ousted regime to provide privileges for those close to the regime.



Image 12: Warsaw, October 2020 © [Agata Kubis](#). All rights reserved.



# Fear Eats the Soul: self-quarantining in an illiberal state

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*Fear Eats the Soul* is one of the several remarkable films by Rainer Werner Fassbinder from 1974. The unlikely love story between a 60 year old German widow, who works as a cleaner, and Moroccan guest worker in his late 30s, shows how fear is manifested in words, in actions and also in the stomach ulcer of the guest worker. Fear is a governing force of all lives: fear saves us from drowning in a steep river and fear also prevents us telling an honest opinion about our colleague's work. Fear, especially one type of it, the 'existential fear', has recently been used as an explanation for the resurgence of illiberalism and different forms of populism. One fears from impoverishment, job loss, premature death due to an infection in the underfinanced health care system, loneliness and the real list of subjects of fear can go on. But fear is a tricky emotion as Fassbinder knew it so well. It eats the soul as it becomes a part of the body, and not only drives one's actions but also makes life lived with dignity impossible.

There is not another EU member country which has been using taxpayers' money from other EU member states for generating fear as a form of governance like Hungary. Hungary serves as 'laboratory' of illiberal policies. (Pető and Vasali, 2014) The tolerance for others has been transformed into xenophobia. A generous supporter of Hungarian culture, George Soros, became a target of an anti-Semitic campaign. A flagship institution of the national higher education, Central European University, turned to be an alien body and was forced to go to exile. An established, international academic discipline, gender studies was transformed into a

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‘threat to the nation’. The government decree revoking license of study programs on gender, without explanation or without consulting with professional institutions in Hungary resulted in making decisions about scientific matters without consulting with representatives of the profession. More importantly the government sponsored media attacked academics listing them as ‘enemies of the as intellectual work of teaching and scientific research become a life-threatening occupation once again creating fear among academics. (Pető, 2020a and 2020b)

How does it feel like to live and to work as a feminist in academia in a climate of social fear?

What Abby Ferber aptly termed ‘public targeted online harassment’ has been a part of my everyday life since I began writing articles available online for the wider public. (Ferber, 2018) What was new besides the usual anti-Semitic slurs in comments is that in 2017 I received death threats via social media. I wasn’t sure whether the sender was a lonely man, guided by sheer anger, someone who doesn’t have to be taken seriously, or whether this was a serious threat not to be taken lightly. Unfortunately it was left it for me to decide as the Hungarian police refused to investigate. It meant a lot that my workplace, CEU stood by my side and offered a body guard. What would be the impact if I would enter to a gender studies classroom with a body guard? Would a body guard save me from fear? Or just the opposite as seeing a CEU professor walking around the campus with a body guard might have added to the already existing fear of the colleagues and students. I refused the generous offer independently that the prosecutor’s office also rejected to investigate on September 7, 2017, on the basis that ‘According to the Penal Code the use of phrases such as ‘I will hunt you down’ and ‘I will dispel you from the face of earth’ cannot be identified as a crime against a person’. This ‘public targeted on-line harassment’ is connected to a new phenomenon to threaten and to challenge the political and scientific legitimacy of gender

equality and science. Its targets are primarily scientists, educators, thinkers; and the offender's goal is to raise fear and uncertainty, rather than pose a physical threat. The very kind suggestion I received from colleagues and friends that I should 'take care' had only impact that I started to fear that it is my own mistake if I am not taking enough care of myself. Fear eats the soul and makes the air you breathe disappear around you. I know it from family stories, and also from stories I teach, how in the 20<sup>th</sup> century different political systems very successfully created a culture of fear as a form of governance. The COVID Pandemic just contributed to the list of fears which have been already listed with one exception: that this was a fear of the very real infection by a virus.

My position is privileged: as a tenured full professor at CEU even eligible for an institutionally paid bodyguard, my main concern at the moment is how to move my office I used for the last 14 years to Vienna; how to set up my new home there as political refugee. During the pandemic, as I stayed in home office teaching and conferencing online, I was thinking how to react to fear and to the absence of that what was has been consumed by the fear.

What I miss from my life is civil courage, or with the new buzzword: resilience. One feels speechless for the first time, when a septuagenarian male member of the Hungarian Academy of Sciences, in retirement for more than a decade, is censoring my article about memory politics. His reason is that he is afraid that the journal will lose state support. One continues to be speechless as a young female historian does not want an online debate she moderated to be available on the internet, because she is afraid of being fired, and she has mortgage to pay. Discussing collaboration and compliance with colleagues is a difficult discussion, as it is a moral dilemma if one can expect somebody else to commit what he or she perceives as an act of self-sacrifice. These discussions are even more difficult as the pandemic results in increased poverty and job loss. This is

in a country where cronyism influences who gets a job, without regard to their qualification or achievements. This is true from getting an appointment at the local post office to an appointment of a Rector. The counterargument that one is irreplaceable or even just a good professional, does not work.

The COVID19 crisis makes Kant and his concept of 'foul stain of species' timely again. This concept means how humans like to see what they want to see explaining dishonesty and self-deception. Will the Hungarian historical profession end if the financial support for a historical journal read by only 75 professional historians in Hungary will cease to exist? Will this female colleague be fired from her job if she moderated a roundtable? Of course not. But in both discussions, the 'foul stain of species' led the unpleasant conversation to personal direction where I was blamed not only for having too high moral standards when arguing against self-censorship but also for having a safe place to go to exile in Vienna.

Self-censorship worked well in surviving the long decades of communism, but it is a particularly dubious strategy in illiberal polypore states.

In the past decade, political scientists have been discussing in great length the terminology with which it is possible to understand recent developments in different countries, like Hungary, Poland, Serbia, Brazil, US, and Turkey. With Weronika Grzebalska we call these states illiberal polypore states based on their common modus operandi. (Grzebalska and Peto, 2018) Unlike other political scientists who are admiring these states because of their effectiveness we argue that the polypore states do not have any original ideas just taking ideas of others using them for its own purposes, which is self-maintenance.

The polypore state is working with three concepts. The first is security. In its public discourse the state securitises all possible aspects of life and

policy areas including portraying gender studies and critical intellectuals as threat. This concept of polyporism is useful in spite of its biological connotation to understand the relationship of the illiberal states to religion. The global illiberal influence and the local nationalist discourse intersects in portraying of Eurochristianity that needs to be defended both from Western moral decay and Islamic aggression has become a popular discursive trope in both countries, with both leaders presented as the hope for European Christian civilization. But the meaning of Christianity is also emptied as the polypore state only uses those elements which are useful for its survival, like spreading hate and ignored the elements which might undermine its existence like solidarity and helping people in need. Second is the ideology of familialism that state policies are supporting selected, mostly middle-class families, consciously ignoring the value of gender equality. Religion is used to legitimise heterosexual and nuclear families on the expense of other forms of cohabitations portrayed as existential threat to the community. And third, which is the most relevant for academic knowledge production, the founding and funding of new research and teaching institutions with the same profile as the already existing one, is creating a new phenomenon: the polypore academia. In the past decade in these illiberal polypore countries several new research institutions, museums and universities have been founded with exactly the same profile as the already existing museums and universities had. The difference between these polypore institutions and the already existing ones is that there is no quality assurance and the available funding seems limitless, since funding from other state institutions are pumped to these also state financed institutions. Religious ideas are creeping into science like creationism is taught in secondary education as a result of the state centralized control of curriculum and textbooks when only one officially approved textbook remained in all subjects. The polypore state also works with façade-ism as these institutions look like universities or textbooks but in reality, they are just spreading hateful propaganda.

During communism the quality and some private spaces of intellectual work served as sites of resistance. Now the higher education introduced its own evaluation system based on loyalty and not on indices and impact factors neoliberalized academy worked so hard in the past decades to introduce. Partly because the new cadres and newly founded educational programs are failing not only meet international standards but more importantly it helps to delegitimize those academics who do. It was not that difficult as the government just replaced the key decision makers in the different accreditation committees and as rectors of universities with loyal supporters or cronies. During the higher educational reform illiberal states are using a securitized language and labeling anybody who is criticizing these provisions as '[enemy of the nation](#).' Illiberal polypore states are setting up parallel loyal institutional system (new universities, research institutes are being set up) in order to channel public and EU funding from previous public institutions to loyal oligarchs including oligarchs buying public universities on money they made in the porn industry. Today the delegitimization of academic and scientific work is happening which eats up the space from intellectual and academic resistance. Now our decisions how we act, whom we work with, where to publish our work, what kind of assignments do we accept of course are also driven by fear. Fear of not fulfilling our roles as professors, teachers, researchers and public intellectuals. When fear is eating the soul then basically eating up the role model of being responsible and useful thinkers and knowledge producers. (Pető, 2019)

Fear also has an impact on gender studies professionals. Luckily nobody was fired or imprisoned in Hungary after the accredited two years master's program in gender studies was deleted from the accredited study list in 2018. The test of the small and dedicated gender studies community was rather how they react to this new political situation. Will fear take over? Those who chose gender studies as their field became accustomed not only to be ignored but also facing hostility. The debate about gender

studies, which made Hungary of 10 million to gender experts of 10 million who had an opinion about curriculum, reading list and learning outcomes. In Russia, already in the early 2000s, department of gender studies were renamed as Departments of Family studies. Faculty who had no international ties had to choose between shifting the field of research to non-irritating topics for higher education administrators or to leave the country. This was not the case in Hungary simply because there has not been any gender studies departments in public universities. Still public money now is flowing to set up Family Studies Program at a recently privatized public university, Corvinus University with faculty who are openly dedicating themselves to critically studying the subject. If that is 'foul stain of species' time will tell. The sudden public interest in gender studies led not only to an unprecedented interest in gender studies as far as topics of thesis, dissertations are concerned, but CEU Gender Studies in Vienna also received unprecedented high number of applications.

In academia fear influences the choice of topics, words we choose and arguments we make. Fear eats the soul and makes academics believe that self-censorship can partly create a space not eaten up by fear. The 'foul stain of species' might deceive academics believing that there is a good answer in a morally corrupt system. For feminist academics there is the international community of gender studies scholars who can serve as a moral yardstick. Of course this community is divided and has its internal debates but there is no question about academic standards.

Neoliberal universities transformed humanities and social sciences as branding institutions. COVID is the moment of truth when glass jar of 'foul stain of species' started to crackle. Not a surprise that the Polish government has chosen during this health crises when there was a ban on protest to further strengthen the abortion law or the Hungarian government attacked trans rights. The Romanian Senate also attacked gender studies in the middle of the pandemic. I gave an interview to one

of the Romanian television channels about how this ban is luckily counterproductive to those who believe they can control science. On the following day my mail and Facebook messenger were filled up with hate mail. COVID opened up a chance to all of us to say what is real and true. This should be celebrated and used with care especially in countries living in parallel realities.

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Image 13: Shaheen Bagh, New Delhi, December 2019 © Nazes Afroz. All rights reserved.

# Feminist Dissent: Shaheen Bagh, Citizens and Citizenship

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I



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***'I have nothing to give either—except this gesture, this thread thrown between your humanity and mine...'* (Toni Morrison)**

As COVID-19 sweeps all before it, the focus on injustices of another time is being further entrenched by populist regimes that are mobilising the pandemic for political ends, while also drowning out the politics of dissent. And yet, those very injustices have generated the politics of holding the state accountable for its omissions and commissions. It was a beautiful January day (22<sup>nd</sup>, 2020 to be precise) when I first went to Shaheen Bagh in north east Delhi. The sit-in, largely of women protesting against Citizenship Amendment Act (CAA), had been going on for a month already and the news about and from Shaheen Bagh was in the media every day,

dividing opinion. The pandemic has pushed these women out of the public space of Shaheen Bagh, but the struggles against the CAA continue, as do the assaults on those who stand up against the state.

II



***'When it encounters resistance from the other, self-consciousness undergoes the experience of desire—the first milestone on the road that leads to dignity'. (Fanon)***

Citizenship frames our relationship with the state in many ways – through law, policy, through its political institutions. The state has the power to delineate who is a citizen and who is a 'stranger', a migrant, a refugee, and even a traitor (see Jayal, 2013) on the three worlds of Indian citizenship).<sup>1</sup> Political dissent is also important in understanding citizenship. What spaces can citizens occupy, what language they can speak in, what clothes they can wear (or not), what demands can they make. The resistance to the Indian state's pushing through a law on citizenship that seeks to identify the Muslim community as not deserving of refuge led to an outcry among the Muslim populations and all those who take India's secularism seriously resulted in an astonishing political spectacles of solidarity –

hundreds of people, particularly women, who had never participated in political protests coming out and peacefully occupying public spaces in opposition to this exclusionary and discriminatory law. The visibly Muslim women of Shaheen Bagh, supported by students, teachers and ordinary people decided that they would oppose the Citizenship Amendment Act. As evidenced by their press interviews, many women had never come out of their homes for any political event before this and yet here they were – their peaceful refusal in the face of political vitriol a powerful gesture of strength in the face of state prejudice.

I saw women of all ages, young and old, with children, in high heels, in niqabs and burkas and trousers, sitting on durries in front of a mic occupying and claiming a multi-use space of performance. The women chatted, listened, whispered and laughed out; they clapped for the performers, they raised slogans in support of democracy and against those who would silence them. The atmosphere was festive, relaxed, with no fear.

## III



***'Time is on the side of the oppressed today, it's against the oppressor. Truth is on the side of the oppressed today, it's against the oppressor. You don't need anything else.'* (Malcolm X)**

As the Indian state sought to exclude a sizeable population from its narrative on citizenship through the Citizenship Amendment Act, 2019, the women of Shaheen Bagh in southeast Delhi decided that they had had enough. Coming out of their homes, they made their presence felt in a way that connected them with the Indian independence movement – an insistence that their rights be recognised through their presence in a public space that could not be overlooked. They occupied a road, made into a garden of hope (bagh), an aesthetic oasis in the midst of the hustle and bustle of a mega-city's poor corner. And how attractive a space it became – with art, books, and libraries; with singing songs – the two most popular being Gandhi's favourite bhajan (devotional song) 'Vaishnav Jan To' and the ghazal by Faiz Ahmed Faiz 'Hum Dekhenge'--reciting poems, readings in different languages. Just their presence opened up spaces – there and

elsewhere. The optimism among the protesters was palpable – perhaps this was a turning point in Indian politics? A time for a new framing of citizenship that spoke to India's secular state?

This optimism spoke to other struggles for equality in the world, where also, even as Covid-19 takes its deadly toll, there was sense of change in the public discourse. From Malcolm X, to #Muslim Lives Matter, the exuberant art in Shaheen Bagh made connections with struggles across borders. As the US burnt in the aftermath of the death of George Floyd, the solidarity of the oppressed came to be expressed in this mural – there is Malcolm X, the leader of Black refusal to engage with an institutionally racist state, and then there is the slogan of #Muslim Lives Matter, connecting this struggle with that of Black people everywhere. Since 9/11, Muslim refugee population has soared worldwide, making them some of the most vulnerable in the world.<sup>2</sup> To deny them the right to refuge in India can only be institutionally Islamophobic. The pandemic underlined the role of the state, of public services and the importance of solidarity in public life is being celebrated – through rainbows in windows and claps for those who serve communities in this time of crisis. This optimism is of course important; there is a need to see a light at the end of the tunnel. But just like solidarity is not charity, optimism too needs to be tethered to experience. Even as we hope for the best, history teaches us difficult lessons.

Urgency and crises do not always challenge the status quo; they can also consolidate privilege. To challenge this consolidation what is needed is not only 'truth on the side of the oppressed' as Malcolm X declared, but also solidarity networks that can resist the privilege that congeals in times of crises. Activism is difficult but is the essential ingredient of change

IV



***'Why would she not let me come here?! She would be here, but she cannot see! She is looking after the kids so that I can be here.'***  
**(Interview)**

Women/dadis (grandmothers) of Shaheen Bagh – they did not want to be saved by upper caste Hindu men; they were saving the constitution's essence by demanding that the right to refuge be extended to all groups. They also built bridges across the structural landscape of institutional and social exclusion and prejudice: on India's Republic Day, 26<sup>th</sup> January, the mothers of Rohith Vemula and Junaid Khan and the 'dadis (grandmothers) of Shaheen Bagh', Asma Khatoun (90), Bilkis Bano (82) and Sarwari (75) hoisted the national flag amid chants of 'samvidhan ki Raksha, desh ki raksha' (defence of the constitution is defence of the country). Indeed, expropriating the national flag and the constitution as symbolic of their struggle was a powerful move to undermine the mobilisation of majoritarian nationalism by the BJP government. The reciting of the Preamble of the Indian Constitution, which describes India as a secular state became a performance of defiance and also of claiming citizenship.



This popular engagement with, defence of and loyalty to a secular constitution that provides equal rights to all citizens of India was claim-making at its best. The claim here was one that provided these women and men and children with the discursive and political confidence to refuse to lay down and let the Islamophobic and exclusionary populist nationalism roll over them, bundling up their stake in the direction of the politics of the country.



**‘How “Shaheen Baghs” have cropped up all over India’. (*The Times of India* newspaper headline).**

As I stood around, I struck up a conversation with one of the many women in the crowd gathered and listening to the speeches. She was stood there in the middle holding the hand of her young daughter. ‘How old is she?’ I asked, pointing at the child. ‘Eight. My younger child is at home with my mother-in-law’. ‘Ah, so you brought her with you, here? Did your mother-in-law let you?’ ‘Why would she not let me come here?!! She would be here, but she cannot see! She is looking after the kids so that I can be here’.

I didn't need to know any more about the passion with which those present and those absent – looking after the children, cooking, taking turns in attending the meetings – feel about the issues at stake. But challenges also bring risks with them – of discursive as well as physical violence.

### V

Protesters against the Citizenship Amendment Act (CAA) in Delhi's Shaheen Bagh were removed and some detained, more than 100 days after they started the agitation, amid a lockdown in the national capital over the Covid-19 outbreak. In Shaheen Bagh, Gali No. 6 was declared a containment zone after three persons had tested positive for Covid-19.<sup>3</sup> Muslims were targeted in many parts of the country as carriers of the disease and violently assaulted. Many other anti-CAA protesters were arrested amidst the COVID-19 lockdown and charged under the Unlawful Activities (Prevention) Act.<sup>4</sup>

But the women of Shaheen Bagh did not entirely disappear in the face of this onslaught. They left their traces – in the stories that were told about them. In the slippers they left on 'protest beds' to remind the state of their presence in their absence become powerful expressions of resistance.

As the murder of George Floyd, and then of Rayshard Brooks, showed, institutionalised hatred is not easy to reverse.<sup>5</sup> In India, the courts as well as representative institutions such as Parliament have recently shown a wilful disregard for the struggles to ensure citizenship rights of all people.<sup>6</sup>

In such times acts of remembering together, reevaluating and reimagining community spaces, becomes central to creating spaces of solidarity and of visualizing a future which is discontinuous with the present socio-economic order in which we live.<sup>7</sup> But as the global protests against these murders and against discrimination more generally in the form of BlackLivesMatter, and the protests of Shaheen Bagh women have shown, taking a stand is important regardless of outcome. Taking a stand builds

solidarities that can last; taking a stand can challenge a state that is cruelly blind to what the politics of hate can do; taking a stand can effect change. By challenging a populist state, by refusing to accept a diminished citizenship, and by standing up for the principles of a progressive constitution, the women in Shaheen Bagh, among many others campaigning for change, have shown us a glimpse of what a reimagined politics might look like.

**For a longer version of this essay, see -**

<https://www.opendemocracy.net/en/openindia/india-populist-nationalism-popular-constitutionalism/>

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## Notes

- <sup>1</sup> <https://blogs.lse.ac.uk/southasia/2014/12/26/the-three-worlds-of-indian-citizenship-an-evening-with-professor-niraja-gopal-jayal/>
- <sup>2</sup> <https://data.worldbank.org/indicator/SM.POP.REFG>
- <sup>3</sup> <https://www.hindustantimes.com/delhi-news/three-more-containment-zones-in-delhi-total-now-60/story-EPm5oCtA9LdjKyn28lLeNK.html>
- <sup>4</sup> <https://thewire.in/rights/caa-protesters-jamia-statement>

- <sup>5</sup> <https://www.nytimes.com/2020/05/31/us/george-floyd-investigation.html>;  
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- <sup>7</sup> <https://www.opendemocracy.net/en/openmovements/community-spaces-india-constructing-solidarity-pandemic-times/>



Image 14: Shaheen Bagh, New Delhi, January 2020 © Shirin Rai. All rights reserved.

## Poetry of Resistance

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**Protesters at Parliament Street, New Delhi, during an anti-CAA and anti-NRC protest. Photo by Anjum Alam**

*Sabhi ka khoon shamil hai yahan ki mitti mein  
kisi ke baap ka Hindustan thodi hai*

*Everyone's blood has seeped into the soil of this nation  
This Hindustan (India) is no one's father's property*

These lines by the noted Urdu poet and lyricist Rahat Indori, who died on 11 August 2020, reverberated as an anthem during the protests against the contentious Citizenship (Amendment) Act (CAA) and the National Register of Citizens (NRC). The CAA, passed by the Indian Parliament on December 12, 2019, accords the right to religious minorities from Pakistan, Bangladesh and Afghanistan to acquire Indian citizenship. At the same time, it directly excludes Muslims from that right. Combined with the expanding reach of the NRC, protests, sit-ins and solidarity meetings were mounted all across India and indeed across the globe against a law that was seen as fundamentally discriminatory. (UN News, 2019) The hundreds of thousands who came out to express their opposition to the Act, reiterated their faith in the ideals of equality and secularism that are an integral part of the Constitution of India.

Of course this was not the first time that such nationwide protests had taken place in postcolonial India, but the protests against the CAA and NRC stood out for the notable participation of Muslim women. Most of the protests, barring the ones in the north-east, were essentially led, organised and sustained by ordinary Muslim women, and challenged prevailing narratives about them as docile victims of Muslim patriarchal structures. The women at these protests sent out a clear message that asserted their rights as citizens of the nation, refusing to be silenced both at home and in the street. (Alam, 2020)

The protests were marked by a flowering of resistance poetry. The protestors sang and recited not only the works of poets like Indori and Faiz

Ahmed Faiz, Habib Jalib, to name a few but found voice in a new movement that made poetry central to its resistance. Most of the poets were young men and women from different socio-economic backgrounds and regions of the country. Their poems were sung in the streets and went viral on the internet. These were the new radical citizens whose poetry spoke to a younger generation that wants to reject the old communal divides of religion and to sing of an inclusive nation.

The poetry appealed to people across the world, at a time when walls and borders are being redrawn with greater force. In February 2020, Pink Floyd guitarist and co-founder Roger Waters read out a part of the activist and poet Aamir Aziz's poem '*Sab Yaad Rakha Jayega*' (Everything will be Remembered). Waters was speaking at an event in London, demanding the release of jailed Wikileaks founder Julian Assange. While reading the English version of the poem, Waters told the world that Aziz was fighting against the Indian Prime Minister Narendra Modi's 'fascist and racist Citizenship law.' (*Indian Express*, 2020)

However, much before the anti-CAA protests in the 'mainland', there were already struggles being carried out in Assam, a north-eastern state of India. In August 2019, the final version of the NRC was published. It effectively stripped about 1.9 million people of the state of their citizenship. People excluded from the list were allowed to appeal to special courts called Foreigners Tribunals, as well as the High Court and Supreme Court. However, if they were to lose their appeals in the higher courts, they could be thrown in detention centres, or worse, deported. As per news reports, more than 1,000 people are already languishing in six detention centres even as the government is building an exclusive new detention centre that can hold 3,000 detainees. (BBC New, 2019)

The protests in the north-east of India from 2016 onwards had given rise to a new form or school of poetry known as Miya poetry. The word Miya,



though it literally means ‘gentleman’ in Urdu, is used as a slur in Assam for Bengali-origin Muslims who are seen as illegal immigrants. In July 2019, the state police registered a criminal case against ten people, most of them poets and activists who wrote in a dialect colloquially called the ‘Miya’ dialect. According to the complainant, the accused were trying ‘to depict a picture of Assamese people as xenophobic in the eyes of the whole world, which [is] a serious threat to the Assamese people, as well as, towards the national security and harmonious social atmosphere. The real intention of this poem is to motivate and provoke their community against the system.’ (*Indian Express*, 2019)

Following this complaint, several of them had to go underground for a while. Rehna Sultana, the lone female poet amongst the accused had to face sexual slurs because of her poetry and activism. Other poets face ongoing forms of harassment and intimidation as well. But they are not deterred—they are not only active but also determined to continue with their poetry and activism. During the lockdown in the face of the Covid-19 pandemic, they participated in several online and offline protests, apart from helping migrants and the needy in different parts of the country. I remember Rehna Sultana telling me, ‘Getting scared or terrorised is not the solution. If we get scared, then the state and their allies will succeed in their design. But we will not let that happen.’

Here are some of the poems which were part of the protests.

**Mahtab Alam** is a Delhi based multilingual journalist, researcher and podcaster on politics, law, media, literature, environment and human rights. Mahtab is former executive editor of *The Wire Urdu* and currently writes for *The Wire* (in English, Urdu and Hindi) as well as BBC Urdu, the Independent Urdu, *Down To Earth* and *Samkaleen Janmat*. He is a guest podcaster with [SunolIndia.in](http://SunolIndia.in) and the founder of *Radio Urdu*, an exclusive platform for Podcasts in Urdu.

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Image 15: Shaheen Bagh, New Delhi, January 2020 © Shirin Rai. All rights reserved.

## The Girls of Jamia

**Aamir Aziz**

(Translated from the original 'Jamia ki Ladkiyan' in Urdu by **Rashmi Varma**)

---

They unmask kings

they launch revolutions through subtle glances

the girls of Jamia

As they tear apart the garb of patriarchy, people clear the path ahead

when they embark stubbornly on their journey

the girls of Jamia

And when the police raise their batons, and the people throw stones

And screams are heard from the slaughterhouse, and human breaths are

scuffled

the sighs are stifled, the eyes downcast

and when people begin to pay obeisance to injustice and power

and when the slaves tire of fighting the masters

when the broken shards of humanity fall in pieces on the road

they clench their fists and raise a cry

the girls of Jamia



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## Feminist Dissent

when debased men fall even further  
and stars appear to take a first look at them before ascending the skies  
they clench their fists and raise a cry  
the girls of Jamia

When the embers imprisoned in the kitchen fires ignite torchlights  
and the melancholic sounds of prisoners' chains become the rousing call  
of freedom  
they clench their fists and raise a cry  
the girls of Jamia

They sound the death knell of the autocrat  
as the oppressor's land quakes and reality merges with dreams  
they are neither someone's mother, nor daughter, nor wife, nor sister  
the girls of Jamia

They are no one's honour, no one's pride, no one's home, no one's life  
they live life, they also smoke cigarettes  
they are the embodiment of a carefree life  
the girls of Jamia

So keep your views to yourself,  
if need be, take cover in a hijab

they are experts in splitting hairs

the girls of Jamia

In the revolutionary songs inscribed on history's pages

in the verses written in the holy book

in their hearts and their minds, all the world's women are

the girls of Jamia

**Aamir Aziz** is an actor, singer and poet based in Mumbai.

**Rashmi Varma** teaches English and Comparative Literary Studies at the University of Warwick.

(Translator's Note: This poem is Aamir Aziz's tribute to the women students of Jamia Milia Islamia whose campus was invaded by police on 15 December 2019. The students of the university had been protesting the discriminatory Citizenship Amendment Act that had been introduced by the government. Many of the women students who had been at the forefront of the protests were injured in the violence. I hope this translation captures some of the dynamism and rebellious energy that was aroused when Aamir Aziz read and performed this poem during the protests. The poem catapults the young women protestors to the real and imaginative centre of resistance.)

## My Mother

Rehna Sultana

(Translated from the original in Miya dialect by **Shalim M Hussain**)

---

I was dropped on your lap my mother  
Just as my father, grandfather, great-grandfather  
And yet you detest me, my mother,  
For who I am.  
Yes, I was dropped on your lap as  
a cursed Miyah, my mother.

You can't trust me  
Because I have somehow grown this  
beard.  
Somehow slipped into a *lungi*  
I am tired, tired of introducing myself  
To you.  
I bear all your insults and still shout,  
Mother! I am yours!  
Sometimes I wonder  
What did I gain by falling in your lap?  
I have no identity, no language  
I have lost myself, lost everything  
That could define me

## Feminist Dissent

And yet I hold you close  
I try to melt into you  
I need nothing, my mother.  
Just a spot at your feet.  
Open your eyes once mother  
Open your lips  
Tell these sons of the earth  
That we are all bothers.  
And yet I tell you again  
I am just another child  
I am not a 'Miyah cunt'  
Not a 'Bangladeshi'  
Miyah I am,  
A Miyah.  
I can't string words through poetry  
Can't sing my pain in verse  
This prayer, this is all I have.

**Rehna Sultana** is an independent researcher, community worker and woman activist working in the Char-Chapari (the riverine) areas of Assam on citizenship and different issues faced by women. She is the lone woman Miya poet. Sultana recently completed her Ph.d from Gauhati University.

**Shalim M Hussain** is a writer, translator and researcher based in Guwahati and New Delhi.



## Write Down 'I am a Miya'

Hafiz Ahmed

---

Write

Write Down

I am a Miya

My serial number in the NRC is 200543

I have two children

Another is coming

Next summer.

Will you hate him

As you hate me?

write

I am a Miya

I turn waste, marshy lands

To green paddy fields

To feed you.

I carry bricks

To build your buildings

Drive your car

For your comfort

Clean your drain

## Feminist Dissent

To keep you healthy.

I have always been

In your service

And yet

you are dissatisfied!

Write down

I am a Miya,

A citizen of a democratic, secular, Republic

Without any rights

My mother a D voter,

Though her parents are Indian.

If you wish kill me, drive me from my village,

Snatch my green fields

hire bulldozers

To roll over me.

Your bullets

Can shatter my breast

for no crime.

Write

I am a Miya

Of the Brahamaputra

Your torture

## Feminist Dissent

Has burnt my body black

Reddened my eyes with fire.

Beware!

I have nothing but anger in stock.

Keep away!

Or

Turn to Ashes.

**Dr. Hafiz Ahmed** is a writer, teacher and political commentator. He is the president of the Char-chapori Sahitya Parishad, Assam.

## Hindustaani Musalmaan

Hussain Haidry

(Translated from the original in Urdu by **Husain Haidry**)

---

As I smoked by the roadside,

I hear the muezzin's call break the silence

A reminder, that it was time to pray and then a thought crosses my mind,

'What kind of Muslim am I?'

Am I a Shia or a Sunni?

Am I a Khoja or a Bohri?

Am I from a village or from the city?

Am I a rebel or a Sufi?

Am I devout or a fraud

What kind of Muslim am I?

Am I the kind who kneels in prayer or a Jhatka enduring heretic?

Do I wear the skullcap or am I the clean shaven dissident?

Do I recite the aayats of the Quraan or do I hum songs that belong to films?

Do I chant Allah's name or rebel against Sheikhs?

What kind of Muslim am I?

I am an Indian Muslim.

I am from the South, and from the North,

I am from Bhopal, from Delhi,

## Feminist Dissent

From Gujarat from Kashmir  
I'm from every caste high and low  
I am the weaver, I am the cobbler  
I am the doctor, and also the tailor  
In me reside the shlokas of the Bhagvad Gita,  
As much as the editorials of an Urdu newspaper  
Hallowed is the month of Ramadan to me,  
As is washing my sins away at the Holy Ganges,  
I live life by terms that I myself own,  
I've had a drink or two and also smoked,  
There is no politician who runs in my veins,  
No political party has me in their constraints  
I am an Indian Muslim

I am Delhi's Bloody Gate  
I am the Labyrinth of Lucknow  
I am the demolished dome of Babri,  
I am the blurry borders within the city,  
I am the poverty of the slums,  
I am the Madrasa's broken ceiling  
I am the ember that erupts in riots,  
I am the garment stained in blood.  
I am an Indian Muslim.

## Feminist Dissent

The Temple's threshold is mine,  
The Mosque's minaret is mine,  
The Gurudwara's hall is mine  
The church's pews are mine  
I am fourteen percent of a hundred strong  
But these fourteen are by no means few  
I am the sum of all hundred beings,  
And the hundred are a sum of me

Don't look at me with those singular gazes,  
I don't have just one, but a hundred faces  
I have a character with a hundred layers,  
I am a story written by a hundred pens  
I am as much an Indian as I am a Muslim

I am an Indian Muslim

I am an Indian Muslim

**Hussain Haidry** is a poet, lyricist, and a screenwriter based in Bombay. He began his career with poetry and is presently working on songs and screenplays of upcoming movies and web series.

## Ayega Inquilab

Nabiya Khan

(Translated from the original in Urdu by Taikhum Sadiq)

---

Pervading through the silence of the seas,

In the eye of a storm, a resistance plies

Draped in a veil, in a woman's guise

The revolution will rise.

On occasions, in the voice of Gauri,

On occasions, in the dreams of Savitri

Like an aegis for Fatima,

and the son of a mother in despair.

With fervor like fire, untethered, mobilized

Draped in a burqa, bindi, bangles, a woman's guise

The revolution will rise.

In the emphatic evenings of Shaheen Bagh

In the slogan-laden chronicles of Jamia

Surrounded by the dissidents of Aligarh

In voice like the elegies of Faiz

To settle the scores of your injustice,

oppression and lies.

## Feminist Dissent

Draped in a burqa, bindi, bangles, a woman's guise

The revolution will rise.

Like the face of my beloved, in a city filled with gloom

The browning leaves will turn into a chinar in bloom

In the light of what was stolen, the righteous will rebel

As the world will break out of, a tumultous spell.

And as the war drums begin to sing

The songs of love, of flowers and skies

Draped in a burqa, bindi, bangles, a woman's guise

The revolution will rise.

When the earth is scorched, by the bitterness of Savarkar

The justice of Ambedkar, will send torrents down the sky

And in the clear sky, a falcon of truth will then soar

As you vanish into nothing, like the Fuhrer had once.

To lay waste to your masquerade, to witness your demise

Draped in a burqa, bindi, bangles, a woman's guise

The revolution will rise.

**Nabiya Khan** is a poet, and an activist.



## Samvidhan / The Constitution of India

**Kaushik Raj**

(Translated from the original in Hindi by **Taikhum Sadiq**)

---

Barging through the doors of your detention camp  
I stand, and reproclaim the Constitution of India  
Each and every word of which  
stands in truck with every fascist brick,  
like the first ray of sunlight stands against the dying of the light.  
Nazi bricks, as feeble as they are,  
cannot stand the Preface of my Constitution,  
Mere flicking of its pages, will send shivers down the spine  
of your detention camp.  
And as it crumbles to the ground  
I will stand, on it, and reproclaim the Constitution of India,  
  
I will reproclaim it today, my feet on the corpse of your camp,  
so that tomorrow I don't have to stand on a pile of headless corpses.  
Corpses, who's severed heads should be decorated,  
on the flag of the nation that built these camps,  
signalling the downfall of the nation.  
For how long do we sing eulogies for the nation,  
while looking eye to eye with those severed heads?

## Feminist Dissent

I haven't taken my Constitution from the corridors of the Parliament  
Who's death has been presumed as deep slumber,  
and hopes from it, lay slaughtered  
My Constitution is covered in soil,  
I have unearthed it from the ruins of Babri.  
My Constitution is drenched in tears,  
I have summoned it from bosom of the Jhelum  
My Constitution is bathed in red  
Rescued from the gurgling blood-streams of Dadri  
A sword hangs over the head of my Constitution  
But fear, withholds us from touching the hilt.  
I have gathered shreds of my Constitution  
from the alleys of Hashimpura.  
My Constitution, bereft of peace,  
cries for a revolution.

Prime Minister, since you have legislated to hold the pen  
That can sign off someone's right to be an Indian,  
I legislate, that my country stands naked  
In the face of a harsh winter,  
Your bill will be fed to fires that warm it.  
I legislate, that the principles of your Parliament  
and the roads of my nation, are cratered.  
Your bill will be shredded to fill these craters.

## Feminist Dissent

I legislate, that my nation is dying of hunger,  
It will devour your bill whole.

You also deem to legislate our reactions,  
and fathom our optimism,  
to the autocratic declarations of your state.

But if you deem to legislate the color of the ink drawn from my blood,  
that embellishes my palms,

I legislate, that the color will be pale.

I retort, by enunciating the Article 14 of the Indian constitution,  
an article that will bury your bill,  
deep into the ice of time.

"The State shall not deny to any person equality before the law or the  
equal

protection of the laws within the territory of India."

I legislate, that the question of "proof of citizenship" be answered,

With the resounding words of this article.

Words, that need to be etched on the walls of government offices

With a declaration, that before the words of this article begin to crumble,  
the bill of discrimination crumbles to the ground.

I wish to gift you, O' President, a new pen.

While signing the this bill of bigotry,

and ringing the death knell of secularism

## Feminist Dissent

you broke the nib of your pen

The sound of which resonated with the shattering  
of Bismil and Ashfaq's dreams.

I wonder why is the country is still asleep?

I legislate, to erase all the signs of equality,

To rob the mustard fields of their color,

To snatch the blue from the arms of the sky

I legislate, to color them in the color

of the decomposing ideals of the Constitution.

I legislate to color each and every speck of nature

that blankets the idea of unity in diversity, in the color red.

I want the color of sweat to turn blood red too,

At least the nation will turn to the streets someday for it.

I would have also resorted to silence

I wouldn't have reproclaimed the Constitution

But I want the words of this esteemed doctrine

to envelope your tongue,

Before they are erased from the white of their paper

When future generations will implore my stand,

I will tell them, I reproclaimed the constitution

I leave this question for you too.

Where were you, when the nation was crumbling?

## Feminist Dissent

**Kaushik Raj** is a Delhi-based student, writer and poet. He writes and performs poems on social and political issues.

**Taikhum Sadiq** is an Urdu poet and translator Udaipur, India. He has published two e-books and has translated a wide range of Urdu poems into the English. He is currently working on publishing his first anthology of Urdu poems and another anthology of the translated works of Parveen Shakir.

## Come Walk with Me

Taikhum Sadiq

(Translated from the original in Urdu by Taikhum Sadiq)

---

In the heart of your words, let cinders seethe, come walk with me

To save our constitution, to set it free, come walk with me

Your government is not your country, they lied to you

To bury this lie, to see it drown in the sea, come walk with me

Come carve a path with the vision of the Bismil's India

To awaken Ashfaq from his syncope, come walk with me

Power has disillusioned the men who sit near the crown

It's time they have a truck with reality, come walk with me

The tyrant has forgotten what the people have a heart

To remind them, this is a democracy, come walk with me

He gave up his body his youth and kissed the gallows for us

To uphold the words of Bhagat Singh's decree, come walk with me

A nation stood welcoming our ancestors with open arms

To tell the world why, they did not flee, come walk with me

## Feminist Dissent

The tyrant is hell bent on building prisons across the nation  
To smash open the fascist, lock and key, come walk with me

Rather than suffering in silence for eons, it is better I believe  
We raise our voices, and disagree, come walk with me

The tricolor, is our true flag, in our hearts and in our words  
To bury the fascist flag in its own debris, come walk with me

I had promised this land, that I will stand with it O'Sadiq  
It is time, I fulfill my guarantee, come walk with me.

**Taikhum Sadiq** is an Urdu poet and translator Udaipur, India. He has published two e-books and has translated a wide range of Urdu poems into the English. He is currently working on publishing his first anthology of Urdu poems and another anthology of the translated works of Parveen Shakir.

## Haq-parastoñ ke Naam (To the Seekers of Truth)

(Translated from the original in Urdu by Iqra Khan)

---

There were ages before today,  
Fearsome were the kings of the day,  
There were despots almighty proclaimed;  
And tyrants villanous and famed.  
There were scribes who scribbled at their feet,  
Their quills fettered to decrees supreme.  
Among them were the mavericks from the tales,  
Rebellious sparks that raged and raged.  
This is to those who stepped forward,  
The journalists and the poets slaughtered,  
The chroniclers of might and right,  
The lords of the letter and the light.  
Before whose pens tyranny would prostrate,  
Whose verses freed the living enslaved,  
Freed life from its fearful state.  
Such virtue that patrons and their grants were afraid,  
Such courage that decrees of silence failed.  
Truth, the pride of their struggles,  
Truth, the exploit of their wrangles.  
The bearers of the lightning bolt,



All wrath and insolence, behold,  
In facts alone lay their faith,  
Apostates of fortune,  
Apostates of fate.  
Great shepherds of the nation,  
Lost to a wilderness of oblivion.  
Enchanted by the tricks of a magician-clown,  
My country gasps and flounders and drowns.  
He sells poisonous dreams and delusion,  
No one to snip the blindfolds, end the illusion,  
Precious anklets for his people he buys,  
Few to tell they're shackles in disguise.  
My country succumbs to a crusade over a lie,  
The seekers of truth find nothing to get by,  
My country worships the darkness of the nights,  
Alas, the heralds of dawn may never rise.

**Iqra Khan** is a law graduate, and a bilingual poet of social justice for subaltern groups in South Asia.

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Image 16: Buenos Aires, December 5, 2018 © Cecilia Garcia. All rights reserved.

## Artists' Spotlight

**Nazes Afroz, Ateş Alpar, Cecilia Garcia, Agata Kubis and Shirin Rai**

---

**Nazes Afroz\***

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Images 4, 11, 13, 18

### History in full circle

---

Having spent many years of my childhood and early adult life in Park Circus, the most mixed and cosmopolitan part of Kolkata, I had a kind of flashback when I walked into the park where hundreds of Muslim women were protesting and raising slogans against the Indian government's plans of introducing a national register of citizens that potentially would disenfranchise many of them. As a young adult I was reminded that the process of Partition of Indian and Bengal had started in Kolkata. The religious strife that started here in August 1946, soon engulfed the whole of India, leading to its rupture within a year. The Muslims of Kolkata were always apportioned the blame for starting the Hindu-Muslim riots though only a small number of them chose to move to Pakistan. The resolute faces of the old and young Muslim women, sitting for weeks through the cold January nights, just wanted to establish that their parents and grandparents had chosen India to be their homeland and they were not going to move an inch from this country. I felt history had completed a full circle.

**Peer review:** This article has been subject to a double blind peer review process



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**Nazes Afroz** has worked as a journalist for nearly 40 years, 18 of which for the BBC, covering current affairs spanning South, Central and West Asia in the capacity of a producer and later as a senior editor. He supervised and led the research project on third generation memory of the Bengal Partition on behalf of the Goethe Instituts in Kolkata and Dhaka. He continued with the project with a photography work titled, 'Uncertain Memories/Refugee Memories of Kolkata', which was exhibited in Kolkata in 2018.

Apart from coauthoring a cultural guidebook on Afghanistan, Nazes has translated Syed Mujtaba Ali's classic memoir of his time in Kabul, *Deshe Bideshe* into English under the title *In a Land Far from Home: A Bengali in Afghanistan*. As a passionate documentary photographer Nazes has held several exhibitions in countries across three continents from 2015.

## Ateş Alpar\*

\*Correspondence: alparates@windoslive.com

Images 2, 5, 6, 7

### Documenting Social Memory

---

As a queer individual, taking photographs of the 18th Istanbul Feminist Night March held on 8 March 2020 is both memory work for myself and a contribution to social and cultural memory. I believe this banned march is a fundamental right of women. I have been working on LGBTI + individuals and their feminist practices as documents for the last seven years and I hope that what I do will contribute to the construction of a visual memory in this field. I am inspired by the hope and unity of the protestors in the streets and their collective solidarity. But mostly it is the streets that are the things that inspire me the most when I take my photos.

**Ateş Alpar** has studied cinema, photography and video. They have worked for a long time on photography, visual sociology, cinema and music. In the field of contemporary documentary photography, they produce video and photo stories by focusing on issues such as migration, border, identity, social movements, underground music and LGBTI+queer issues.

**Cecilia Garcia\***

\*Correspondence: ceciayelengarcia@gmail.com

Images 9, 16, 17

**Connected Struggles**

---

Over the last five years, Argentina has seen a massive feminist movement bubble up in households, in schools, in workplaces, and spill into the streets and political institutions. From the first women's strike in 2016, in response to the brutal femicide of teenager Lucía Pérez, to the successive feminist strikes on March 8 of following years, to multiple marches and actions against the murders of women and trans people and for rights to abortion, this feminism has refused to accept a position of victimhood. The strikes highlight women's unpaid and unrecognized work, as well as the importance of that work and the power that lies in refusing to do it. This surge of feminist mobilization is also seen in the campaign for legal, safe and free abortion, which has retaken momentum in recent years, connecting the struggle for reproductive rights to struggles for bodily autonomy for trans people, to struggles for territorial autonomy for Indigenous people, and to struggles for economic and political autonomy for all feminized subjects. This feminist movement has transformed all aspects of life, from intimate relations to professions, leading to discussions and debate about what feminist photography looks like. Feminism and photography are sister projects, forms of showing up and putting one's body on the line in the territories where struggles take place and tools of simultaneous personal and collective transformation. Photography serves as the living memory of the people. Here we see feminist mobilization as not only pain, anger, and mourning, but also the joy of collective struggle (with **Liz Mason-Deese**).

## Feminist Dissent

**Cecilia García** is an Argentinean feminist photographer and communication specialist. She has worked for different media outlets, including Radio Gráfica, Megafón Radio, Ensamble Contenidos and as a photojournalist for ANCCOM (News Agency of the Communication Sciences Department – University of Buenos Aires). She studied photography at ARGRA School, Sub Cooperativa de Fotógrafxs and Hydra, Mexico.

## Agata Kubis\*

\*Correspondence: @agata.kubis

Images 1, 8, 10, 12

### Call it a Revolution

---

On October 22, the Polish government further restricted the country's already draconian abortion laws. Photographers like Agata Kubis, based in Warsaw, Poland, have been documenting the protests sweeping the country that have brought together women from over five hundred towns and cities, and have foregrounded the energy of the younger generation born after the 'fall' of Soviet-style Communism. Kubis's photos are from the Women's Strike protests in Warsaw in October 2020 that saw protestors block the largest roundabout and bridges in the city. They also protested at the headquarters of the Constitutional Court, the PiS office (the right-wing Law and Justice party that has been in power since 2015) and the house of Jaroslaw Kaczynski, the leader of PiS.

**Agata Kubis** is a street photographer and photojournalist. For ten years, she has been documenting events related to the feminist, LGBT and freedom movement. She was a part of the editorial collective of Replika magazine, and since 2017 has been working as part of the editorial team of OKO.press.



**Shirin Rai\***

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Images Cover, 3, 14, 15

**The Women of Shaheen Bagh**

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As the Indian state sought to exclude a sizeable population from its narrative on citizenship through the Citizenship Amendment Act, 2019, the women of Shaheen Bagh in southeast Delhi decided that they had had enough. Coming out of their homes, they made their presence felt in a way that connected them with the Indian independence movement – an insistence that their rights be recognised through their presence in a public space that could not be overlooked. They occupied a road, made into a garden of hope (bagh), an aesthetic oasis in the midst of the hustle and bustle of a mega-city's poor corner. And how attractive a space it became – with art, books, and libraries; with singing songs – the two most popular being Gandhi's favourite bhajan (devotional song) 'Vaishnav Jan To' and the ghazal by Faiz Ahmed Faiz, 'Hum Dekhenge', reciting poems, and readings in different languages. Just their presence opened up spaces – there and elsewhere. The optimism among the protesters was palpable – perhaps this was a turning point in Indian politics? A time for a new framing of citizenship that spoke to India's secular state?

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Image 17: Buenos Aires, March 8, 2019 © Cecilia Garcia. All rights reserved.

## How different are women and men?

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### Books Reviewed:

*The Better Half: On the Genetic Superiority of Women* by Sharon Moalem  
(Penguin, April 2020)

*The Gendered Brain: The New Neuroscience that Shatters the Myth of the Female Brain* by Gina Rippon (The Bodley Head, February 2019)

*Gender Mosaic: Beyond the Myth of the Male and Female Brain* by Daphna Joel and Luba Vikhanski (Hachette, September 2019)

*Sexing the Body: Gender Politics and the Construction of Sexuality* by Anne Fausto-Sterling (Basic Books, June 2020)



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The last couple of years have seen a trend in more feminist literature from trade publishers. Popular science writing has been no exception, with authors seeking to investigate and debunk perceived biological differences between men and women. They are welcome additions to a field that has been plagued historically by sexist assumptions with little basis in biology, such as the notion that women are less intelligent than men. My own contribution, *Inferior: How Science Got Women Wrong and the New Research that's Rewriting the Story*, came out in 2017. I've since been following new works exploring similar themes, mapping how they contribute to feminist thought.

The latest addition to my book pile has been *The Better Half* by US geneticist Sharon Moalem, who claims that women are genetically superior to men owing to the presence of an extra X sex chromosome in

their DNA. Stretching what scientists know about the genetics of sex difference to the point of speculation, Moalem argues that women are by birth mentally and physically stronger than men – for instance, in immune response and longevity – although he fails to explain why societies then tend to be male dominated. Ostensibly a book about female power, Moalem nevertheless takes us back to the old trope that men and women are almost different breeds.

In her 2019 book *The Gendered Brain*, British neuroscientist Gina Rippon soberly explains that women and men are in fact not as different as we might imagine, particularly in how we think. Her theory, reiterated in the more recent and equally fascinating *Gender Mosaic* by Israeli neuroscientist Daphna Joel and science writer Luba Vikhanski is that human brains are remarkably plastic, and shaped by our experiences. If these experiences are heavily gendered, our brains will reflect this, in the same way that the brains of working black cab drivers have larger regions associated with memory.

Joel and Vikhanski argue that almost all of us are mosaics of what we think of as masculine and feminine traits. When some of us struggle against the gendered straitjackets of society, this may be a symptom of the fact that we fail to recognise the multiplicity of qualities that can exist within one person. Joel advocates abandoning gender altogether and recognising each person as unique.

But viewing people as individuals rather than as categories, an important part of moving towards a society that might finally treat people equally, isn't where we seem to be headed. Instead, we remain as obsessed with looking for biological sex differences as scientists were in the previous century. We need only to have watched the news coverage of the Covid-19 crisis, which repeatedly highlighted the fact that women were on

average less likely to die than men, to see how deep our obsession goes. Moalem's book is to some degree also a product of that obsession.

The struggle between modern-day writers on the science of sex, then, is how to negotiate the differences and similarities between women and men. This is an old debate, in some ways replaying Western feminist arguments of the late nineteenth century: Should women have equal power, opportunities and status because they are the same as men, or because they bring something qualitatively different to the table, unique qualities that men don't have? Feminists sit on both sides of this divide, even now.

The truth about sex differences is that nothing is clear cut. While there are of course average differences between men and women – for example, in height and upper body strength – there is also considerable overlap on pretty much all traits, except reproductive functions. Some women are strong enough to make brilliant weightlifters and soldiers, and many men are not. Psychologically, the gaps between the sexes are minimal. Any person whatever their sex can be cruel, kind, empathic, rational, aggressive, passive or promiscuous. Myself and writers like Rippon and Joel ask that rather than imposing ideas of superiority and inferiority on entire groups, we simply accept this nuance. The greatest degree of human variation is seen at the level of the individual.

What concerns me is that, by focusing on categories and policing their boundaries, we forget this. We zero in on the things that make women different from men, forgetting that every woman is different from the next woman. To assume anything else is to engage in stereotyping. Indeed, it is stereotyping that has characterised not only sexism through the centuries, but also white feminism – a feminism that has historically viewed women through a constricted lens, and consequently ignored those who don't fit. For me, this is why Rippon and Joel offer the broadest and most exciting

visions for the future of scientific understanding of sex and gender. They ask that we keep in mind each and every person in their diversity, even while fighting for equality as socially-defined groups.

For another measured, well-evidenced account of what we really know about sex and gender from an academic who has many decades of experience in this area and has done experimental research to support her assertions, the American gender scholar Anne Fausto-Sterling cannot be bettered. Her classic book, *Sexing the Body*, first released in 2000, has been re-published in 2020 with useful updates. Wherever you stand in the debate, this is a good place to start.

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# Review of Secularism and Cosmopolitanism: Critical Hypotheses on Religion and Politics by Étienne Balibar

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One of the most defining realities of the current period is the ‘return of the religious’, and this is the central theme for this new collection of essays by Étienne Balibar. The real story of the ‘end of history’ promised by Francis Fukayama is not the shining neoliberal capitalist future he held up as our promised future; rather it is the inability of this to meet people’s needs for basic forms of social and economic security. With the decline of genuine alternatives that offered another vision of how to achieve this – communism, social democracy, progressive forms of post-colonial nationalism – a vacuum has been created into which these forms of reactionary religious identity politics have leapt. This takes different forms – be they the transnational community of true believers, as in the global Ummah of Salafi-jihadists, or a form of territorially bound politics, such as Hindutva in India, the evangelical Christianity that brought Trump and Bolsonaro to power, the contemporary politics of Israel, or the new forms Catholic authoritarianism in Eastern Europe – even the aggressive nostalgia of Brexit with its appeal to a time when Britain was unequivocally a ‘Christian nation’ is part of this. The political imaginary of forms of theocratic-political identities combines a direct appeal to the victimhood of the excluded but dominant group, whose betrayal by earlier political classes has traduced the truth of their glorious history and which they are now going to ensure is made ‘Great Again’. The process of re-establishing this greatness is driven by visceral forms of racist violence against the



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hated 'other', alongside virulent misogyny and homophobia, representing a vengeful social conservatism.

Given the centrality of the collapse of the Left in the emergence of this phenomena, it is disconcerting to see how little those on the Left have had to say about it; and it is in this context that this book of essays by Étienne Balibar on the themes of 'Secularism and Cosmopolitanism' is very welcome. Balibar himself remains an interesting and creative thinker on the Left, even if he can be a bit of a hard read at times. He emerged in the late 1960s in France as part of Louis Althusser's 'Reading Capital' project. While Althusser's star fell and that of his star student Michel Foucault rose via a thorough repudiation of the teacher's Marxism and much of the legacy of the Enlightenment with it, Balibar stayed true to his original project in the best sense; that is he has remained consistent with Marxism as both a theory and practice, with his work and his political engagements always showing a preparedness to re-examine the grounds of this commitment, while trying to face contemporary realities at the same time.

Balibar is very clear at the outset that this return of religious identities is not in any sense about a return to 'traditional culture'. These contemporary forms of religious identity are entirely products of 'the age of globalisation', emerging as expressions of the yearning for collective identity that taps into the 'destabilisation and politicisation of the relationships between culture and religion, because the frontiers of what can be pooled, shared, generalised, have lost their institutional or traditional identifications (2018:36). Taking the reader on a re-reading of Marx's work on religion, Balibar insists that the 'return to the religious' can only be understood as ideology's capacity to interpolate, and here Balibar is drawing on Althusser's work; with this conception of ideology remaining as the most enduring legacy of Althusserianism. It is Balibar's insistence that the relations between 'culture' and 'religion' are *ideological* relationships that is so refreshing here, precisely because this relationship

is being re-established in a period in which as he notes 'we longer have enough political economy (or politics in economics) but we have too much political theology (or too much theology in politics)' (2018: xxi).

The book is made up of a central essay entitled 'Saeculum', accompanied by some shorter essays and popular articles not previously translated into English. Running throughout the whole book is his attempt to think through confrontations between the 'religious' and the 'secular' – France is very much the context, though the discussion always has wider relevance – in the light of deregulated capitalist globalisation, global migration, 'the relativization of borders and the hybridisation of cultures'. While Balibar could be criticised for his failure to reference the body of international feminist scholarship and activism which has been addressing these questions for over a decade (including *Feminist Dissent*), his voice is almost alone in taking these concerns into debates within Marxism. It is also refreshing to see him grasp the absolute centrality of the social position of women, and the politics of the 'sexualised body', as one of the central battlegrounds. He notes the way this has become 'the very site where signs of purity, election, sacrifice, asceticism, and alliance are to be made manifest' (xxxii). Few events illustrate this better than the 'double-binds' in the debate around politics of the veil in France, usefully revisited in this book. This is an issue around which the Left continues to be polarised between those for whom this is fundamentally a hegemonic state strategy of anti-Muslim racism and those offer an equally passionate defence of 'secular' with all the advances in the conception of citizenship which this involves. Balibar thinks both are partly right and partly wrong, but also that these two arguments need to set alongside rather than against each other. In this sense he want to take back Laïcité from those who have mobilised it as a form of 'white' religious nationalism in which the French state has taken a sacralised form, and in which the poverty and exclusion of the largely Muslim inhabitants of France's impoverished banlieues doesn't quite figure in the discussion. But at the same time he

isn't happy with the Left/pomo-poco characterisation of Muslim religious agency as pure victimhood, and takes issue with Joan Scott's attack on the secularism of the French state as demonstrating 'extraordinary blindness to the way a social order that is patriarchal and monotheistic invests sexuality with a symbolic function that is a frightfully effective means of reproducing its own power structures' (217). It is revealing to see an almost identical polarisation in the UK in relation to the fundamentalist demonstrations against Relationships and Sex Education (RSE) outside Anderton Park School in Birmingham throughout 2019. While much of the Left remained silent on this issue, a group of 'LGBT+ organisations and individuals' wrote to the *Independent* newspaper not in support of the embattled teachers and students in the school that was taking forward RSE and Equality initiatives, but rather claiming that these agendas were being 'hijacked' by state through being incorporated into the teaching of 'fundamental British values'.<sup>i</sup> What was entirely absent in this statement was any reference to the extremely fundamentalist and homophobic agenda of the protest leaders themselves, which the authors implicitly accepted as a legitimate expression of 'Muslim values'. The conclusion Balibar reaches at the end of his discussion is that secularism must be defended as absolutely central to a progressive agenda, but that this must at the same time be 'secularised' itself; that it needs to be seen as an expression of 'universal' emancipation, and not the historic property of white French people. There is a critically important point for progressives in the UK here where we have a much weaker tradition of secularism.

Alongside some of the denser theoretical arguments the book includes three short pieces of journalism written in response to immediate events, including the Charlie Hebdo murders. Balibar is again unusual on the Left as someone who has pointed to the responsibility of Muslims within this, not because Islam is inherently violent as various right-wing commentators argue, but rather because of the deeply fraudulent nature of Salafi-jihadism in relation to the depth of Islamic traditions. He argues

that it is ‘the initiative of Muslims (as many as possible, as diverse as possible, as unanimous as possible) [which will] play the decisive role in counteracting the *religious* conditions of contemporary  *jihadism*...because nobody else has a right and a capacity to talk *in the name* of Islam’ (146). This points to the kind of political alliances which need to be developed between secular and democratic voices within religion with non-religious anti-racist and progressive forces – a kind of alliance that develops all too infrequently. This little book is a highly engaging read which one can only hope opens up some crucially important political debates on the Left.

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### Notes

<sup>i</sup> The letter to the *Independent* of 5/9/2019 stated ‘We support the inclusion of LGBT+ identities within RSE at both primary- and secondary-school level. However, we reject the ways in which LGBT+ issues are being deployed in the government’s discourse about the requirement to teach “Fundamental British Values” as part of their “Prevent” counter-extremism and counterterrorism strategies’ ‘The government is hijacking LGBT+ sex education to bolster its counterterrorism strategy – it must stop now’. Available at: <https://www.independent.co.uk/voices/letters/lgbt-no-outsiders-rse-birmingham-muslim-prevent-values-a9092781.html>

# Review of Faith and Feminism in Pakistan by Afiya Zia and The Women's Movement in Pakistan by Ayesha Khan

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## Books Reviewed:

*Faith and Feminism in Pakistan: Religious Agency or Secular Autonomy?*  
By Afiya Zia (Sussex Academic Press, 2018)

*The Women's Movement in Pakistan: Activism, Islam and Democracy* by  
Ayesha Khan (I. B. Tauris, 2018)

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This is a review of two highly significant books, both of which focus on Pakistan. Both books, each in its own way, defend secular human rights in the context of a majority Muslim nation. Zia's book engages in fascinating ways with the theoretical context of post-modern western feminism as well as the working class movements in Pakistan that, she argues, draws on secular concepts rather than the Islamic categories some theorists have attributed to them. Khan's book is a monumental history of the women's movement in Pakistan from 1947 to the present day. Both were published in 2018.

As Zia points out, there is a growing body of literature on 'Islamic Feminism' some of which describes Muslim majority nations from the outside and which adopts a specific standpoint. This literature chastises secular women, in these contexts, for being pro 'western'. Zia engages critically with some of this literature and offers a defence of secular feminism in general as well as providing examples of successes gained by

these women. There is some overlap between the two books: both outline, for example, the role of WAF (Women's Action Forum). This is a secular, women's rights organisation.

Khan's book, as noted, offers a detailed and comprehensive history of women's activism in Pakistan. It draws on interviews she conducted with women activists covering a long historical period. As she puts it: 'This book is a history of women's struggle for their rights.... before and immediately after the country gained independence from British India...' (Khan, 1). Women from WAF as well as others, she argues, entered into open confrontation with the military regime of Zia-ul-Haq, often putting their lives at risk. They have continued their campaigning ever since.

I would like to set the rest of my remarks in the context of the analysis by Saba Mahmood of women's agency in Muslim contexts.<sup>1</sup> Zia critiques Mahmood in her book.

Mahmood's work, alongside that of others offering related accounts, has generated a huge body of academic literature and it has produced its own field of study that, as Zia points out, even incorporates 'rehabilitated jihadists' (Zia, 37). Zia's and Khan's books offer a comprehensive alternative analysis of women's agency in a Muslim majority nation from that offered by Mahmood.

Mahmood is careful to claim that her work offers an anthropological study of Egypt. However, according to Zia: 'Several studies that have been inspired by this venerated text begin with a customary disclaimer acknowledging and cautioning against reading Mahmood's study of a woman's piety movement in Egypt as a general model of Muslim women's piety. Despite that the majority of anthropological works then reference, borrow, extend and model Mahmood's theory of the docile Muslim female

agent, as an alternative discourse to liberal feminist aspirations in general' (Zia, 38).

In *The Politics of Piety*, Mahmood develops the work of Foucault and Butler. She suggests that it is imperialism that has, partially, produced the liberal, secular autonomous subject of rights. This is then imposed on people who would like to embrace rather different values and particularly Islamism. Mahmood discusses how difficult it is for working women in the mosque movement she investigated to embrace the virtue of 'modesty' in the face of challenges from those who set out to disrupt their practices. She challenges the 'western' conception of agency, which, according to her, denies the weight of custom and tradition.

Mahmood wants to revive a conception of agency that allows that women might choose very differently. This, for her, involves struggle against the secular ethos that permeated their lives and made their realization of piety somewhat difficult. Instead of becoming autonomous subjects of rights, they rather try to become pious Muslims.

In her book, Mahmood offers some specific arguments against the liberal, secular tradition of human rights. She argues that the twin notion of the public/private distinction and the conception of a 'minority' religion exacerbated the position of Coptic Christians in Egypt. The women's piety movement, she argues, forms part of the Islamic revival in the east.

Both Zia and Khan, however, offer a very different picture from that of Mahmood, of a majority Muslim nation. Rather than, as Mahmood claims, feminist women in these Muslim contexts being inspired only by western normative models, instead things are the other way round. *The Politics of Piety*, has, according to Afiya Zia, itself inspired a popularised notion of pietist agency amongst many Muslim women in the post 9/11 period (Zia, 36-59). Some activists, Zia notes, in Pakistan as well as elsewhere 'borrow,



extend and model Mahmood's theory of the docile Muslim female agent as an alternative discourse to liberal feminist aspirations in general' (Zia, 38). According to Mufti, 'the new ethnography of Islam and *The Politics of Piety* is now hugely influential and even canonical in this regard' (12).

Zia notes, quoting another source, that some have argued that there is an invitation, in Mahmood's works, to read 'agency as even substitutive for women's rights' in Muslim contexts.

However, this influence of Mahmood's work is limited and there are also many activists in Pakistan who have always drawn, instead, on human rights.

Zia points to the many contexts in Pakistan where women activists, rather than setting out to be 'docile Muslims' have campaigned against the creeping Islamisation of Pakistan and the imposition upon them of misogynist sharia law. For example, she points out that women activists have organised campaigns for land rights for landless women peasants (Khan and Kirmani, 169). In other words, Mahmood gets things exactly the wrong way round. Instead of her analysis being right, feminist women use human rights discourse to challenge the creeping Islamisation of their country.

As others, including Khan and Kirmani have argued, it is important to move beyond what they see as a false binary, between 'western' rights based discourse and local religious language. No doubt it is the case, they suggest, that the universal language of rights invariably has to be adapted according to context. Yet it remains significant that it is the language of human rights that is used to reject such practices as killing women who have been raped on the grounds that they did not get permission to have sex with the rapist.

Another important point made by Zia is the following: she argues, in the Pakistani context, that it is in part state policy that has contributed to promoting gender segregation and that when the state actively promotes women's professionalization, even in traditional female roles, this has a positive impact upon their levels of autonomy and agency' (Khan 2008). This directly contradicts Mahmood's claim that women wish to challenge the conception of agency associated with the language of human rights

In the Islamisation years of Zia-ul-Haq, Zia argues, women in employment were indeed described as liabilities to Islam. So if their agency is increased by being employed, then the opposite is the case where their abilities to engage in such way are reduced. Moreover, many groups enforced 'religious mores' in that period thus shedding doubt on the idea that the concept of piety was an innocent, if also performative choice, at least in the Pakistani context, of many women

Zia: 'Some of the criticism of liberal/secular feminisms in Muslim majority contexts such as Pakistan, imply that (these) feminists are a non-representative minority, ignorant of the dangers and effects of neo-liberal imperialism and therefore, complicit in imperialist wars/violence. Inadvertently this reads as a form of racialising too- as if, brown women do not have conscious independent agendas but blindly follow the dictates of white feminist agendas (Zia, 135).

Khan's book, *The Women's Movement in Pakistan: Activism, Islam and Democracy*, like those of Mahmood and Zia, discusses a post-colonial, majority Muslim, country. Unlike Mahmood's women, however, throughout her book, the women celebrated by Khan comprise of a secular, human rights- based minority movement. Unlike Mahmood's women, the WAF in Pakistan (Women's Action Forum), she argues, like Zia, critiqued and opposed the creation and the extreme practices of the Islamisation movement of General Zia-ul-Haq (who ruled Pakistan from

1977-88) and some of his followers. The women wanted to resist such fundamentalist practices as the imposition of sharia law, which, for example, led to the persecution of non-Muslims, through the blasphemy laws. In relation to the distinction much critiqued by Mahmood, the public/private distinction, Khan writes; 'The 1979 policy (of Zia) upheld the division of public/private and gender roles but placed extra emphasis upon women as 'guardians of tradition, culture and morals' in opposition to 'an immoral, threatening and intrusive west.' Women became the markers of "national" morality' (Khan, 129). Women therefore, through the Islamic regimes interpretation of the public/private distinction, were construed as being more unequal than they would be in western contexts. Moreover, in Khan's account, it was not the oppositional Muslim women who celebrated Islam against a regime that deployed concepts from the misguided western human rights discourse, but it was rather the Islamic regimes of Pakistan, and particularly that of Zia-ul-Haq, that set out to inculcate a suspicion of the west (Khan, 172). Indeed, when we get to a later period in Pakistan's history, according to Khan, in 2002, when there was an religious alliance of various 'Muslim' groups, under Musharraf, these groups 'used a rhetoric of "us", a moral community of pious Muslims who followed their interpretation of religion, ritual, dress and distaste of arts and culture, versus "them", a shifting, nebulous group of non-Muslims and/or bad/Muslims' (Khan, 174). This was, ironically but perhaps not surprisingly to those who understand these things, at the same time as the various Islamic parties were 'allies of the Americans.' Indeed, Khan argues that Zia-ul-Haq earlier, had gone so far as to 'infuse' textbooks in schools, 'with a deep suspicion of science and secular knowledge which worked well with a growing distrust of the west and its immorality...' (Khan, 128). Rather than, as with Mahmood, the feminist women rejecting western notions, instead the women's movement in Pakistan challenged (bravely and in ways that were often at extreme risk to themselves) the Islamisation of Pakistan which warned them to 'beware the pernicious influences abroad' (Khan, 129). This became more difficult for them under

Musharraf. His alliance of Muslim groups, including the majority group Jamiat-Ulema-e-Islam, whose *madrasas* had trained the Taliban, instituted such measures as 'blackening out women's faces on billboards', 'banning male doctors and technicians from performing ultrasounds on women' and, 'in some areas, banning women from working in public call offices because they aroused immoral urges in men who saw them' (Khan, 175). Indeed, Khan points out that it was particularly difficult for them during the 'reign' of Musharraf whose 'fundamentalism' (my word) was less apparent than that of Zia. On one occasion, Musharraf was under pressure from the US to reign in the Taliban and Al Qaeda. One way in which he attempted to do this was to streamline the *madrassas* that Musharraf believed were fermenting intolerance. So the army killed the insurgents and broke up their secret tunnels. But the *madrassas* fought back, sometimes using women and children as shields. Clearly there was sympathy within Pakistan for the militias in the *madrassas* fighting the army. But WAF had to remind people of what had been happening in the madrasa where children had been taught anti state ideology and had given them military training (Khan, 183-8).

This review can only touch the surface of these two books, but it is to be hoped that they will begin the process of creating a counter-narrative to that of Mahmood, one that actually enables all us, all over the world, to celebrate the courage and the resilience of the women activists in Pakistan who use the language of human rights to oppose the creeping 'Islamisation' of their nation. It is also to be hoped that this narrative will, just like that of Mahmood, extend beyond the domain of studies of Pakistan, to a more general context, as it deserves to be.

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## Notes

<sup>1</sup> I give a much more detailed critique of Saba Mahmood's work in my forthcoming book *New Materialism and New Defence of Human Rights*, Rowman and Littlefield forthcoming, 2020-2021.

# Review of Shari'ah on Trial: Northern Nigeria's Islamic Revolution by Sarah Eltantawi

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The sub-title of this book points to an unwarranted assertion that Northern Nigeria's extension of Sharia to include penal laws after 1999 was an 'Islamic Revolution'. Eltantawi argues that, 'In order to understand the influence and power of both texts and culture, we must also study the power of tradition, and how tradition works to motivate a contemporary Muslim society to change its present through a revolution' (Eltantawi, 3). At no point does Eltantawi state what she understands to be a 'revolution' nor how this applies to the situation at that time in Northern Nigeria. The Sharia law reforms which began in the year 2000 were initiated by politicians and often implemented by reluctant state governors. None of these politicians had a record of Islamist activism; instead, they seemed merely to be exploiting an issue that was known to have enduring emotional and political appeal. Although the reforms received popular support from Salafist groups in Nigeria, they were not part of a comprehensive Islamic world view of the polity, economy and society. Nor was this world view expressed in a people-driven struggle to *replace* the status quo with an Islamic State, as was the case in the Iranian revolution. Instead, the politicians in Northern Nigeria were more concerned with a neo-fundamentalist project that focused on strict application of Sharia penal laws and on changing Muslim society by eliminating western cultural influences (Sanusi, 2004). By contrast, Ibrahim El-Zakzaky, leader of the Muslim Brothers, a radical Islamist group impassioned by the success of



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the Iranian revolution, forcefully condemned the introduction of *hudud* punishments in an 'unIslamic' society (Sanusi, 2002).

The author states that one of her main concerns is to 'understand how social and cultural manifestations of religion interact with a canon of overdetermined divine religious texts' (3). The extent to which it is possible to do this in Nigeria without paying close attention to the politicisation of religion and its consequences is questionable. Although Eltantawi distinguishes between 'idealised shari'ah' and 'political shari'ah' i.e. 'the version of shari'ah that expresses itself through politicized society' (11), her analysis does not consider the historical context of prolonged military rule or the regional differentiation of the North relative to other parts of the country. It is not that Eltantawi neglects the political sphere; it is that her interpretation of those aspects that she does address often falls short of a nuanced understanding of the *significance* of recent changes in Sharia.

Eltantawi notes the distinction between Sharia as 'God's law' and *fiqh* as the 'man-made traditions of law that attempt to uncover God's divine law', whilst pointing out that these concepts are treated as synonymous in Northern Nigeria (Sanusi, 2004:205). Nevertheless, she makes the odd statement that 'Yerima launched shari'ah in Nigeria, 1999' (13). It is correct that Yerima, the governor of Zamfara State, was the first to announce publicly (in October 1999) that he intended to extend Sharia to include penal laws but the actual *passage* of these new laws did not take place until the year 2000. More significant, however, is the implication that Sharia did not exist prior to 1999. This is simply not true – Sharia had been entrenched in the North under the Sokoto and Bornu Caliphates well before Nigeria even came into being. Under British colonial rule, however, Sharia was restricted to the sphere of personal laws i.e. laws regulating marriage, divorce, child custody, maintenance, inheritance and the like.

The principal focus of *Shari'ah on Trial* is the question of how the past affects the present. Eltantawi sets herself a formidable task – nothing less than trying to understand the influence of Islamic texts and culture on Northern Nigeria today. She proceeds by proposing what she calls a 'sunnaic paradigm', namely, an interaction among three layers of history: the present; the period of the Sokoto Caliphate; and the classical Prophetic period of Islam. That such an interaction occurs is fair as a general description. For the paradigm to go beyond description, however, careful explication of specific instances would be needed to show what the relations between representations of these different layers were and how they were manifested in material and symbolic terms. Eltantawi addresses these interrelationships with particular regard to the cultural power of stoning as punishment in Amina Lawal's trial. This aspect of the book is the most illuminating. Contrary to the imagined stability of stoning, in Northern Nigeria, as key to the classical tradition of Islam, Eltantawi points to the early source material showing that this form of punishment predated Islam by at least three thousand years and was therefore not unique to Islam. Moreover, its status as a punishment within Islam is debatable since it is not found in the Qur'an but has made its way into the Islamic tradition through *ahadith*.

All the same, there are several striking omissions in this book. Nana Asma'u, Shehu Usman Dan Fodio's illustrious daughter, is absent from the discussion of the Sokoto Caliphate. This is surprising, given the literary legacy of Asma'u's prolific writing in Arabic, Hausa and Fulfulde; her position as a leader of Caliphate women; and her role as an educator (Boyd, 1988). The omission of Nana Asma'u is all the more critical given Eltantawi's identification of her second layer of history, the Sokoto Caliphate, as one which Nigerian Muslims often look up to, as a social and political ideal.



There is no mention of the work carried out by contemporary Nigerian scholars and activists – such as Ayesha Imam, Sanusi Lamido Sanusi, Tawfiq Ladan, Maryam Uwais, Muhammed Tabiu and others – on the extension of Sharia in Northern Nigeria post-1999 (Ibrahim, 2004). Some of these authors have had their work in this field published since 2002, others since 2004 - six years before Eltantawi began her field work. In 2003, the organisation Baobab for Women's Human Rights produced an important report on the implementation of the new penal laws in Sharia and the implications for women. This report is not mentioned either. Whilst Eltantawi points to the significance of gender relations in her final chapter, entitled 'Gender and the Western Reaction to the Case', her analysis not only of Western reactions but of the impact of the new Sharia laws on Nigerian women might have been deepened if these texts had informed her discussion.

Among the many factual inaccuracies in the book, the following statement stands out: 'Amina Lawal's trial for committing the crime of *zina*, her sentence to death by stoning and her various appeals became the first time that shari'ah was put on trial in Nigeria – and the first time that stoning was put on trial internationally' (201). This is not correct. The first case of *zina* in Northern Nigeria was that of Safiyatu Husseini, who was sentenced to death by stoning in October 2001. Safiyatu's case also attracted considerable national as well as international attention (Pereira, 2004).

Regarding Amina's Lawal's defence team, Eltantawi refers only to WRAPA (Women's Rights Advancement and Protection Alternative), the women's rights organisation that took the lead in Amina's defence and recruited the lead counsel, Aliyu Musa Yawuri. WRAPA and the lead counsel, however, were part of a larger advisory group – the Sharia Stakeholders' Group – comprising Muslim scholars and researchers, representatives of mainstream human rights groups, a women's human rights group,

common law lawyers with an interest in Sharia and women's rights, and the Director of the Institute of Legal and Islamic Studies at Ahmadu Bello University whose responsibility it was to train Sharia judges. The Stakeholders' Group debated strategic directions for the defence whilst supporting and advising the lead counsel. The author's omission of this group from her account effectively erases the broad based, collective character of the defence of Amina Lawal.

Eltantawi claims, quite startlingly, that 'the current rise of Boko Haram in Nigeria can be directly attributed to the failure of the 1999 Islamic revolution' (5). Whilst it is correct that Borno State (which is where Boko Haram originated) had declared its intention after 1999 to implement *hudud* punishments, the dynamics of Boko Haram's emergence were *not* rooted in this neo-fundamentalist project. Instead, as Abdul Raufu Mustapha's (Mustapha, 2014) painstaking analysis shows, the rise of Boko Haram can be more accurately attributed to a combined process of radicalisation within the Muslim community and doctrinal fragmentation, which was subsequently fuelled by the heavy handedness of response by political and military authorities.

Eltantawi's book addresses the important subject of changes in Sharia in Nigeria, raising critical questions about historiography as she does so. However, her treatment of these issues promises far more than it delivers. Understanding the influence of the past on the present - in this instance, manifestations of Sharia in Nigeria - requires careful cross disciplinary analysis in order to understand the complexities and nuances of context. At the very least, efforts should be made to analyse the intellectual work of Nigerian scholars and activists, and others with deep knowledge of the local, national and international dimensions of Sharia in Northern Nigeria. Eltantawi's interesting analysis of the symbolic power of the punishment of stoning in the *hudud* is unfortunately diminished by her omissions, inaccuracies and assertion of a revolution where none can be said to exist.

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