

# On Human Rights, Religion, and Democracy in the Arab Spring

What is democracy? MRB interviews Karima Bennoune

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**Karima Bennoune [1] is a Professor of Law at the University of California, Davis School of Law and the author of the forthcoming book, *Your Fatwa Does Not Apply Here: Untold Stories from the Fight Against Muslim Fundamentalism* [2], which she will discuss in further detail next month. A former Amnesty International Legal Advisor, she grew up in Algeria and the United States, and currently sits on the Board of the Network of Women Living Under Muslim Laws [3].**

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**MRB: Tell us briefly about your recent work on the interface between religion and international human rights.**

Karima Bennoune: For my forthcoming book, *Your Fatwa Does Not Apply Here*, I have interviewed about 300 people from almost 30 Muslim majority countries - from Afghanistan to Mali - about their opposition to fundamentalism. I use the definition of fundamentalism given by Algerian sociologist Marieme Hélie-Lucas: "political movements of the extreme right, which in a context of globalization ... manipulate religion ... in order to achieve their political aims." There are many other Islams, as the stories in my book indicate. My work is about foregrounding those diversities, and thinking about what international human rights norms mean in light of them.

For example, of late, the Muslim Brotherhood and its Tunisian franchise, the ruling Ennahda party, have been waging a campaign against human rights law, especially as it concerns women. As Tunisian women activists in the town of Sfax told me this month, Ennahda supporters have been substituting the French acronym for AIDS, or SIDA, for the acronym for the UN Convention on the Elimination of All Forms of Discrimination against Women, or CEDAW. In contrast, the Tunisian Association of Democratic Women has been campaigning for a new Tunisian constitution in accord with CEDAW. These Tunisian feminists of Muslim heritage see the question of their citizenship as separate from the question of religious belief. As human rights lawyer Alya Chammari told me, religion should not be used by any political party. "It belongs to everyone. No one has the right to present themselves as the spokesperson of God. You can say, 'I think women are below men.' Just don't say it is because you are a Muslim. My interpretation of Islam is different." She thinks the religion calls for equality. These are the perspectives which fascinate me, and which must be given a hearing.

**MRB: What are the biggest hopes and fears for women in the region now?**

KB: A recurring theme is that of losing hard-won gains women have been fighting for in an organized

way for a century. I recently heard an Iraqi-American scholar talk about how some women in Iraq say things are worse now than for their grandmother's generation. A Tunisian lawyer recently told me how worried she is about her daughter's future and whether she will be able to do the things her mother took for granted. Further afield, a Pakistani woman judge told me how she used to cycle around Karachi as a teenager, something her own daughter was unable to do.

There are some new spaces today for women and new possibilities due to things like cellphones and emerging media, and there is a very promising generation of young feminists coming of age, some of whom I recently met at a workshop outside Algiers - the picture is not entirely bleak.

Unquestionably, women's human rights defenders are everywhere in the region one of the most important forces contesting fundamentalism. "Every step forward for women's rights," Nigerian sociologist Zeinabou Hadari argues, "is a piece of the struggle against fundamentalism."

But there is also a sense of how far backward things have gone. I recently saw a 1966 YouTube video of Egyptian President Gamal Abdel Nasser laughing along with men listening to his speech over a Muslim Brotherhood leader's call to veil women ("let him wear it," one man shouts out) - and now niqabs covering everything but the eyes are actually worn by a significant number of women in Egypt. Today, the widespread sexual assaults of women protestors - what some women call "sexual terrorism" - by mobs of men in Egypt are provoking horror among women's right defenders, and a sense that women must continue to stand together to face the current moment.

**MRB: You were a witness to two different democratic uprisings in Algeria and Tunisia in 2011, weren't you?**

KB: I was indeed. In February 2011, I travelled to Algeria as a human rights observer at the March for Change and Democracy and at several follow up marches which were inspired by the then-unfolding Arab Uprisings [\[4\]](#).

The first protest took place the day after Mubarak fell in Egypt and the atmosphere was electric. I remember being surrounded by thousands of activists who were reclaiming public space with their "unauthorized" demonstration, despite a then-19 year-old State of Emergency. The chants "Djazair horra dimokratia" - a free and democratic Algeria, and "Yesterday Egypt, Today Algeria," reverberated. Unfortunately, the police constrained this and the subsequent marches, and the protest movement ultimately failed to catch on at the popular level despite widespread grievances.

However, many Algerians now think it was not a bad thing they did not follow the Egyptian or Tunisian path given the turbulent rise of fundamentalism in both countries since. For example, in Tunisia last week, a group of young actors was assaulted by a Salafi mob, then called to appear before a prosecutor in El Kef for "acts against modesty" after performing a play in public (the male actors appeared shirtless) about the assassination of lawyer Chokri Belaid, a killing many attribute to fundamentalists. This is not exactly freedom.

Algeria's experience after October 1988 - when political opening turned to Islamist surge - illustrates that it is no win for democracy when its processes are used to defeat its values. The strength of fundamentalists across the region means the waters of change have to be navigated carefully. This is, however, no excuse for a failure to respond to entirely legitimate demands for democratization and social justice which remain imperative. There is still hope for the democratic struggle in Arab and Muslim majority countries unleashed in spring 2011, but the struggle against fundamentalism must be a part of it. Each can only be successful if the other is.

**MRB: The demonstrations and uprisings in North Africa and the Middle East have been front-page news for several years now. What are some of the critical questions today in**

**these North African countries in which you've worked, where we have continued human rights abuses, popular unrest, debate over the role of religion in society, and questions there and in the West about whether democracy is the best solution for the people of the region?**

KB: The biggest question for the region now is, in my view, what is democracy? Is democracy only about elections or also about values like equality? Can you have genuine democracy when vast swathes of the population are impoverished due to failed neo-liberal economic policies? Can you have meaningful democracy when ruling parties do not believe in the equality of men and women, or between Muslim and non-Muslim citizens? I think the answer to these questions is no. Otherwise, we are left with the narrowest possible democracy. But I do think real democracy and the indivisible human rights international law guarantees to all are as relevant in this region as anywhere else. I reject - as do rights activists here - the fashionable cultural relativism sometimes applied to suggest that people in this region are too different to qualify for these ideals. I was moved by the question asked by Tunisian law professor Sana Ben Achour recently in her country's constitutional debate: "Are there human rights that we Tunisians ... do not deserve?" Yet again, the answer must be a resounding no.

In my book, I say it will take an unflinching, multi-directional fight against autocracy and fundamentalism, a rigorous commitment to all kinds of equality, and a very reliable political and moral compass, to find the "imaginary and poetic republics" of North Africa (borrowing a phrase from Algerian writer Mustapha Benfodil). But somewhere, they do exist. This need to remain positive is always emphasized by my Egyptian colleague in the network of Women Living Under Muslim Laws, Doaa Abdelaal, who asked at the end of 2011, "If I stop being optimistic, then what should I do? Just start saying that everything is ruined? We have to go on and engage more people for our cause. The world as we know it is coming to an end, and I am still hoping for the best."

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## Footnotes

[1] <https://law.ucdavis.edu/people/karima-bennoune>

[2] <https://www.amazon.com/exec/obidos/ASIN/0393081583/marginalia0c-20/>

[3] <https://www.wluml.org>

[4] <https://www.theguardian.com/commentisfree/2011/feb/12/algeria-egypt>