

About This Journal

"Modus Vivendi" is Latin for "way of life," but in international studies parlance, it signifies "a state of affairs where two opposing parties agree to differ." Therefore, we feel that *Modus Vivendi* is an appropriate name for a journal dedicated to an intelligent discussion of global issues, and this journal is designed to be an open forum for any views concerning international affairs.

Modus Vivendi selects articles which are submitted anonymously by students of Rhodes College. The evaluation process is extensive and each paper is graded by the editors according to the highest standards of research and scholarship. In this way, *Modus Vivendi* serves as a vehicle for recognizing outstanding papers pertaining to international affairs. Further, it is one of only a few journals which recognize undergraduate scholarship in this field.

This year's journal contains articles which cover vastly different cultures, time periods, and issues. This is the essence of international studies- to analyze and learn from other societies. The globalization of business, education and technology requires that one look into the international arena and examine the continuous changes in the geo-political landscape. To arrive at some level of understanding, we must also have open discussion of these issues. Further, an intellectual eclecticism is necessary for the adequate study of international phenomena. Thus, we encourage students of all disciplines to submit to this journal.

Special thanks must be given to our faculty advisor, Dr. Mehran Kamrava, Dr. Andrew Michta, Dr. Frank Mora and Dr. Karl Kaltenthaler. We would also like to thank Brenda Somes for her continuing support, understanding and patience. This journal could not have been possible without the technical assistance of Allen Boudreaux, Andrew Niesen, and Chris Knight. Of course, thanks goes out to the entire International Studies Department and the Rhodes College Student Government for their support.

Although it has taken many long hours of reading, re-reading, editing, re-editing and printing, the process itself has been worthwhile and rewarding. We hope that you enjoy the result. Also, please visit us via the International Studies Web Page at "<http://www.is.rhodes.edu>".

The Editors of *Modus Vivendi*

Elise Ruddick

**Strange Bedfellows:
Chirac and the European Union**

"The stability of our currency is, in my opinion, both an economic policy objective and a basic pledge of France's European commitment."

Alain Juppé

During the Mitterrand era, France was a key player in the push for an integrated Europe, and the most significant step made in that direction was the ratification of the Maastricht treaty in 1993. Until that year, Jacques Chirac had been vocally anti-European Union. In the face of a predicted defeat of the Maastricht referendum (and thus a defeat of all that France had worked to achieve through Europe), however, Chirac became convinced of the need to support the treaty. As RPR president, Mayor of Paris, and presidential hopeful, Chirac's support of the treaty is an important step as it marks a change in the attitude of Chirac from politician to head of state.

As he aspired to the number one position in France, Chirac realized that he would have to be pro-European or else he would not be elected. The French desired membership (as a part of Europe) because it would eventually mean greater economic prosperity. Union was also seen as a means of preventing Germany from regaining predominance in Europe. An anti-integration president would jeopardize this, and Chirac clearly understood that the French were not willing to take that risk. Aside from economics, many French view Europe as a place in which France is a leader that exerts power and influence. France and Germany have historically been the strongest advocates of European Union, and a president who is against integration would bring humiliation and disgrace upon France.

Therefore, Chirac is not only bound by public opinion regarding all the aspects of European integration, but is also bound by tradition and legally-binding treaties. Each president of the Fifth Republic has continued to strengthen Europe and France's place in it. While de Gaulle and Pompidou arguably could have brought an end to European union by refusing to participate, their successors have not had that kind of maneuverability as they have been bound by formal commitments to integration. Mitterrand further strengthened France's bond to Europe by firmly committing his nation to political and economic integration through Maastricht. In doing so he cleverly ensured that his policies concerning Europe would become the policies of his successors, regardless of party affiliation or position on Europe. Even though Chirac theoretically has the power as chief executive to withdraw France from the EMU and political integration, he most likely will not do so. Chirac has been straight-jacketed into completing Mitterrand's EU policies, and will find the price of abandoning these commitments to be too high both domestically and internationally. It is with wariness for these reasons that, since 1993, Chirac has been pro-European. However, leaders of the EU and member nations have not forgotten his former skepticism. It is with caution, therefore, that EU officials and advocates of European

integration, most notably German Chancellor Helmut Kohl, watch the new president deal with France's domestic problems.

Perhaps the best way in which to evaluate the president's commitment to European Union is to examine his commitment to improve the French economy. As the deadline for European Monetary Union looms ever closer, EU nations are scrambling to make their economies conform to Maastricht requirements. At the time of this writing, France falls short of many of the conditions for membership, and thus it will be up to the government to formulate economic policies that will enable France to gain entry in 1999. The commitment to Maastricht will entail some difficult decisions; however, the demands of the French public for economic growth have not always coincided with what must be done for the EMU. Ostensibly, Prime Minister Juppé has the power to formulate economic policies for the nation. However, Juppé is a personal friend and fellow party member of Chirac, and, even more importantly, owes his position to the president. It can therefore be assumed that Juppé's policies have Chirac's implicit approval. Because of this obvious power relationship, Chirac cannot hide behind his prime minister and will be assigned the blame if the economy does not improve soon. If Chirac does not implement policies that will enable France to meet the requirements for the EMU he will receive strong criticism from the Europhiles within his country and abroad. Thus, Chirac's economic and monetary policies have become not only a test of his desire to keep his campaign promises, but also of his commitment to European integration.

Chirac was elected to power because of his promise of economic reform. Now that he has been in power for some time, the French are looking to him to deliver. Several aspects of the French economy are favorable. It presently has the lowest inflation rate in all of Europe (two percent), a current account surplus of ten billion francs in trade and services, and a household income that has doubled within the past twenty-five years. The negative aspects of the economy, however, tend to overshadow the positive ones as they are more noticeable to the average Frenchman. The number of jobless in France has risen steadily over the past two decades from fewer than 500,000 to 3.3 million today. Demographically, two million people have entered the workforce (which is now twenty-five million strong) since the 1980s, and 150,000 workers are being added a year. Analysts predict a growth rate of 3.3-3.5 % for this year, but it will not be enough to significantly reduce the unemployment rate which is now hovering around 12.2 %, the highest in Northern Europe and almost double that of western Germany. Added to this is the high cost of French labor: in addition the minimum wage for a thirty-nine hour work week of French labor is \$1,125 a month, but the actual cost to the employer is forty percent more because of the large welfare contributions that they must pay per worker. 3

The social welfare system in France has also become a drain on the economy. In part due to this system, government spending and deficits have soared. Budget deficits have been running close to six percent of GDP a year. But perhaps most significantly of all, the government has also been pursuing a particularly strict monetary policy. The central bank maintains high interest rates to keep the franc on par with the Deutsche mark so that France will be able to participate in monetary union in 1999. The strong franc policy has strengthened Franco-German relations because it has stabilized the franc, but it has had a

negative effect for France and has resulted in a sluggish economy and stagnated growth. 4 The public has been extremely critical of the government because they feel that the strong franc policy (and thus European Union) is more important to the Elysée than reducing unemployment and encouraging growth.

Given the economic problems of the nation and the mood of the electorate, Chirac introduced his reform program immediately after his election. On June 22, 1995, Juppé presented the new budget to Parliament. Juppé disclosed that he had reviewed the economic situation of the nation and had found it to be "a calamity". 5 He cited unemployment as the primary concern of the government and announced that he had drafted an "emergency plan" to combat this scourge. The first step of the plan to combat unemployment would be a reduction in the cost of labor. The first component of the plan was the employment initiative contract, which would ensure that, in return for paying a minimum wage, employers would not have to pay any social security costs and would be given a monthly 2,000 franc bonus for two years. It was intended to be a contractual agreement between the community who pays for this plan and the employers who hire workers (and promise not to replace them). The plan is projected to create 350,000 jobs.

Juppé also announced measures to favor youth employment. The Unemployment Insurance Organization Associating Employer's and Workers' Unions (UNEDIC) agreement, was designed to activate spending on employment compensation. This program will provide subsidies to employers who hire young people, and Juppé estimated this would create 150,000 jobs. Another measure was established to reduce labor costs by some twenty billion francs a year. It applies to all employees paid minimum wage and those paid up to 1.2 times the minimum wage. This measure is intended to be a rebate of ten percent on the cost of employing relatively unskilled labor and it is expected to create another 150,000 jobs. In addition to measures targeted specifically to reduce unemployment, other macroeconomic policies were announced. Payroll taxes will be lowered, and an increase in the Value Added Tax (VAT) is planned to compensate for a loss of revenue from these taxes. In response to criticism that the VAT tax increase will hit the poor the hardest, the government has pledged to raise the wealth tax (conveniently forgetting Chirac's campaign promise not to raise taxes). 6

During his address, Juppé also announced that these four measures amounted to a total of forty-five billion francs a year, and thus by 1996, sixty billion francs will be circulating through the economy, creating 650,000 jobs. Another plan to reduce unemployment would be to support small- and medium-sized firms in the creation of jobs. Five billion francs of the new budget were earmarked to stimulate the housing sector with the aim of assisting economic activity and employment. 7 The government intends to privatize several state-controlled firms, such as the automobile manufacturer Renault and the electronics company Thomson. The government hopes that these measures will result in excess revenue that can be applied to the reduction of the national debt. 8

Having hopefully appeased the public with proof that the government intended to ease the economic problems of the nation, Juppé concluded his address to the National Assembly by expressing the government's commitment to the reduction of the budget

deficit and the continuation of the strong franc policy. Both of these statements were designed to reassure his EU allies that France was still committed to complying with the stipulations for the EMU. Because of France's economic situation, many in Europe were skeptical of the French president's commitment to monetary union. During his campaign, Chirac's vague comments on European issues and his focus on domestic economic problems created the impression that he might totally abandon the EMU in favor of improved economic growth and job creation.

Because of its commitment to the EMU, French monetary policy has been seriously constrained. With the ratification of Maastricht, all EU members agreed to comply with stringent requirements concerning future economic integration scheduled for 1997. It appears that the deadline will not be met since several nations (including France and Germany) expressed concern that they might not be able to comply with the entrance requirements by 1997. Therefore, economic and monetary union has been officially delayed to 1999: "provided a majority of European Union members are politically willing and economically prepared for full EMU, exchange rates will be irrevocably fixed, the independent, supra-national European Central Bank will be set up and a single currency will be created".⁹ In order to ensure that integration will be possible, the EU nations will have to work to achieve currency and economic stability so that a single currency will be possible.¹⁰

Currently, France qualifies under two of the conditions set out in Maastricht for union (inflation levels and accumulated debt), but it is very far away from the requirement for public deficit spending (which now stands at 6 percent)¹¹. Chirac has committed the government to meeting the three percent cutoff by 1999, which has placed intense pressure on Juppé and his finance minister to come up with a plan that will prepare the French economy for union. Thus far, Juppé's plan is purported to be able to reduce unemployment to 11.4% by December, but that still might not be enough for the public. In addition, the budget deficit will be reduced to 5.1% by slashing the budget by FFr twenty-two billion this year. The government has promised further cuts in the budget and these will be announced when Juppé presents his budget for the next three years. However, forecasters predict that unless the cuts are much larger, France will still be unable to meet the three percent mark by the deadline, calling into question the possibility of any type of EMU at all.¹²

Trying to placate both sides, the electorate and his EU allies, Chirac introduced measures that will combat the two scourges that are hurting the economy: unemployment and budget deficits. As long as his efforts in these two directions are deemed successful, he will gain approval from both sides. However, should his job creation programs either not work quickly or well enough, he will suffer enormous domestic backlash, which could take the form of riots and widespread domestic turmoil, a nightmare for any president. Chirac spoke in his victory speech of the great social divisions that marred France, implying that his countrymen had had enough of economic difficulties and were looking for a change for the better. Chirac presented himself as that change and in doing so will suffer the consequences in the event of a failed policy.

Already the French are restless with the situation at home, and evidence of this sentiment was a general strike that was staged in Paris on October 10, 1995. This strike was a coordinated effort of major unions and it paralyzed transport and other public services across France. Millions of workers and civil servants served warning to the government that the austere measures it planned would not be tolerated. All underground lines were closed in Paris and only a quarter of the bus services were working, forcing commuters to walk, bike, or even rollerblade to work. Hospitals provided minimal services, and police, who are forbidden by law to strike, made the bold move of refusing to give tickets to illegally parked cars. 13 This was the first time in ten years that the unions had worked so well together and it served as a warning to Juppé and Chirac that the public was fed up with the European focus of the economy. The financial daily *Les Echos* delivered a stinging criticism of the government, commenting that "France has run out of credibility: socially, budgetary, monetarily, and above all politically".14 Given the historic propensity of the French to strike in protest to government policies, these demonstrations will most likely not be the last protests of their kind. Chirac must tread carefully and will be more strongly bound by his campaign promises of domestic economic reform than both he and EU leaders may wish.

European leaders, aware of the unstable nature of the French society and Chirac's obligation to respond to the desires of his electorate, are worried that he will be pressured to scrap France's traditional monetary policy in favor of a devaluation of the franc (which would make French goods cheaper abroad, boosting exports and creating jobs). Should the president abandon the strong franc policy, the EMU will collapse. Without France, Germany will lose most of its impetus for monetary union (it joined principally on the insistence of the French). Chirac would then have to answer to the European Union and most especially to Helmut Kohl.

Since de Gaulle and Adenauer patched up their differences years ago, the Franco-German alliance has grown increasingly stronger and has been the force driving European integration. At a cursory glance the alliance of two ancient enemies may seem strange. A further analysis reveals the strong motivations for unity that bring the two old rivals together. Obsessed with the threat of a return of German supremacy in Europe and what France views to be its inevitable rise to economic predominance again, France has pushed to bind Germany to European integration. It hopes to contain Germany within a supranational framework, thereby diminishing the threat it poses. France's need has been keenly felt after the collapse of the Berlin Wall and the integration of Germany. France feels that by attaching the franc to the Deutsche mark, the French will feel their future economic security is all but assured as French economic might will grow alongside that of Germany. By promoting the single currency, France hopes that it will no longer have to concern itself with the predominance of the Deutsche mark in European economic affairs and the strength of the mark will be diluted in the common currency. For Germany, European Union provides an opportunity for Germany to confine itself within an acceptable supra-national organization, and thereby be able to flex its economic and political might without threatening its neighbors. Having little to gain from economic union, Germany focuses more on the second pillar of the Maastricht treaty that deals with

political union, viewing it as the best way for Germany to break with its past and begin anew within the context of Europe and not its own national identity.

Accepting each other's motivations for integration, Germany and France have forged a strong relationship that is the cornerstone of the EU. Because of this, Chancellor Kohl has regarded Chirac warily and is uncertain of Chirac's commitment to the Franco-German alliance and to European integration. In an attempt to convince Kohl of his good intentions, Chirac's first official visit as head of state was an informal meeting with Kohl in Strasbourg. While the men did not address any substantive issues, it was symbolic of Chirac's desire to maintain their traditional friendship. Diplomatically, it was a wise decision for Chirac to make this symbolic step. Since France and Germany have driven European integration, any cracks in their relationship, perceived or real, will produce ripples that will be felt throughout the European community. Whether it wants to admit it or not, France needs to remain close to Germany, and not just for the sake of future economic prosperity. France does not have the means (demographic, economic, or military) to shoulder by itself all of its traditional Gaullist ambitions.¹⁵ While France still has great diplomatic power in Europe, her economic clout does not begin to approach that of Germany. The French public does not have the political will necessary to support the government's attempt to restore France to her former glory. The French are too caught up in domestic concerns to support major foreign policy efforts, something Chirac would do well to remember. France does not have the power to go it alone, and Chirac must be careful not to alienate Kohl in any way. History has shown that going against the Germans, at least for the French, means being overrun by them (both literally and figuratively), and the French have vowed that this will not happen again.

But there are already signs that the president is not as close to the chancellor as his predecessor was, and this could lead to problems for European integration. While Mitterand and Kohl certainly had their differences of opinion, they both strove to present a united front for their sakes and the sake of Europe. Chirac has not learned from his predecessor, and the evidence of this is in his decidedly less than suave diplomatic style he showed in the Cannes Conference between the European heads of state and officials in June 1995.

Chirac was the host of the Conference, which was part of a series of meetings designed to help set the agenda for the upcoming Intergovernmental Conference (IGC) in 1996. While the stated purpose of this meeting was to discuss political integration issues, the leaders became bogged down in relatively less important issues such as Africa and Europol. The French press criticized Chirac for his impulsive and blunt style as host. Jumping from topic to topic and often resorting to moralizing comments, Chirac succeeded in insulting the Italian Prime Minister Dini by his comment that the lira's drop in value of twenty percent against the German mark since 1992 has ruined French traditional export of calves to Italy. He further angered those present by demanding that the president of the European Commission find the funds for the TGV-EST transportation network (a high speed French train planned to continue to East Europe). He told the president, "As far as I am concerned, this issue is as important to domestic European politics as Bosnia is for the European Union's foreign relations".¹⁶ However, Chirac's

peers did not see the issue in quite the same light. Chirac therefore failed to charm his fellow leaders of state and presented himself in marked contrast to Mitterand's suave style. His behavior at the Conference only served to reinforce anxiety among European leaders that Chirac was not wholly committed to European Union, but rather solely to France and its calf export.

Apart from unnerving Kohl with his continued insistence that the French government's top priority is unemployment (and therefore not the EMU), Chirac increased Kohl's anxiety by making overtures to Britain, an act which would make any Europhile nervous. Britain has historically shown a reluctance to be involved in European integration, and one of Britain's most recent disagreements with the EU concerned Europol. This organization was established to be a more localized version of Interpol (an international data-sharing agency established to combat drug trafficking and issues involving international fraud, etc.). Britain contends that it has great problems with Europol. It feels it infringes on Britain's national sovereignty by taking away its right to police its own borders. Helmut Kohl expressed irritation concerning Britain's role in the Europol dispute, but Chirac chose not to ally with his traditional partner in European affairs. Instead, Chirac decided to offer his "understanding" to Britain, saying "We won't build Europe without England", and defended the United Kingdom's decision by commenting that "You cannot say they're not playing the game. They always say clearly when they can and when they can't do something".¹⁷ While John Major may have appreciated these comments, it is almost certain that Kohl did not. From a German perspective, support of Britain translates into anti-Europeanism, and what Chirac hopes to gain by aligning himself with Britain is unclear. However, Chirac's efforts to bring France closer to Britain may succeed in isolating his country from its closest ally.

During the summer of 1995, Germany witnessed yet another instance of Chirac's lack of commitment to Europe. Europol was born out of the Schengen agreement signed in the village Schengen (on the border of Luxembourg, Germany, and France) in 1985. This agreement allows for the unrestricted passage of European Union citizens throughout the seven signatory countries, namely Belgium, France, Germany, Netherlands, Portugal, and Spain. Naturally, Britain refused to sign, preferring to retain its own border controls. This decision was made despite the establishment of the Schengen Information System, a computer service that gives police and immigration officials a multi-national data base, notably on suspect persons, stolen vehicles, and forged money.¹⁸ The purpose of the agreement is to remove all controls at internal, land, sea, and aircraft frontiers. Member states have coordinated visa controls at external borders through the establishment of a common approach to visa policies and asylum procedures.¹⁹

While France signed this agreement, recent instances of domestic terrorism have forced Chirac to employ the safeguard clause of the treaty, allowing temporary passport controls (although Schengen neighbors are allowed to use police pursuit on French territory). Juppé announced the postponement of France's implementation of the accords while Chirac was in Cannes. He disclosed that France had requested a six month extension of the initial trial period of the Schengen accords. While this was not good news to citizens of Germany, France does have a legitimate concern.

France has been the target of terrorists since the summer of 1995. On July 25th, seven people were killed and more than eighty were injured in the bombing of a métro train at the Saint Michel station in the heart of Paris. It was this first bombing that led to the decision to suspend implementation of the Schengen accords, but it was the continuation of this terrorist campaign that has convinced Chirac to maintain strict border controls. Bombs exploded in August, September, and again in October, and several unexploded bombs were discovered all over the city. Border controls were therefore tightened, and security was strengthened in public places such as métro stations and airports. At the time of this writing, the government was still trying to find the source of this campaign. Chirac vowed that the controls would remain until the source was found:

I have given instructions to see that our borders are strictly protected and controlled. Now you could say that this is not in conformity with the Schengen Agreement, but I am responsible for the security of France. I am in principle in favor of the Schengen Agreement, [but] I am not willing to implement it in the current state of affairs, because guarantees are lacking. So I am determined however long this may take to impose the necessary checks at our borders to prevent any risks or trafficking that may cost us dearly.²⁰

While these concerns are certainly legitimate and are understood by France's allies, Chirac has given the nation an excuse to remain outside of Schengenland indefinitely. The fear that he will continue to postpone participation in the agreement as a way to help the French feel safer has only fueled anxiety in Germany. Kohl will understand Chirac's hesitations for as long as the bombings continue, but as soon as they cease, he will expect Chirac to comply with the accords and will see any sign of reticence as an indication of unwillingness to cooperate.

By moving towards closer relations with Britain, opting out of Schengen for the present, and being obligated to respond to an increasingly volatile public, Chirac has created much anxiety throughout Europe as to whether France will continue to lead the drive for European Union. This perception is not due to any official statements against European Union, but is rather an interpretation of Chirac's leadership style and foreign policy decisions. These decisions have called into question whether Chirac's impact on European political and monetary union will be positive or negative. Chirac is unlikely to withdraw his nation from either type of union; he is bound by traditional commitments made by his predecessors as well as by the desires of the electorate and policy makers. This is not much comfort, however, to European leaders. While they are fairly certain that he will not try to halt the move toward union altogether, there is considerable concern that he may try to slow it down due to domestic constraints. While the French want union, they only want it if it benefits them, and presently the austere economic policies necessary to gain entrance into the EMU are difficult for the French. In Germany and other EU members' minds, nothing could be worse than half measures; by trying to placate both sides, Chirac might end up satisfying neither.

NOTES:

1. Alain Juppé. Speech to the National Assembly. *AFP*. [FBIS-WEU-95-102-S](#). 26 May 1995: 7.
2. This is the unemployment rate given as reported by the Minister of Finance in September.
3. INSEE (Institute nationale de la statistique et des études économiques) [Netscape](#). was.fr/eco/INSEE/stats 8 Economy.
4. Minister of Finance, Finance bill. [Netscape](#) . <http://w.w.w.tresor.finances.fr/oat/usplf/plf3b.html>.
5. Alain Juppé. Press Conference. [FBIS-WEU-95-121](#) 23 June 1995: 16.
6. Ibid.
7. Ibid.
8. Ibid.
9. European Union White Paper. "Part B: The conditions for growth, competitiveness and higher employment". [Netscape](#). <http://w.w.w.white.europe.EU/oat/usplf.html>.
10. Ibid.
11. Maastricht requirements for entry into the EU are: a public deficit spending of 3 % of GDP, inflation levels under 3 %, and accumulated debt no more than sixty percent of GDP.
12. "Promises, promises." [The Economist](#) . 15 July 1995: 34-35.
13. *Les Echos*. [FBIS-WEU-95-196](#). 11 October 1995: 18-19.
14. Ibid.
15. "'Artificial Consensus' on Foreign Policy Noted." [Le Monde](#). My translation. 24 April 1995: 24-25.
16. "Chirac From Fiery Enthusiasm to Ardent Fire". *Libération*. [FBIS-WEU-95-125](#). 29 June 1995. 19.
17. "Chirac 'Understands' UK 'Reticence' on Europe". *AFP*. [FBIS-WEU-95-124](#). 28 June 1995. 20.

18. European Union document on Free Movement of Persons within the European Union: Schengen Treaty fully implemented since July 1, 1995. Netscape .
<http://w.w.w.schengen.europe/oat/usplf/plf3b.html>.

19. Ibid.

20. Jacques Chirac. *TFI Television Network* . Interview with Anne Sinclair. FBIS-WEU-95-175 . 11 September 1995: 23.

Anne Hardwick

**From Muhammad to Present:
Islamic Law and Women**

This paper will approach the subject of women in the Middle East by examining historical laws, attitudes, and opinions. The changes in society will be divided into three periods of history. First, the prophet Muhammad's ideal view of women will be examined. In order to explain why Muhammad included women in his preaching, one must first understand the conditions for women prior to his rise to prominence. Muhammad's preaching regarding women came at a time when there was no legal system to protect women. The second section deals with the expansion of Islamic society after Muhammad. This is when the marginalization of women first occurred in the Islamic context. The third section will address how the status of women changed again as the Middle East strived for modernity in the twentieth century. With the rise of the newly independent nations of the Middle East, there were new, "modern" norms set by the governments. Governments presented an "official" image and set new policies concerning women's issues. Lastly, I will discuss the most recent trend in the Middle East: Islamic Fundamentalism. With the resurgent popularity of Islam, there has been a trend of re-Islamization. With this, there has concurrently been a re-marginalization of women. In conclusion, I will analyze the main differences in the Islam of Muhammad's time as it related to women, and the political Islam that has appeared in different phases throughout history.

WOMEN AND THE ISLAMIC IDEAL OF THE PROPHET

Before Muhammad, no legal system or political structure of any kind existed other than tribal rule. An individual sought protection within *his* tribe, and there was no sort of concept of criminal justice. 1 (I chose not to add *his or her* because the tribal system was a patriarchal one in which women were the possessions of the male members of tribes.) Protection sought from the clan was in terms of territory disputes or property rights, which was seldom a problem for women.

Women had no legal status according to tribal law. Their guardians sold them into marriage and often kept the money themselves, the husband could terminate the marriage with little or no explanation and women had few if any property or inheritance rights.² Inheritance in the pre-Islamic tradition maintained that the male children were the sole successors. Women had no autonomous power, thus they could not exist without their male counterparts. The husband could conceivably decide he did not continue his relationship with his wife and she would be forced to leave him, with no means of support and no home. If a woman was widowed, the result was often the same. Although there is evidence that the pre-Islamic tribal peoples were polygamous, there was no assurance that each woman in the marriage would be treated equally because the absence of law also meant the absence of laws regulating the practice of polygamy. 3

A source of misogyny in pre-Islamic Arabia was the issue of female sexuality and, in particular, menstruation. Patriarchal society regarded women as a source of pollution and negativity because of their bodily functions. A superstitious belief structure regarding women and their subordinate structure developed. Muhammad saw the pre-Islamic era as *Jahiliya*, or the era of ignorance, and attributed these misogynistic ideas to the Jewish community in Medina. Muhammad later condemned these beliefs. 4

These were the conditions for women in 570 C.E. when Muhammad the Prophet was born in Mecca, in what would become Saudi Arabia. In 610 C.E., Muhammad began receiving revelations from God which were compiled into the Islamic holy book, the Koran. The Koran is interpreted as a book of legislation; it is of a book of ethical codes for society.⁵ Koranic law served to protect women as it condemned many of the existing tribal customs. For example, a woman's guardian could no longer earn money by selling her to her future husband. It is advised in the Koran: "And give the women their dowries as a gift spontaneous."⁶ The dowry served as financial security in case the woman ever needed to live on her own due to the death of her husband or divorce. Furthermore, the marriage became the affair of the man and woman, rather than the man and the woman's guardian.⁷

Concerning *talaq* (divorce), the Koran declared it necessary for the husband and wife to go through a waiting period of three months, *idda*, after which the marriage was officially terminated.⁸ According to one verse: "O Prophet! When ye (men) put away women, put them away for their legal period and reckon the period; and keep your duty to Allah, your Lord. Expel them not from their houses nor let them go forth unless they commit open immorality."⁹ The Koran further commands the husband to reconsider his decision at the end of the waiting period and to keep the woman in the home during the *idda*. The husband must keep his wife even in times of menstruation, and if she is pregnant, then he must keep her with him until she bears the child.¹⁰ These reforms gave women of the new Islamic society the legal protection that they lacked during the *jahiliya*. However, the Koran does not grant women the same rights to divorce as are given to men. This issue, as well as another practice of *talaq* in which the husband may pronounce "I divorce thee" three times in order to immediately terminate the marriage, will be discussed further in the section on legal reform of women's laws.

An entire section of the Koran is devoted to the subject of women. It was written after the battle of Uhud, in which many Arabs were killed, leaving behind widows and orphans. Thus, this section has many references to the question of inheritance rights.¹¹ If the husband passes away, the wife shall inherit one fourth of what he leaves if there are no children and an eighth if there are children. In the case that the wife dies, the husband inherits one half of what she leaves if there are no children, and one fourth if she leaves him with children.¹² At first it seems highly unfair that the woman inherits less money than her husband. But, the man is obligated to spend his money on his wife (or wives) and children, yet there is no specific verse in the Koran commanding women to spend money on men. The money that women inherit or earn can be kept for themselves.¹³

The question of polygamy is addressed in the section concerning women in the Koran: "If you fear that you will not act justly towards the orphans, marry such women as seem good to you, two, three, four; but if you fear that you will not be equitable, then only one, or what your right hands own; so it is likelier you will not be partial."¹⁴ The Koran allows the practice of polygamy to continue, but it places several restraints on it. Each wife must be treated equally, in terms of attention and gifts. This is a choice of a man's own conscience, one in which the courts do not intervene. Furthermore, there is no verse in the Koran which commands the husband to seek permission from his wife before he marries again. ¹⁵ Thus, these laws on polygamy were imperfect, yet they were much needed at the time. In a time when a large number of men were killed in frequent battles, there was always a question of women's safety and protection. The woman would be safer in a polygamous marriage, for she had no other opportunities alone.

Verse thirty-five in the chapter concerning women in the Koran implies that male dominance over women is a divine ordinance. Furthermore, a particular sentence condones the physical abuse of women if they attempt to retaliate against men: "Men are the managers of the affairs of women for that God has preferred in bounty one of them over another, and for that they have expended of their property. Righteous women are therefore obedient, guarding the secret for God's guarding. And those you fear may be rebellious admonish; banish them to their couches, and beat them."¹⁶ This verse clearly condones male dominance and violence towards women. Moreover, this verse expresses the attitudes of the male dominant society which emerged during the growth of the Islamic world.

The veil, a prominent symbol of Islam today, was introduced in the Koran. Chapter thirty-three, verse fifty-five of the Koran, states: "O Prophet, say to thy wives and daughters and the believing women, that they draw their veils close to them; so it is likelier they will be known, and not hurt."¹⁷ Hence, the purpose of the veil was to protect women from harm; this was another practice adopted as a result of the unruly period of the *jahiliya*.

WOMEN IN ISLAMIC HISTORY

After the death of Muhammad in 632 C.E., Islam was in a constant state of change as each of the Prophet's successors developed different interpretations of Koranic law. Very little is written on the subject of women in the era of Islamic expansion. Family laws were important in the new Islamic societies, and harems were somewhat common. These are virtually the only aspects of that time in history on which information was recorded by the chroniclers.

Umar, the second successor of Muhammad after Abu Bakr, stressed the importance of Islam as the basis of daily Arab life. He saw that the new converts needed strict and clear standards of living so that they would not revert back to their old ways.¹⁸ He tightened up family law by heightening the severity of punishment for adultery. Also, he forbade temporary marriage, characterized by a union of a man and woman for a set period of time (from one hour to ninety-nine years) and a monetary payment to the woman. Umar

claimed that it was too much like prostitution.¹⁹ Muhammad's toleration of temporary marriage can be seen as beneficial to women, as it required the husbands to give them money and protection. Umar's intolerance displayed a puritanical attitude towards marriage and sexual relations between men and women.

In *Shari'ah*, or Islamic law, Muhammad intended for every individual to have independent civil status. In the later expansion of the empire, conditions were again transformed as leaders following Muhammad manipulated the tenets of Islam. "In the context of the Nile-to-Oxus region as a whole, the Islamic family law, even when it perpetuated rules laid down by Muhammad, naturally meant something rather different from what it had in Muhammad's time."²⁰ Divorce gained a new meaning as the social stigma against women divorcing men became more negative. If a woman chose to divorce her husband, she would, in effect, unsettle his economic investment. Moreover, she would need to ask financial support from her own relatives. This placed a great deal of mental pressure on the woman, discouraging her from divorce. A husband could divorce his wife almost immediately, unless he feared retaliation from her family. The wife who desired a divorce had to prove that there was good reason.²¹ There is nothing in the Koran forbidding the woman to divorce. It was society, and the male hierarchy which developed, that began to develop social stigmas limiting women's liberty.

The social system kept many women from using their money, which is solely their own, to engage in business independent of their husbands. Although society encouraged males to mingle openly, a woman in these realms would become more of an individual and her value as a wife could be diminished in the view of her husband.²² Even if the women of society desired this independence, the patriarchy would not have allowed it. Thus, a woman of "quality" and "class" was one who totally secluded herself at home or behind the veil. This was particularly true in the Byzantine and Iranian traditions. ²³ This was the practice of the higher class; the lower classes did not follow the practice of seclusion as strictly. Bedouin women worked in open spaces with men, and they could not seclude themselves as they had constant duties to perform inside and outside the home. Thus, two social spheres formed within the prominent middle class. One was the male group, who made the political and social decisions in the realm outside the home. The other side of the society was the women's group, which centered around life in the home. Women were secondary in the outside world, but dominant in the home.²⁴ The early *madhhab*, the religious school of thought, stretched the Koran's ideas on propriety to justify the norms of female seclusion. ²⁵ One can see that the Koran, which was very relevant to the time of its creation, was manipulated for use in different types of society after the era of Muhammad.

During the thirteenth to sixteenth centuries, otherwise known as the middle period, there was a phase of Islamic reformation and enlightenment. The enlightenment was short lived as the questioning of Islamic tradition was not tolerated for an extended period of time. The religio-cultural tradition remained conservative. ²⁶ Not only was technology and weaponry advancing, education of the young in order to preserve Islamic culture and tradition became important. Because of the varying classes in society, not all children could go to the *maktab*, where the Koran, reading and writing were taught, because the

children were often needed to help in the home or with the father's labor. Only in the most fortunate families could all the boys go to the *maktab*. In such families, girls could learn the Koran as well, but they were taught in the home. In the latter part of the middle period, some women were allowed to become prominent teachers of Islamic discipline; a very religious legalist, Ibn-Taymiyyah, was educated by a woman in Damascus. 27 Thus, women were not excluded from education in this period. The fact that they were taught in the home did not make education the exclusive domain of men, rather it conformed with the social practice of the separation of the sexes. Furthermore, women were allowed to become religious teachers. This demonstrates the possibility of women to become fully religious beings.

On the other hand, the middle period was marked by distinct gender roles. The practice of slavery and the seclusion of women was a factor in the development of the "cult of masculine honor." 28 In addition, the fact that social status on the basis of class was so important further increased sensitivity about man's honor. Even in the highest class, the position of *amir* or king, the trend of despotism showed a sense of masculine vengeance when slight infractions of the law occurred and the leader would react with violent acts of retaliation. 29 In terms of man's relation to women, it is evident that absolute control over one's woman served to reinforce the male ego. As it was explained in the earlier section on the Koran, this is the order manifested in Islamic thinking. The extent of the woman's purity and moral righteousness determined the man's honor. The honorable woman was the most secluded from other men, who represented possible sexual partners, whereas the dishonorable women were the class of "prostitutes" who did not practice seclusion. 30 Again, underlying this trend is the social stratification of men and women in different spheres.

The act of sexual intercourse between man and a woman was divided into two roles. The sex act was one of domination of the male over the female; although the fact that the woman was capable of receiving pleasure was recognized, the woman was trained by her mother to be subservient since her goal was to give her husband pleasure. 31 Since the idea of woman as a possession who bears the burden of shame was taken so seriously, brothers were often expected to kill their sisters if they were suspected of having sex with a man in an improper situation, i.e., outside of marriage. There is evidence of *futuwwah* men's clubs condoning these killings on the basis of suspicion, without real evidence. 32 This clearly illustrates the balanced system of the 'cult of masculine honor'. This system's stability relies on the subordination of women in all aspects of social and private life.

Finally, the discussion of women's roles in Islamic society of the middle ages would not be complete without addressing the issue of the harem system. Although *Shari'ah* somewhat encouraged the development of sexual segregation, it did not promote the most severe form of sexual segregation, the harem. 33 As polygamy was allowed in the Koran, many men had households of three or four wives, as well as servants and slave concubines to serve each wife and maintain the large estate. Thus, along with the children, the number of women was enough that they had their own part of the house, where no males could enter other than relatives of the family. This is what is referred to as the harem. 34 In the harem, the women existed in a world of their own. The social

order was a hierarchical system in which women ruled over women. The husband's role was twofold. He served as an arbiter in household disputes, and he fulfilled his dominant sex role when a particular woman of the house appealed to him. Otherwise, he was excluded from the internal dynamics in his home.³⁵ Female visitors to members of the harem were allowed to enter and exit the home freely. This formed a bond between the women of the society which men could not penetrate because of the rigid rules of segregation.³⁶ Thus, women were not completely isolated in this society; they had many close relations within the female community.

The problem with the harem system is that while it was fundamentally acceptable in the Koran in terms of polygamy and the use of slave concubines, it became unjust when it neglected the fact that "in *Shar'i* eyes, a free woman was (in principle) almost as free as a man, despite some ties of dependency. The whole atmosphere of servility and secrecy, founded on the use of slave guards, was seriously alien to the *Shar'i* sense of human dignity."³⁷ This could be said about the social system of the middle period as a whole. The woman's dignity in terms of the social realm was questionable. Women had to struggle for their right to divorce. Moreover, a woman bound to a harem system had no means of assurance that her husband was giving her or her children equal attention, and no way of changing inequality within the home. If women did not have the social ties with other women at the time, their lives would have been very limited and most likely, very lonely. If they came from a good family, women did have the opportunity to be holy and learn from the Koran.

In conclusion, women in the history of Islam have been marginalized; their role was in the home. They could not participate in the social arena without being looked upon as women of low class and morality. Thus, the outside world of politics and social progression was limited to men. However, with situations like that of the harem, the woman was able to maintain the dignity that was important to all people, according to the Koran. At the same time, the heads of this society, exemplified by Umar, had the pretensions of wanting to become more conservative by allegedly sticking to the original ideology of Islam. What emerges from this confusion of theory and practice is incongruity between the intentions of early Islam and the inequality of women which later developed. The re-marginalization of women occurs again in the twentieth century with the parallel movement of modern Islamic Fundamentalism.

Women and Legal Reform in the Modern Middle East

Major changes favoring women's legal status in Muslim countries of the Middle East were the result of the reform of traditional Islamic doctrine in the middle of the twentieth century. ³⁸ These laws were created under the pretense that they would preserve the spirit of the Koran's ethical injunctions relating to the treatment and position of women. However, it is questionable to what extent these laws have permeated into society. There are three difficulties that cause the lack of continuity between the state's legislation and its acceptance in society.

Firstly, there is a gap between the values of the urban society and the rural population. 39 Often the reforms reflect the attitudes of some of the urban population, as the intellectual mindset behind the reforms belong to the western educated urban elite. There is a more conservative attitude remaining in rural society. Consequently, because of their traditional seclusion, women often have no way of knowing their rights under new legislation. The new laws did not reflect social reality.

Another problem that has slowed down the progress of reform was that the judicial systems of most countries were informed by the traditional law and those in charge were hesitant to accept the ideas of the reformers.⁴⁰ The Tunisian Code of Personal Status, established in 1956, did not come into effect until 1964. It took eight years for the courts to be willing to declare a polygamous marriage invalid which was already illegal in the body of legislation.

The biggest incongruity between the passage of the reform laws and the effect they had on the status of women in Islamic society is that these laws lack the depth necessary to address the fundamental issues at hand. Women have not had equal rights in terms of their role in polygamous marriage, their rights to inherit ance, or the issue of divorce. These reform laws have the appearance of having the power to bring radical change in society, but they fail to give women equal status because they often include subclauses and stipulations which negate the meaning behind the law. Table 1 shows the chronological history of law reforms in the Islamic world.

Polygamy

Despite the decree of Aga Khan issued in 1962 that forbade polygamy of the Isma'ilis of East Africa, only four other countries that have abolished it altogether: Tunisia, Israel, Turkey, and the Soviet Union. ⁴¹ These countries declared all polygamous marriages void that occurred after legislation was passed. The Family Protection Act of 1975 in Iran declares that a man who wishes to marry a second wife must operate through the court.⁴² The first wife must give permission and the court will approve the second marriage. This is no longer applicable if the first wife becomes insane, contracts an incurable disease, becomes addicted to drugs, drinks or gambles, has been sentenced to five or more years in jail, abandons the family, or becomes sterile. This law implies that women who become ill, abuse substances, or are unable to produce children are not able to live up to their role as a wife and are therefore useless to the husband. On the other hand, women can petition the courts for a divorce if she claims that she never personally agreed to the second marriage. In Pakistan, the husband and wife must meet with a council of local authorities and representatives of their peers. ⁴³ Unlike the Family Protection Act passed in Iran, marriages contracted outside of the Pakistani regulations are still valid, although the husband may be given criminal charges later and the first wife may obtain a divorce and the full dowry. Morocco and Lebanon do not have any laws condemning polygamy, but they allow the women to place provisions in the marriage contract that restrict the husband from marrying again. ⁴⁴ The woman is also permitted to divorce the husband if he goes against the marriage contract.

In the Koran and under the traditional schools of thought, women did not have any choice whether or not they wanted to be in a polygamous marriage. If their treatment was unfair, such as the case in the harem, they were powerless to change the situation. These laws in and of themselves had reforming value in that they gave women a legal voice.

Inheritance

In pre-Islamic Arabia, women had no rights to succession at all. Islam brought reform as it gave women the right to inheritance. Koranic law entitles women to receive one eighth of their husband's estate and one quarter if they have no children. These proportions are one half less than that of the husband. In the case of polygamous marriage, all the wives must divide the money equally among themselves. In Sunni Islam, if the daughter is the only heir, she will receive only half the inheritance. 45 The other half will go to the nearest male member of the tribe, even if he is a third cousin twice removed and has never had any contact with the family. Shiite law does not divide inheritance rights by tribal ties. It proposes a class system in which class I is composed of the parents and their lineal descendants, class II is grandparents and their collaterals, and class III belongs to the uncles and aunts. The difference in these two systems is that the Sunnis view inheritance as a tribal legacy, while the Shiites look at the smaller family unit of parents and children. Within both Shiite and Sunni laws in most countries, there remains an inequality of inheritance rights; females still receive half the amount that the males receive.

Inheritance laws have been less affected by reforms than other areas of Islamic law. 46 In Somalia, a recent law has caused much controversy because it suggests that men and women should have equal inheritance rights. This decree is by nature controversial because it goes against the Koran, which serves as the law in many Muslim countries. Tunisian legislative reform changed the Sunni law by allowing the daughter or wife to exclude male relatives from the inheritance. In 1963, Iraq enacted legislation that somewhat copied the Shiite usage of the class system, which consequently let the children of the deceased rule out other distant relatives from what they were bequeathed.

These examples of legal reform in the Middle East in the middle of this century are only illusory in terms of the amount of equality they have given women. With the exception of Somalia, none of these new laws on paper actually equated the amount of inheritance given to women to that of the men. Furthermore, it is uncertain whether or not they reach women in all realms of society.

Divorce

The aim of political reform of divorce practices since 1915 has been to give women the right to divorce. 47 The Koran does not specifically grant women the right to divorce. This right was historically denied to women under traditional law, regardless of the degree to which they were mistreated by their husbands.

There has been a good deal of legislation made in the Middle East that seems very liberating on the surface, but always includes a stipulation requiring that the wife makes a payment to the husband as compensation. In Algeria and Tunisia, women may obtain a divorce without having to give any proof. 48 This appears to be very liberating, but the law has another clause which states that the wife must be prepared to pay 'financial compensation' to her husband. Similarly, the Pakistani Supreme Court has granted women the right to divorce their husbands if they have a mutual incompatibility of temperaments. 49 But, the wife is also required by this law to give back to her husband all the benefits she has received from him during marriage.

Several of the Middle Eastern divorce laws are quite ambiguous on the subject of wife abuse. 50 In India and Pakistan, a woman can divorce her husband if he habitually assaults her or makes her life miserable by cruel behavior. Hence, if the husband only assaults his wife once, this is not enough grounds for the dissolution of the marriage. The only case in which the wife can divorce her husband after only a few instances is if she is a "reasonable woman" and a divorce would give her relief. The definition of a "reasonable woman" could obviously be interpreted in many ways. The implications of this are classist; "reasonable women" are women of a certain class, behavior, or lifestyle that is deemed reasonable by a judicial group. A woman of low class who might not be seen as a pure woman because she does not seclude herself like women of higher class, and it is therefore acceptable for her husband to continue to treat her in the same debilitating or degrading way. One must question whether or not these "reforms" were true modifications of the woman's rights and status in society. Perhaps the difficulty in protecting wives from abuse lies in the fact that it is deemed appropriate in the Koran.

Another aspect of divorce which favored the husband was his ability to divorce his wife immediately upon his third pronouncement of the *talaq*.⁵¹ This is called the *talaq al-bid'a*, and it was the most common form of divorce used. The other way of divorcing one's wife was the pronouncement of divorce after which the husband must take care of his wife during the *'idda*, a waiting period of three months. After the *'idda*, the husband is free of responsibility for his wife. Reform laws were proposed to make it more difficult for the husband to go through with the *talaq* or require him to give money to the wife to compensate for her inconveniences.⁵² The 1953 Syrian Law of Personal Status proposed that when the husband divorced his wife without good cause, he must give her financial compensation for a year's worth of "maintenance." In other words, the wife was given money to make up for the emotional damage and inconvenience to her lifestyle, and the real issue, the negligence of the husband, was not addressed.

The reformed divorce laws of Tunisia, Iran, Iraq, and South Yemen are more progressive in that they require the pronouncements of divorce to be made in a court of law. 53 However, there are ways to maneuver around this law. In Iraq, the husband does not have to come to court to make his pronouncement if he is unable; he may register it during the *'idda*. If he fails to register the divorce during the *'idda*, the divorce will not necessarily be held invalid. Hence, Iraqi law is extremely flexible, to the point that control of divorce is still in the hands of the husband. Iran, Tunisia, and South Yemen have solved the problem of one-sided divorce in two different ways. Tunisia's 1956 statute gave women

the same right to divorce as men, and Iran and South Yemen reformed the law by taking away men's power of *talaq* and basing the legitimacy of divorce on the grounds that the marriage has irreversibly been broken down.

In conclusion, reformers in the modern Middle East have not met their presupposed success in changing the status of women in the modern Middle East. These laws are counteracting many centuries of a patriarchal social structure, one in which women often are secluded from the reality of the outside world. There is little congruence between the ideology of the laws passed by the reformers and the mindset of the men to whom they apply. "The values implanted by family life and a male-dominated society predispose men to favor the old ways."⁵⁴ Several of the 'reform' laws were designed around this notion that one cannot leave the traditional values behind, for example, those laws by which the women were required to pay some sort of compensation to their husband. On the other hand, surveys of behavior and opinion in the 1950s show that women sought greater freedom.⁵⁵ Female students did not aspire solely to be married; many stopped wearing the veil, participated in the community life outside the home, and have become employed. It seems as if the solution lies in modernizing the value system still held in place by the men, who remain dominant in Islamic communities. This is a simplistic solution to a deeply rooted feeling that is engrained in the mindset of much of Middle Eastern Society. The most recent phase in the evolution of Islamic Society has been the rise of Islamic Fundamentalism, which has brought about the re-Islamicization of society and a return to traditional social norms and values.

Women and Islamic Fundamentalism

Ismail Serageldin's definition of Islamic fundamentalism is an excellent source to use in the explanation of this phenomenon that is currently dominating much of the Islamic world:

The term *Islamic fundamentalism* is here employed to designate a body of beliefs (or a core ideology) prevalent among many Muslims in the Arab world today, which tends to oppose 'Westernization', generally, and 'the revisionism of the moderns' in Islamic theology. It tends to adhere to literal textual interpretations and favorings following the rulings of older scholars, al-salaf. This use of the word fundamentalism, therefore, should not be confused with the emphasis on the fundamentals of Islam, which, in the author's judgment, do not in any way contradict the dictates of change.⁵⁶

Islamic Fundamentalism is the religious response to the reforms of the early and middle parts of the twentieth century. Westernization of the Arab world is feared by those who are today reverting back to the traditional values introduced by Islam and practiced throughout early Islamic history.

The Middle Eastern society views the resurgence of Islam as a source of pride. ⁵⁷ The people are unhappy with their governments and frustrated by their alienation from the Western educated intelligentsia. Islam has become one of the sole sources of reassurance

since it is considered pious, and therefore good, in the face of what many see as the degradation of society caused by the influence of the West.

The evidence of Islamic resurgence can be seen as it has affected the social norms pertaining to women's role in the public.⁵⁸ Educated young women, those who would be deemed "modern," often wear Islamic dress. They are reverting back to the traditional practice of wearing clothing that covers everything but the face and the hands. Thus, women are becoming less visible again. Just as was the practice throughout Islamic history, women have been pushed back into the privacy of the home, and men are once again the religiously and socially active sex. The ideology of Muhammad Ghazali, a member of the intellectual faction within the Muslim brotherhood, takes a traditional stance regarding women.⁵⁹ He approved the outlawing of seductive clothing and the presence of women unchaperoned on social outings. Furthermore, he thought the education of women was acceptable, as long as it functions as preparation for having families. This attitude clearly reverts back to social norms of the middle period.

An Islamic fundamentalist group in Egypt justifies their belief in the secondary role of women in society by claiming that *Shari'a* law gives balanced rights and obligations between men and women.⁶⁰ They admit that men have historically neglected women's rights and have demanded excessive duties of women. Yet, they blame these faults on corruption and irreligiousness, ignoring the possibility that the reason why women's rights have been neglected historically is because they either did not appear in the Koran or that the social interpretation of the Koran served to leave women on the margin of society.

Saudi Arabia has been a fundamentalist state since its creation in the early 1900s. *Shari'a* law has been implemented in every part of society.⁶¹ Children go to segregated schools at the age of nine, and girls begin to wear the veil at the same age. King Faisal enacted this law in 1967. Family is seen as the most important societal institution: "The position of women derives from the premise that the family is the cornerstone of Muslim society, and that an Islamic state must create an environment where men are not tempted to indulge in extra marital sex and thus undermine the foundation of family life."⁶² This is the Islamic justification for the divided social spheres. Take note of the fact that it does not ask men to restrain themselves from adulterous sexual activity, it states that women must be kept hidden in society so as not to present themselves as a temptation to men. This type of ideology has brought about the laws prohibiting women from driving, working alongside men to whom they are not related, and travelling alone.

Iran has had a recent history of Islamic fundamentalism similar in many ways to Saudi Arabia. The Mujahedin-e Islam, a political group that formed after World War II, demanded the abolition of Reza Shah's reform laws, and the reinstatement of the veil.⁶³ Women were too tempting to the pious man; if they were allowed to be unveiled in public, they would corrupt the ideal of family life. Women were forced to cover their full bodies as well.⁶⁴ The *hejab*, loose fitting clothing, were worn to hide the female figure. More reverent women would wear *chadors*, which are dark loose robes. Apparently, any

earlier reform laws for women were removed once the influence of the fundamentalist groups was felt.

The future of the Islamic fundamentalist movement is different in every country. 65 It depends on the nature of their interaction with other groups and elites in society. To remain in control of society, they must appeal to most of the social forces. What may prove to be a problem for the fundamentalist groups is that they base their ideology on moral principals rather than real solutions to problems in society. The Islamic fundamentalist movement revived traditional norms and values which were prevalent after the death of Muhammad through the beginning of the twentieth century. Thus, the re-Islamization pushed women back into the margins of Arab society. As long as this current populist trend remains in control of the attitudes of society, women will remain in this role.

Conclusion

The intent of this paper is to find congruence between varying status of women as they were affected by the stages of the developing Islamic society. I have found that only one phase in history proved to be truly liberating to women, and it is the society created by Muhammad in the Koran. Muhammad solved a major social problem for women in the seventh century. He granted them protection in a time of chaos. Thus, Muhammad was a true social reformer in that respect. However, the status of women declined during the spread of Islam, as the protection of women by the Koran became the means of their subordination. The laws proposed by the Koran to protect women were urgently needed in Muhammad's lifetime because of the existing social disorder of the pre-Islamic era. Islam provided a way to guide spiritual and social life. Reform proves to be difficult when there is a deeply engrained cultural mindset. A sense of frustration with the 'spirit of reform' has brought society back to the acceptance of traditional values rather than women's rights. Unless a movement proclaiming change in social stratification takes hold of society as the Islamic fundamentalist movement has been rather successful at doing, revival of the liberation of women as it once appeared in the Koran will remain stalled in the Middle East.

NOTES:

1. P.M. Holt, Ann K.S. Lambton, and Bernard Lewis, eds. *The Cambridge History of Islam, Volume 2*. (London:Cambridge University Press, 1970), p. 540.
2. Noel Coulson and Doreen Hinchcliffe, "Women and Law Reform in Contemporary Islam," Lois Beck and Nikki Keddie, eds. *Women in the Muslim World*, (Cambridge, MA: Harvard University Press, 1978), p.37.
3. Vern L. Bullough. *The Subordinate Sex: A History of Attitudes Toward Women*. (Chicago, IL: University of Illinois Press, 1973), p. 134.

4. Fatima Mernissi. *The Veil and the Male Elite*. (Reading, MA: Addison-Wesley, 1991), pp. 74-75.
5. Noel Coulson and Doreen Hinchcliffe. "Women and Law Reform in Contemporary Islam," Lois Beck and Nikki Keddie, eds. *Women in the Muslim World*. p.37.
6. Arthur J. Arberry. *The Koran Interpreted*. (New York, NY: Macmillan, 1964), Chapter IV, Verse 4.
7. Noel Coulson and Doreen Hinchcliffe. "Women and Law Reform In Contemporary Islam," Lois Beck and Nikki Keddie, eds., p.37.
8. Ibid.
9. Arthur J. Arberry. *The Koran Interpreted*. Chapter LXV, Verse 1.
10. Ibid. Verses 2 and 6.
11. Elizabeth Warnock Fernea and Basima Qattan Bezergan. *Middle Eastern Women Speak*. (Austin, TX: University of Texas Press, 1977), p. 12.
12. Arthur J. Arberry. *The Koran Interpreted*. Chapter IV, Verse 12
13. Philip Stoddard, David C. Cuthell, and Margaret W. Sullivan, eds. *Change in the Muslim World*. (Syracuse, NY: Syracuse University Press, 1981), p. 93.
14. Arthur J. Arberry. *The Koran Interpreted*. Chapter IV, Verse 3.
15. Noel Coulson and Doreen Hinchcliffe. "Women and Law Reform in Contemporary Islam," Lois Beck and Nikki Keddie, eds. *Women in the Muslim World*. p.40.
16. Arthur J. Arberry. *The Koran Interpreted*. Chapter II, Verse 35.
17. Ibid. Chapter XXXIII, Verse 55.
18. Marshall Hodgson. *The Venture of Islam: Conscience and History in a World Civilization, Volume I*. (Chicago, IL: University of Chicago Press, 1974), p.209.
19. Ibid. p.211.
20. Ibid. p.340.
21. Ibid. p.342.
22. Ibid.

23. Ibid.

24. Ibid.

25. Ibid. p.343.

26. Marshall Hodgson. *The Venture of Islam: Conscience and History in a World Civilization, Volume 2* . (Chicago, IL: University of Chicago Press, 1974), pp.437-438. 7
Ibid. p.442.

27. Ibid. p.442.

28. Ibid. p.140.

29. Ibid. p.141.

30. Ibid. p.142.

31. Ibid.

32. Ibid.

33. Ibid. p.143.

34. Ibid.

35. Ibid.

36. Ibid.

37. Ibid. p.144.

38. Noel Coulson and Doreen Hinchcliffe. "Women and Law Reform in Contemporary Islam," Lois Beck and Nikki Keddie, eds. *Women in the Muslim World*. pp.47-48.

39. Ibid. p.48.

40. Ibid. pp.48-49.

41. Ibid. p.40.

42. Ibid.

43. Ibid.

44. Ibid.

45. Ibid. p.46.
46. Ibid. p.47.
47. Ibid. p.41.
48. Ibid.
49. Ibid.
50. Ibid. p.42.
51. Ibid.
52. Ibid. p.43.
53. Ibid. p.44.
54. P.M.Holt, Ann K.S.Lamton, and Bernard Lewis, eds. *The Cambridge History of Islam, Volume 1*. (London:Cambridge University Press,1970), p.723.
55. Ibid. p.723.
56. Ismail Serageldin, "Individual Identity, Group Dynamics, and Islamic Resurgence," Ali E. Hillal Dessouki,ed. *Islamic Resurgence in the Arab World*. (New York, NY: Preager, 1982), p.54.
57. Alan R. Taylor. *The Islamic Question in Middle East Politics* . (Boulder CO: Westview, 1988), p.52.
58. Ali E. Hillal Dessouki. "The Islamic Resurgence:Sources, Dynamics, and Implications," Ali E. Hillal Dessouki,ed. *Islamic Resurgence in the Arab World* . p.11.
59. Dilip Hiro. *Holy Wars: The Rise of Islamic Fundamentalism*. (New York, NY: Routledge, Chapman & Hall, Inc., 1989), p.65.
60. Saad Edin Ibrahim. "Islamic Militancy as a Social Movement," Ali E. Hillal Dessouki, ed. *Islamic Resurgency in the Muslim World*. p.121-122.
61. Dilip Hiro. *Holy Wars:The Rise of Islamic Fundamentalism*. pp.123-124.
62. Ibid. p.124.
63. Ibid. p.154.
64. Ibid. p.201.

65. Ali E. Hillal Dessouki. "The Islamic Resurgence: Sources, Dynamics, and Implications," Ali E. Hillal Dessouki, ed. *Islamic Resurgence in the Arab World*. p. 28.

Argentina's Perón: Populist Patronage with Authoritarian Aspects

INTRODUCTION

Juan Domingo Perón ruled Argentina from 1946 to 1955, then again from 1973 until his death in 1974. During his twenty-three years in exile, he dominated the Argentine scene from afar, as the country's politics became virtually reduced to a succession of attempts by his rivals at eradicating, hijacking, or co-opting the movement he had founded, Peronism. How was Perón able to maintain power and influence for so long? What made Perón's populist/authoritarian government legitimate? How did Perón justify his actions? Addressing these questions is essential for an understanding of Peronism. A brief background of Argentina's political history will provide the reader with an insight to the political, economic, and social environment that set the stage for Perón to first seize control of the government in 1946. Early nineteenth century Argentine society was highly divided by economic class. The colonial rule of Spain guaranteed that the Spanish were the sole-beneficiaries of Argentina's fertile lands and minerals; this resulted in a large agrarian lower class and a relatively small elite class centered in the city of Buenos Aires. Despite its far-reaching territory, temperate climate, and rich mineral deposits, the Argentine population was small, and Spaniards were relatively scarce. This situation provided the gentlemen (señores) in Buenos Aires an opportunity to revolt, and in May of 1810, they did. The war with Spain lasted ten years, and the newly-independent Argentina fell into anarchy for another nine. The first ruler was Juan Manuel de Rosas, who assumed power twice, first in 1829, then again in 1835, when he declared himself "Ruler Anointed by God." 1 Rosas was nothing less than an absolute tyrant, yet he remained in power for more than twenty years by beheading, impoverishing, or banishing his enemies. Under Rosas, the port of Buenos Aires grew in importance, the frontier widened, trade with Britain increased, and immigrants arrived from England. For the next six decades, Argentina modernized and grew in population under military rule. From 1870 to 1890, the population grew from three million to seven million; between 1890 and 1914, it doubled again. In 1910, Argentina's economy ranked tenth in the world and the country was one of the world's five major exporters. By the 1930s, however, Argentina had lost its foreign markets and closed its borders. The Great Depression and international economic recession after World War I marked the first decline in the Argentine economy. In reaction to this decline, the Nationalist Party strengthened. In the 1940s, there was a cry for industrialization, for a way Argentines could remain prosperous without performing in a world economy. It was from this setting that Juan Domingo Perón emerged. 2 By simply reverting to their definitions, one can conclude that authoritarianism and populism are contrasting forms of government. Authoritarianism is the "concentration of political authority in one man or a small group."3 Authoritarian regimes emphasize obedience of the people and the absolute power of rulers over their subjects. Individual freedoms and rights are subordinated to the power of the state. Populism, on the other hand, is "a political philosophy supporting the rights and power of the people in their struggle against the privileged elite"4 (emphasis added). A populist advocates the rights, wisdom, and virtues of the common people, while an authoritarian limits or suppresses them. Juan Domingo Perón, however,

simultaneously demonstrated both forms of government during his rule, whereby the rights and power of the people were supported and even promoted, despite Perón's interventionist, authoritarian policies. Further analysis, therefore, is imperative for a complete comprehension of how authoritarianism and populism interacted in Perón's government. This essay proposes that Perón was able to justify using authoritarian measures in a populist government by relying on an ideology known as Peronism. Within Peronism was an original doctrine he called justicialista. This doctrine combined the four principles of idealism, materialism, individualism, and collectivism to create a new version of national socialism, whereby the welfare of the people was dependent upon economic incentives and government intervention. 5 The following analysis of Perón's rule and influence in Argentina from 1943 to 1974 proposes that Peronism and justicialista made it possible for Perón to implement authoritarian measures in his populist government.

PERÓN'S ASCENT TO POWER

In 1943, the military staged a coup against the Castillo government, and Perón was among the participating officers. The military government that assumed power was highly authoritarian. This gave Perón an opportunity to rise in the ranks of the hierarchy without resistance. The new Ramírez government canceled elections, dissolved Congress, and proclaimed political groups and parties illegal, thereby effectively suspending constitutional guarantees.⁶ In the economic realm, the Ramírez government attacked the oligarchy by lowering land rents in the major agricultural provinces, nationalizing foreign industries, and strengthening defense-related ones. These actions paved the way for a corporate state. In addition to political and economic repression, the Ramírez government suppressed key components of society such as the press and interest groups. The dissolution of democracy, the nationalization of the economy, and the repression of society all allowed Perón to rise unchallenged in the military hierarchy. In November 1943, Perón was appointed Secretary of Labor. From this rank, he began to develop Argentina into a corporate state. Corporatism is a political system in which economic interests are organized into hierarchical factional categories that are controlled by the state. . . The ideology of corporatism calls for the elimination of the class struggle by uniting capital and labor in particular industries into single associations that are centrally managed by state authority. A corporatist society consequently is elitist, patrimonial, authoritarian, and statist. ⁷ The backing of the people was an important aspect of corporatism that Perón realized. He gained the support among the working classes by enforcing laws that mandated an eight-hour work day, coverage for job-related accidents, overtime pay, and sanitary conditions at the workplace. Furthermore, he recognized and nationalized labor unions, and at the same time, he combined and consolidated industries into large, strong powers. A greater number of unions led to an increase in employment, and Perón subsidized national industries and raised tariffs in order to increase wages. He established the Confederación General del Trabajo (CGT) to act as a liaison between the working class and the state; this served to unite Perón's followers. The rise of the organized working class in support of Perón, therefore, led to his popularity and support in creating a corporatist state. ⁸ By February of 1944, it was evident that Perón fully intended to move up in the governmental hierarchy. In addition to being Secretary of Labor, he was appointed Minister of War; from this position, he consolidated his power

to oust the Vice President in July, assuming this new position but still refusing to relinquish his cabinet positions. The military soon considered this consolidation of power a threat, and in October of 1945, Per—n was forced to resign from the government. Upon his detention and imprisonment, an unprecedented number of people rose up in mass demonstrations on October 17th, forcing Per—n's release. The following year, Per—n was elected President, acquiring 55 percent of the popular vote and winning all but two provinces through the electoral college system.⁹ What kind of leader was Per—n in the early years? Already, Per—n had exhibited both authoritarian and populist tendencies. Mario Amadeo, of the Ministry of Foreign Affairs during the Ramirez regime, saw Per—n in 1943 as "an authoritarian leader."¹⁰ One can identify several aspects of Per—n's ascent to qualify this assertion. Just as the Ramirez government disposed of opposition groups in society, Per—n successfully eliminated potential Nationalista rivals and replaced them with his own supporters. Although he initially supported the Nazis in the war effort, Per—n reversed this policy in 1945, thus improving relations with the United States and many Argentines, but hardening relations with the Nationalista party. Nevertheless, "the Nacionalistas decided to support Per—n for the presidency in 1945; they were swayed by his military-authoritarian image, anti-leftism, advocacy of religious education, and criticism of the oligarchy and foreign capital."¹¹ Furthermore, one cannot ignore that Per—n himself was a Colonel in the army, so rising in a military hierarchy was not an unfamiliar concept to him. Per—n had long admired Mussolini's fascist government in Italy, and as a member of Argentina's Group of United Officers (GOU), he had trained in Italy. But even after World War II, when the world reproached authoritarianism, Per—n was not ashamed of his authoritarian training. He clearly explained this in his 1951 book, *Political Leadership*: "I always say what I learned when very young: I should be obeyed and I should be respected."¹² Because of the popular benefits they produced, Per—n made no attempt to conceal the authoritarian nature of his state interventionist policies. The benefits of state intervention were purely economic and targeted to the growing industrialist class. Per—n's authoritarian policies from 1943 to 1945 served to expand industrialization, changing the limited industrialization economic model to a distributionalist one. The working class, who Per—n identified as *descamisados*, literally 'shirtless ones', profited from the increase in wages, and the entrepreneurs, in turn, profited from the expansion of the internal market. Immediate economic profit therefore provides the first reason as to why workers saw Per—n's interventionist policies as beneficial and continued to support Per—n's cause. Secondly, people were attracted by Per—n's paternalistic rhetoric and identification with the working class. Per—n sought to establish a bond of common interests and sentiments between the working class and middle class, and he articulated this in addressing the Buenos Aires Stock Exchange in August 1944. In his speech, Per—n tackled the questions of social relations, social conflict, and the alliance of classes, saying that interclass agreement and organization was prerequisite to economic growth in Argentina. If I were the owner of a factory, it wouldn't cost me anything to gain the affection of my workers with some social programs handled with intelligence. Many times it is achieved with a doctor who goes to the house of a worker whose son is sick, with a little gift on a particular day; the boss who passes by and slaps his workers on the shoulder and speaks to them once in a while, as we do with our soldiers. So the workers are more efficient, one has to control them by the heart. Man is more receptive to commands when

commands are directed at his heart, not his head. In the same way workers can be managed. It is only necessary that men who have workers at their disposal, reach them by these means, in order to dominate them, to make them true collaborators.¹³ This highly paternalistic rhetoric reveals the associations and likenesses Per—n saw among the military and the industry. Workers perceived this as a suitable comparison and were not disenchanted by its authoritarian implications and corporatist ideals. Between 1943 and 1946, the Per—nist state effected a political revolution. Per—n managed to attain the support of the people, depose his opponents in the government, and ultimately win the presidency. The next step for Per—n was to create economic and structural revolution. He sought to accomplish this endeavor by implementing the complex Justicialista economic doctrine and gaining the loyalty of the people.

PERONISM

Before discussing the material effects of Per—n's attempt to revolutionize Argentina, it is necessary to comprehend the ideology, which according to Per—n, would provide the means of the revolution. This ideology is known as Peronism. Peronism was concerned with the exercise of power, the role of the individual, the nature of the economic and social system, and the basic objectives of society.¹⁴ During the 1940s, Peronism became the fundamental belief system in Argentina, remaining strong for the next three decades and climaxing in 1973, when Per—n became president for the third time. Peronism created a modern labor movement, gave women the right to vote, and delivered services like education, housing, medical services, and nutrition to long-neglected regions and social groups. On the periphery, these accomplishments seem democratic. In fact, many scholars have compared Peronism to the New Deal in the United States.¹⁵ This comparison, however, is flawed because although each plan had similar outcomes, the original intentions of Roosevelt and Per—n were very different. The difference is seen easily by examining the European fascist systems from which Peronism developed. Francisco Franco, Adolf Hitler, and Benito Mussolini were an enormous influence on Per—n during World War II, and he devised Peronism to be an improvement upon these systems. "I will act as did Mussolini, but without Mussolini's mistakes," Per—n declared.¹⁶ In essence, Peronism was a method for Per—n to acquire greater loyalty from the people. This was hardly Roosevelt's intention in creating the New Deal. Perhaps the most important aspect of Peronism was the doctrine of Justicialismo, because it was the principal means of achieving the loyalty Per—n so much desired. Justicialismo rationalized the use of authoritarian measures to the people, and thus served as a contributor to populism. The doctrine of Justicialismo was key to Peronism.¹⁷ Justicialist thought developed from the ideas of Georg Wilhelm Friedrich Hegel and Karl Marx. The two nineteenth-century Germans had developed dialectical approaches; Per—n also developed a dialect in Justicialismo. The Hegelian and Marxist systems were theories of conflict, and there is also a justicialist conflict theory. This conflict, whether it be between Hegel's "thesis" and "antithesis" or Marx's "capital" and "labor," is resolved by the achievement of a "Third Position." Under Justicialismo doctrine, the conflict is between four forces in society rather than just two. These are "idealism," "materialism," "individualism," and "collectivism." Justicialismo, according to the true Peronista, is "that doctrine whose objective is the happiness of man in human society achieved through the harmony of materialistic, idealistic, individualistic, and collectivistic forces."

18 Or thus: "it would be a concordant and balanced combination of the forces"¹⁹ The justicialist doctrine gave everybody a legitimate place in society, and this appealed to the people who naturally fell into these categories. (see figure 1) If each person worked cooperatively in his or her own position in society, the balance of the four conflicts would naturally occur, and happiness and harmony would therefore follow. Thus, Justicialismo gave people something to believe in and something to strive for. It seemed natural to the people that their leader be at the top of the ideal society simply because it was his "natural" position. The fact that he was authoritarian was of no consequence as long as the people were ultimately content.²⁰ Figure 1: Per—n's "Organized Community" Under the Justicialismo Doctrine The Leaders Military Congress Unions Parties Church The People Source: Daniel Poneman. Argentina: Democracy on Trial. New York, NY: Paragon House Publishers, 1987.

THE FIRST TERM: 1946-1952

Upon attaining the presidency, Per—n's first objective was to unite the people. On May 23, 1946, he ordered the dissolution of the existing parties in his coalition (the Radical Party and Labor Party) and announced the formation of a committee to reorganize all Per—nist forces into a single National Revolutionary Party. In June, this party emerged under the name of Partido ònico de la Revoluci—n , the Sole Party of the Revolution. The name of this party alone proves that Per—n recognized himself as the leader not only of Argentina, but also of "the revolution." Like the Liberal Democratic Party (LDP) of Japan, Per—n's party was centrist. It included members of the Radical Party and the Labor Party, each of which were very inclusive. This use of external force to artificially combine two parties into one resulted in a party that was internally factional and conflictual. Additionally, Per—n continued to use his statesman-like, conciliatory rhetoric to unite the people. The time of conflict has ended for me, because I am, and I feel myself to be, the president of all Argentines; of my friends and of my opponents; . . . of those who have followed me from the heart and of those who have followed because of circumstances; of those groups represented by the majority of the congress and of those looking to the minority.²¹ For the rest, he reaffirmed the social goals of Peronism; he foretold clearly the strong intervention of public power in the economy on behalf of industrial development and spoke feelingly of land reform and the needs of agriculture.²² Evidently, this rhetoric served not only to unite the people, but also to build loyalty: in January 1947, the united party was officially renamed the Per—nist Party. Meanwhile, the policies of the new government were augmenting the well-being of the labor base of support. Between 1946 and 1948, real wages increased 27 percent above the 1943 levels for skilled workers and 37 percent for unskilled labor.²³ Organized labor more than doubled in size between 1946 and 1950, increasing from 877,333 to 1,992,404.²⁴ Gold and hard currency reserves totaled \$1.6 billion ²⁵, which allowed Per—n to buy out the British owned railroads (promoting the image of independence from the imperialists) and increase workers share of national income from 35 to 50 percent. ²⁶ Economic benefits such as these served as the basis for the first presidency to be called the Golden Age of Peronism. In 1949, Per—n politically reorganized the public sector. He established a new constitution that provided for direct election and reelection of the president, established a central bank, nationalized foreign commerce, and made education free throughout the republic. While direct elections and free education may be characteristic of democracies,

centralization of the banking system, nationalization of foreign commerce, and the fact that Per—n alone established this constitution rather than the people, proves that Per—n was still very authoritarian. He democratized the areas that affected the people directly, namely elections and education, in order to build and maintain the people's support. Conversely, he centralized those areas that were not immediately meaningful to the common people. For example, by 1948, "the Per—nist majority in the Chamber of Deputies was now above two thirds, and in the Senate the last nonPer—nist had disappeared." 27 Per—n was the first beneficiary of the new constitutional arrangement. In 1951, he won a second term with 62.4 percent of the vote.²⁸ This time, however, he was complemented by a new vice president and wife: Evita. Maria Eva Per—n, soon to be known simply as Evita, was a key component of Per—n's government. She served to increase Per—n's popular support throughout the first term by temporarily improving the larger lower and middle class welfare. In the first eleven months of the administration, Evita gave away \$4,280,000 worth of school books, clothing, shoes, furniture, toys, and food. By May 1948, letters requesting her help were arriving at a rate of 12,000 a day.²⁹ The creation of the Eva Per—n Foundation led to even greater amounts of handouts to the poor, so that soon, "the names of Per—n and Evita were everywhere, as were their pictures, their initials, and the reminders of their virtues." 30 Evita's presence was a vital contribution to Per—n's populist support and aided his second election campaign in 1951. If historians consider the election of 1951 as Per—n's pinnacle, it follows that they regard the rest of Per—n's years as indicative of a downward trend. Simply by observing that he was forced into exile half-way through his term substantiates this conclusion. By the end of 1951, Argentina's gold reserves had been completely depleted. The death of Evita a year later combined with the exhaustion of the nation's money supply marked the beginning of Per—n's demise. Even though Argentina's economic status changed, Per—n refused to change with it. Initially, Per—n maintained his commitment to domestic industrialization, and the situation quickly became a foreign-exchange crisis. As foreign trade decreased, inflation sharply increased, and total income had declined more than 30 percent since 1948.³¹ Price controls were continued, and real wages were reduced. Per—n was soon forced to recognize the economic truth: Argentine industrialization, starving for capital and technology, was dependent on the very foreign capital he had attacked. In 1952, Per—n announced his "Economic Plan," which centered on austerity and sacrifice. Per—n imposed anti-inflationary stabilization measures sponsored by the International Monetary Fund (IMF). Per—n also decreased government subsidies and government spending and now encouraged foreign investment and importation. This new policy was practically a reversal of the government's prior economic policy. In order to remain in power, Per—n relied more and more on repression and authoritarian policies. He intimidated factory owners, newspaper editors and opposition politicians. He censored the press, replacing critical articles with political propaganda, and he intervened in the education system. Also, Per—n established the Control del Estado, his confidential political police force. This secret military organization watched over the Argentine people, especially government officials and employees. Argentine people compared it with Matorca, Rosas' notorious "private army of terrorists and thugs." 32 The Control del Estado and the Federal Police were measures Per—n implemented to limit the Argentines' liberty. This sort of intervention and dictator-like behavior was rejected by the military and was a significant contributing factor to Per—n's removal in 1955.

Overall, these measures proved to be unpopular with Per—n's constituency. They were no longer receiving Evita's handouts, and their standard of living had sharply dropped. The productionist trend began to take precedence over workers' rights. The descamisados expressed their resentment through strikes, absenteeism, and production slowdowns. The entrepreneurs were disappointed with the return of foreign industry into the economy and the reduction of the internal market. Nevertheless, the doctrine of social justice and "Per—n's personal approach won him the continued support of most workers even when the government policy was unfavorable to their interests."³³ Those who abandoned Per—n were of the national bourgeoisie, upper-working class, and were not dependent on Per—n's interventionist policies. In 1954, the church abandoned Per—n as well, angered by congressional acts which made divorce legal and removed religion from schools. From the time of Per—n's first election, the church had made a full circle from complete support to none at all. On June 16, Per—n was excommunicated by the Vatican; on the same day, the navy launched an abortive coup. ³⁴ By 1955, it was evident that Per—n had failed to adapt his policies to the new industrial economy. Faced with sudden, high inflation and an exhaustion of money supply, Argentina's economy became dependent on foreign capital and investment, a situation that had not existed since Per—n first implemented his nationalist policies in 1946. This resulted in a reduction in the internal market, a decrease in wages, and a lower standard of living, which in turn created discontent of the national bourgeoisie and the populace as a whole. In order to maintain his legitimacy, Per—n redistributed the wealth from the minority, upper-middle class and elite groups to the workers. What he did not realize, however, was that such action caused imbalance in his very own "organized community." According to the Justicialismo doctrine, with an imbalance in society, conflict is inevitable. Justicialismo gave no place for these interest groups, and this became Per—n's primary dilemma. In September 1955, Justicialismo proved to be accurate. That month, Per—n's fellow military officers presented him with an ultimatum: either resign or there would be a Civil War. Per—n chose the former. It is important to recognize that Per—n was forced out of office by the groups he had oppressed and neglected. The Argentine workers and true Per—nists, however, remained loyal to their leader. "As long as Per—n remained alive and in apparent readiness to return, it was possible to fantasize an immediate restoration of good times gone by."³⁵ This mentality among the working class demonstrates the eminence of Peronism and was something that the military constantly sought to eliminate.

THE POLITICAL IMPASSE

The first decade after Per—n's removal was marked by a series of civilian rulers and military coups. The military had no desire to rule the country, but it had the power to depose civilian rulers if they imposed conflictual policies. Often, this meant that any leader who followed Per—nist policies or ideals was dismissed. In 1955, the Per—nist Party (formerly the Partido Unico de la Revoluci—n) was declared illegal, and the mention of Juan Per—n's name was prohibited. In consequence, the Per—nist Party split into the many factions it had originally incorporated. Just as in pre-Per—nist politics, there was no solid majority party, so no politician could count on a broad base of support. Divided over what to do with the Per—nist problem, the political parties split even further, making it even more difficult for one party to obtain a majority. From exile, Per—n instructed his descamisados, who constituted a large percentage of the voters, to

cast blank ballots. Therefore, those politicians who Perón supported from afar usually won because they could secure the Peronist votes. Arturo Frondizi of the Union Civica Radical Intransigente (UCRI), for example, received 53 percent of the popular vote in 1958 by promising to pursue populist economic policies and to gradually legalize the Peronist party; consequently, he was ousted by the military in 1965. 36 By 1966, the dominant conviction among the military was that a coup of the regular "intervene-and-exit variety" was no longer adequate. What was required was a revolution to rid Argentina of its entire corrupt political system and rescue the economy from its stop-and-go stagnation cycles. 37 In June, the military implemented the "Statute of the Revolution," which in essence dissolved the republic, removing the members of the executive, legislative, and judicial branches. For the next seven years, the military ruled Argentina, constantly attempting to solve the Peronist problem, yet still struggling with factionalism and internal coups. Meanwhile, as the children of Perón's descamisados reached middle-class status, Peronism polarized into two opposing factions: the "movementist" and "classist" factions. The movementist sector, commonly referred to as the left, was composed of the new Peronist Youth and radical terrorist and guerilla groups such as the Montoneros. Armed struggle was used by the movementists to defend Peronism. The classist sector, or the right, was composed of older Peronists who still believed in the establishment of a "Socialist Fatherland," bureaucratized union leaders, and paramilitary groups. 38 While both factions embraced Peronism and Perón, they disagreed on how his ideals should be implemented. The combined popular pressure, however, compelled the military to allow elections to take place in March 1973. In the March 1973 election, Perón sponsored the candidate Hector Camaño of the Frente Justicialista de Liberación (FREJULI), one of the newly formed Peronist parties. Under the campaign slogan "Camaño to government, Perón to power," Camaño received 49 percent of the popular vote, and provided an unobstructed path for Perón to take his place fifty days later. 39 Those fifty days, from Camaño's inauguration in May to Perón's re-election in September were anarchical. Bombs exploded on street corners. Labor strikes paralyzed the factories. Students demonstrated. Entire ministries were closed. On the day Perón landed in Buenos Aires, more than one million people headed toward the Ezeiza airport, blocking the highway for miles. Once there, the old and new Peronists began shooting each other. Gruesome lynchings and mayhem were reported, and estimates of the total casualties range to over 200 dead and 370 wounded. 40 Not long after Perón's arrival, Camaño stepped aside. Such a setting of chaos was perfect for the authoritarian leader to assume control, just as Rosas had done in the nineteenth century. Immediately, Perón announced his presidential candidacy and selected his new wife, Maria Estela Martinez (commonly known as "Isabel") as his vice president. He was elected with 62 percent of the popular vote. 41 For eighteen years, Perón dominated Argentine politics from afar. The question follows: how was Perón able to maintain support for so long? Much of the reason has to do with nostalgia. The prevailing political and economic situation was chaotic. People longed for the order and prosperity Perón once brought to Argentina. It seemed only Perón could bring peace to a nation in which both sides claimed to be fighting in his name. In 1973, the ailing seventyseven year old populist returned to Argentina, promising to make everything right again. He promised national unity, order for the military, a healthy investment climate for business, and a social revolution for the Peronist youth. 42 In other words, he promised to bring

everything the people wanted. In retrospect his promises seem overly idealistic and even preposterous, but to the desperate Argentines in 1973, Per—n looked to be their only hope. Per—n died of natural causes on July 1, 1974, never having the opportunity to re-establish his "Organized Community" under the Justicialismo doctrine. By looking at what he did do during the few months he ruled, though, one can predict that Per—n would have been just as unsuccessful as he was in the early 1950s. Per—n's first objective, just like in 1946, was to unify the people. He forged an alliance between the national industrial bourgeoisie and the working class. But this time, he was unsuccessful. Per—n failed to take into account the new conflicts that existed within Argentine society; these conflicts made the mid-1970s very different from the mid-1940s. Violence intensified, and Per—n himself publicly declared, "If there is no law, then we shall act outside the law, and we shall do so violently." 43 Internal conflict impeded any type of economic restructuring, and the alliance quickly collapsed. Per—n also administered a series of repressive laws, another act leading one to conclude that Per—n would not have lasted long as president. The Law of Professional Associations gave each national organization the right to intervene in the affairs of local bodies. The Law of Compulsory Arbitration made all strikes for higher wages illegal, and the Act of Obligation to the National Security gave the federal government the right to intervene in the internal affairs of provinces in the interest of national security. 44 Police terror escalated dramatically under Per—n's new government, and assassinations were frequent. With an increasing imbalance between his populist support and authoritarian measures, Per—n's third presidency was doomed to fail. Since populism is dependent on the individual, Per—n's death marked the end of Peronism.

CONCLUSION

The rule of Juan Domingo Per—n is remembered by some Argentines as cruel, authoritarian, and discriminatory. Others remember Per—n as an "immortal genius" who brought prosperity, industry, and nationalism to Argentina. This essay has revealed that, to a certain extent, Per—n fits both of these descriptions. He developed Peronism as "an authoritarian, populist movement" to capture the hearts and minds of the Argentine people.⁴⁵ The doctrine of Justicialismo provided for a Latin American utopia, and gave Argentines something to believe in and strive for. Per—n found the actual implementation of the doctrine, however, more difficult than his rhetoric made it seem. Justicialismo did not account for international forces and internal conflict. Many countries, including the United States, viewed Per—n's rule as socialist, fascist, or communist all types of government that were deemed illegitimate by the world following World War II. Nor did Justicialismo explain internal movements within the "Organized Community" or the maneuvering from one position to another. How did one rise to become the Leader in a cyclical community? Justicialismo was far from flawless, but it pertained to many and was therefore an attractive philosophy. Those it did not pertain to, such as capitalist, more liberal persons, Per—n simply repressed. Paradoxically, Per—n democratized Argentina in the sense of bringing the working class more fully into the political process, even though his administrations often placed cultural and political restrictions on the opposition that severely compromised that democracy. "This combination of authoritarian and bureaucratic methods to increase political access and socioeconomic benefits for the masses still characterizes the present trilateral relationship

among the Per—nist political structure, the CGT apparatus, and the Argentine Working class."46 The current president of Argentina, Carlos Menem, was elected on a Per—nist ballot, but Peronism in the 1990s is a very different concept than it was in 1946.

NOTES:

1. Arturo Cruz Jr. "Glory Past but Not Forgotten." *Insight/Washington Times* . (retrieved from News Bank: International Affairs and Defense, August 6, 1990), p. 84: A8.
2. *Ibid.* pp. 84: A9-A10.
3. Jack C. Plano and Milton Greenberg. *The American Political Dictionary*. (New York: Holt, Rinehart and Winston, 1979).
4. *The American Heritage Dictionary of English Language*. (Boston: Houghton Mifflin Company, 1992)
5. Albert Spektorowski. "The Ideological Origins of Right and Left Nationalism in Argentina, 1930-43." *Journal of Contemporary History*. (London: Thousand Oaks and New Delhi, 1994), p. 176.
6. Robert D. Crassweller. *Peron and the Enigmas of Argentina*. (New York: W.W. Norton & Company, 1987), pp. 97-103.
7. Ernest E. Rossi and Jack C. Plano. *Latin America: A Political Dictionary*. (Santa Barbara: CA: ABC-CLIO, Inc., 1992).
8. William C. Smith. *Authoritarianism and the Crisis of hte Argentine Political Economy*. (Stanford: Stanford University Press, 1989), pp. 26-7.
9. *Ibid.*
10. Richard J. Walter. "The Right and the Per—nists, 1943-1955." Sandra Deutch and Ronald Dolkart, eds. *The Argentine Right*. (Wilmington, DE: Scholarly Resources, Inc., 1993), p. 104.
11. *Ibid.* p. xvii.
12. Daniel Poneman. *Argentina*. (New York: Paragon House Publishers, 1987), p. 65.
13. Per—n. *El pueblo quiere saber*. pp. 157-66.
14. Ernest E. Rossi and Jack C. Plano. *Latin America: A Political Dictionary* .
15. See "Orange Juice with General Per—n," by Mark Falcoff, for example.

16. Daniel Poneman. Argentina. p. 66.
17. Among my own research, I found that critics often refuse to regard justicialismo as a serious sortie into the realm of political philosophy. Among others, Daniel Poneman describes it as "elusive," "wooly," and "obscure." Often, writers will do nothing more than mention it at the end of a paragraph, and then continue on without expanding on the idea.
18. Raul A. Mend. El Justicialismo. (Buenos Aires: ALEA, S.A., 1950), p. 106.
19. Leonard Richmond. Argentina's Third Position and Other Systems Compared . (Buenos Aires, Argentina: Acme Agency, 1949), p. 102.
20. George Blanksten. Per—n's Argentina . (Chicago: The University of Chicago Press, 1953), p. 282-305.
21. Robert D. Crassweller. Per—n and the Enigmas of Argentina . p. 187.
22. Ibid.
23. Ibid. p. 190.
24. William C. Smith. Authoritarianism and the Crisis of the Argentine Political Economy . p. 31.
25. In 1987, this was equivalent to \$20 billion.
26. Daniel Poneman. Argentina. p. 24.
27. Ibid. p. 191.
28. Ibid. p. 24.
29. Robert D. Crassweller. Per—n and the Enigmas of Argentina . p. 209.
30. Ibid. p. 211.
31. Ibid. p. 251.
32. George Blanksten. Per—n's Argentina . p. 167.
33. Albert Spektorowski. "The Ideological Origins of Right and Left Nationalism in Argentina." p. 176.
34. Donald C. Hodges. Argentina 1943-1976 . (Albuquerque: University of New Mexico Press, 1976), p. 23.

35. Mark Falcoff. "Orange Juice with General Per—n." p. 387.
36. William C. Smith. Authoritarianism and the crisis of the Argentine Political Economy p. 39.
37. Ibid. p. 43.
38. Donald C. Hodges. Argentina 1943-1976 . p. xiii.
39. Daniel Poneman. Argentina. p. 21.
40. Ibid. p. 22.
41. Arturo Cruz Jr. "Glory Past but not Forgotten." p. 84: A11.
42. Gary W. Wynia. Argentina: Illusions & Realities . p. 73.
43. M—nica Peralta-Ramos. The Political Economy of Argentina. (Boulder: Westview Press, 1992). p. 67.
44. Donald C. Hodges. Argentina 1943-1976 . p. 109.
45. Robert Crassweller. Per—n and the Enigmas of Argentina . p. 223.
46. Peter Ranis. Argentine Workers. p. 25.

Heather Moore

International Crime and Integration: The Development of Europol

International crime has become an increasingly serious problem in the modern era. As global transportation and communication technologies have developed, crime control has remained state-based; traditionally international crime has been handled either bilaterally or through state-based international organizations such as Interpol or the United Nations. The creation of the European Union, corresponding with the departure from the state system, has had an unexpected role in encouraging the spread of crime throughout Europe, particularly crimes involving terrorism, drug trafficking, or illegal immigration. Members of the European Union have discovered a basic institutional gap within its structure- there is no common law enforcement body or judicial system, and thus, no common response to the new threats posed by integration. Over the past few years a number of initiatives have been introduced within the context of the European Union to combat these problems. This paper will outline the possible shape of a new European crime control structure by 1.) defining the problems resulting from the formation of the European Union, 2.) reviewing threats posed by international crime in Europe, and 3.) examining the European responses to international crime through law enforcement and judicial cooperation.

Before addressing crime and the European Union, it is necessary to establish both the theoretical and concrete context of the problem. The dilemmas facing many nations in the post-Cold War era are problems that cannot be solved with realist, nation-state policies. The world-wide nature of the crimes that threaten the European Union, and almost every region of the world, requires a response that is as international as the crimes themselves. As Louis Shelly has written, "Unless countries are willing to make a concerted effort against organized crime, they threaten their own institutions and the stability and longevity of their governments."¹ Some nations are realizing that the preservation of their sovereignty is only useful as long as the government can continue to provide adequate services to its people. The European Union is a case in which member nation states cannot provide sufficient services in the area of international crime control without giving up some sovereignty. The arguments presented here illustrate the break-down of the state system in the area of international crime control in Europe, as well as the need for an institutional response on an international level.

International crime includes any kind of criminal action which crosses national borders. The United Nations Crime Prevention and Criminal Justice Branch estimates that organized syndicates control "the bulk of illicit international trade in drugs, prostitution, transport of aliens, guns, and valuable metals, body parts, counterfeit currency, weapons and stolen goods" to the tune of \$750 billion worth of business annually. ² Moreover, some syndicates are setting up businesses in new areas such as "trade in nuclear technology, transport of illegal aliens, and money-laundering."³ Perhaps a more complete

definition of what is meant by the term international crime can be gleaned from the mandate of Interpol, the earliest multilateral crime fighting organization:

Interpol's mandate is the investigation and suppression of drug trafficking, money laundering, bank swindles, smuggling, traffic in illicit arms and stolen works of art, financial fraud, illicit electronic funds transfer, piracy of cassettes and video tapes, hijacking of planes and ships, theft, arson, and terrorism, and the tracking of fugitives from such offenses all exclusively on the international level.⁴

Recently the global community has begun to understand the need for cooperation to address problems posed by "crime multinationals," a term coined by Secretary General Boutros-Boutros Ghali, through international conferences and working groups.⁵ Despite the progress made at conferences such as the World Ministerial Conference on Organized Transnational Crime, which was held in November of 1994, the level of global cooperation that has been achieved is inadequate in meeting the current needs of the European Union.

At the moment, European security structures fall somewhere between the national and global levels of security cooperation. Most nations have special units to deal with frontier related law enforcement. Examples of these national security forces include the *Bundesgrenzschutz* (the German federal border guard), the *Police de l'air et des frontières* (the French division of the *Police Nationale* which deals specifically with air and frontier security), and the hybrid British border team staffed from the regular police force, HM Customs & Excise, and HM Immigration Service.⁶ International cooperation also plays a large role in border issues. At the widest level of international cooperation are organizations such as the Council of Europe, the WEU, the CSCE, Interpol, and the United Nations.⁷ The European based groups that have recently developed somewhere in between the national and global levels mentioned here form the basis for the newly emerging security structure in response to the development of the European Union. These organizations have tended to be ad hoc in nature and overlap in practice. Before examining these groups more carefully, the traditional methods of combating international crime will be reviewed and their shortcomings explained.

In the past, European nations have addressed international crime through bilateral negotiations or through membership in international crime fighting organizations. Bilateral negotiations were used mainly in the areas of extradition treaties and crime issues specified between two nations. Multinational action takes the shape of International Conventions, usually under the umbrella of the United Nations, participation in United Nations anti-crime branches, and membership in the criminal information sharing organization Interpol. Interpol is an important institution because the security structures that have developed in the European Union use it as a model. Interpol was created by Europeans to address former problems posed by international criminals; European governments are comfortable with the way Interpol works and are attracted to the effectiveness of the organization that does not require the loss of state sovereignty to function. Interpol is, in essence, a centralized information data base that is used to assist national security systems in dealing with international criminals. Nations traditionally

use Interpol as an information resource to track criminals across borders. In a typical scenario, the information that Interpol provides is used to screen criminals out as they cross borders and go through routine identity checks. The effectiveness of the information exchange is greatly diminished if the border element is reduced or eliminated all together, because nations within the open border agreement will have no way to screen out undesirables using wanted lists or basic intuition. As a multinational organization with over 140 members, Interpol is a neutral broker of information between police organizations of different countries. Its diversity is its strength as well as its weakness: Interpol is a truly global resource, but it is also a strictly neutral organization; Article 3 of the Interpol Constitution states that "[i]t is strictly forbidden for the organization to undertake any intervention or activities of a political, military, religious, or racial character." 8 The incredible success this strategy has had is exemplified by the fact that Interpol was the only organization at which official representatives of both Iran and Iraq sat at the same table while they were at war. 9 This policy has also limited the international crimes that Interpol can address. Until the mid 1980s due to its strict interpretation of Article 3, Interpol refused to be involved in any preventative measures to combat terrorism. "Preventative measures" include all police work which aims at preventing possible future terrorist incidents; Interpol would not act until an actual incident had occurred, regardless of any strong suspicions that an incident was about to be executed. Interpol's terrorist policy is an example which illustrates the shortcomings of an international organization with such a wide membership and explains the need for a regional organization to cover many of the same issues on a European basis.

PROBLEMS POSED BY EUROPEAN INTEGRATION

Even if the global crime control organizations worked efficiently, the European Union would still present a special case. The traditional methods of international crime control are being rendered ineffective by the evolution of the European Union away from the state system. One of the primary objectives of the European Union has been the creation of the Single European Market (SEM). The fundamental idea of the SEM is to create a common area within Europe in which all physical and fiscal barriers are removed so that the "Four Freedoms" of movement could be achieved: the movement of goods, persons, services, and capital. 10 European nations have many good reasons to depart from the state system and relinquish some of their sovereignty. The economic appeal of this exercise in free trade is obvious: the European consumer would have access to a greater selection of goods and services at lower prices. Moreover, the development of a strong European economic block could help Europe regain some of its lost influence on the global market. In the early stages of implementing the SEM the practical problem of eliminating the barriers between countries has been all-absorbing. The problems the common market had on the ability for Europeans to control the activities of terrorists, international criminals, refugees, and unwanted immigrants were not immediately envisioned. 11

The removal of state border controls have negative side effects in that an integral part of traditional criminal control is removed with no new security structure erected in its place. The most obvious problem with the removal of borders in Europe is the resulting removal

of identity check points. As Richard Clutterbuck has observed, "before 1989, an average of 100,000 people were arrested every year at West German Frontier checks, about 50,000 of them spotted from wanted lists, the other 50,000 questioned on hunches by frontier staff." As the single market goes into effect, and border controls are eliminated between member countries, "these people will remain at large unless they are arrested on external EC frontiers or at police spot checks in Germany or elsewhere in the EC."¹² The implication of all this is that any criminal who manages to land somewhere in Europe will be free to move to any major European capital without passing through a single immigration or customs check.

THREATS POSED BY INTERNATIONAL CRIME

The three main areas of concern with regard to developments within the European Union are terrorism, drug trafficking, and illegal immigration. Two crimes that have captured the attention of the media and that seem to be at the top of the political agenda are drug trafficking and terrorism. Both types of crime have literally exploded onto the international scene during the past twenty years. Another problem facing Europe is illegal immigration. The break-up of the former Soviet bloc, the conflict in the Balkans, and economic conditions in the Middle East and Africa have led to massive migration pressures towards Western Europe. These three crimes are particularly hard to curb because in some cases states actively support terrorism for political reasons, drug trafficking for economic ones, and illegal migration for both. Multinational efforts designed to combat these problems are doomed to failure when the states at the root of some, or all, of these problems decline to cooperate. National efforts to control these crimes, especially in Western-style democracies, often run into conflicts with impartiality, the protection of individual rights, and the policies of other countries.

Terrorism is one of the more frightening crimes afflicting Europe in the modern era. Both domestic and international terrorist groups have been known to operate in Europe. Some of the major "domestic" terrorist groups in Europe that have been a threat within the past twenty years are the following: the Bundeskriminalamt (BKA) in Germany, the Provisional Irish Republican Army (IRA) and the Ulster Volunteer Force in Northern Ireland, Action Directe in France, and the Basque ETA group in Spain. ¹³ More seriously, European involvement with and proximity to the terrorist prone groups of North Africa and the Middle East have contributed to the frequency of terrorist incidents. For example, the recent Paris bombings, which occurred during late summer of 1995, were believed to be the work of either Islamic fundamentalist extremists from Algeria or disgruntled Serbs upset with the tougher French stance on the Balkan issue. ¹⁴

Why is Europe such a fertile ground for terrorism? In large part Europe is vulnerable to terrorism because of its free press and democratic values. The Western democracies have tended to be the most attractive and vulnerable targets of international terrorism not only because they are open societies with an unregulated media, but also because they can least easily combat the terrorist using terrorist tactics that is, the use of terror in retaliation.¹⁵ Finally, the phenomenon of international terrorism has come into existence as a major problem only in the last few decades. This is largely due to the revolution in

communication and transportation technology that has made it possible for small groups of extremists both to reach target populations outside their domestic borders and to have their actions instantly broadcast world wide by the western media. The surprisingly small size of terrorist organizations makes tracking them down a challenge. It is estimated that the total number of activists in the terrorist groups of Western Europe is no more than "seven hundred, almost two-thirds of whom are in two organizations: the IRA in Ireland and Britain, and the Basque ETA in Spain and France. Perhaps even more surprisingly, those...identified with the Middle East and North Africa are probably are no more numerous."¹⁶ The elusiveness of terrorists will only be enhanced with the removal of state border identity checks.

Drug trafficking is a difficult crime to control and constitutes one of most pressing problems in Europe. Drug trafficking presents a particularly tough problem because of the enormous amount of revenue that is generated from illegal drug trade in the rich, western countries the profits from the drug trade pay for private armies, the tolerance of sheltering countries, and the bribing or elimination of politicians, judges, police, and journalists.¹⁷ During the 1980s, President Reagan brought the fight against drugs on to the international agenda when he signed National Security Decision Directive NO. 221, which made drug enforcement a national security priority.¹⁸ The creation of an anti-drug United Nations department followed along with intensified efforts on the part of Western Europe, spurred by the actions taken by the United States. Unlike terrorism, drug trafficking has not produced a plethora of working groups and cooperation efforts in Europe. This is partly due to the widely varying laws on drug issues among European Union nations and partly due to the fact that international drug syndicates did not become a focus of security organizations until the mid 1980s. Drug trafficking has continued to expand, despite the efforts that have been made, and poses one of the most serious problems facing most western, industrialized countries today.

A third problem is also on the agenda: illegal immigration. With immigration pressure from the former Soviet Republics, Eastern Europe, the Middle East, and Africa, not to mention the refugee outflows from the Balkans, Europeans want as little illegal immigration as possible. Unemployment in most European countries is hovering between 10%-20%. Xenophobia and extremist right wing political outbursts have been the result. A primary objective of most European nations is to prevent domestic pressure from building too high over perceived threats from unwanted immigrants and refugees. Right wing extremists are not the only threat brought about by unregulated immigration; ethnic criminal organizations often follow immigration patterns. ¹⁹ Immigrants frequently arrive to European Union countries from crime rich areas of the world with organized crime connections; for example, Ukrainian mafia members or Nigerian drug-traffickers can utilize their nationals in Western Europe quite easily. Immigrants are usually reluctant to go to the police and can thus be easily intimidated. Moreover, immigrants usually do not receive the same degree of police service because "they do not have important political connections, and the police find it difficult to cooperate with them because of their strange cultures and languages."²⁰ Illegal immigrants are even more likely to become vehicles for international crime in order to reach the desired new country or in order to stay there. The dilemma of how to keep people out of Europe has

become increasingly difficult as the economies to the east flounder on the rough waters of the free market. All three types of international crime have been exacerbated by the integration process in the European Union.

PAST LAW ENFORCEMENT COOPERATION

As the reality of open borders approached, an institutional gap between the policing needs and the policing capabilities of the European Union emerged. The first area of concern to spur recognition of the gap in policing was terrorism. In the early 1970s terrorism became the common link which motivated the creation of most of the current security structures. In the years since, several spontaneous groups have been started to improve police cooperation "to combat terrorism; narco-terrorism and drug-smuggling; to regulate, and harmonize different immigration rules across the Twelve; and to devise the requisite implementing measures." 21 In 1992 the Maastricht Treaty set up a third pillar in the European Union to deal with cooperation in the fields of Justice and Home Affairs. Common policing interests and issues concerning the movement of people are defined as part of European Union jurisdiction in Title VI, Article K. 22 While several policing groups have sprung up to fill gaps in international policing, however inadequately, a European Union judicial system has been less quick to establish roots. Even as the shape of a new policing security structure begins to be discussed, the details of how the justice system will function in the future remain fuzzy. The uneven growth of the judicial and enforcement branches of European Union Law has been a stumbling block in controlling international crime in the Union.

The current problem facing the European Union with enforcement is the coordination of all the various groups that have been spontaneously set up to deal with these emerging problems since the seventies. In crime control, as in defense, a system of overlapping institutions has developed. The unstructured nature of the current network of security initiatives results in inefficiency. The institution of information sharing, the coordination of procedure, and the reduction of group rivalry have been among the major objectives in establishing a common enforcement structure. The roots of this emerging structure can be seen by examining the major groups as well as how the development of the European Union has affected their evolution into a common structure.

Many of the forerunners of current European Union groups were established during the seventies. In 1971, the first meetings were held by the "Berne Club," a group set up to coordinate technical police cooperation against terrorism between the signatories (United States, France, Germany, Belgium, Denmark, Italy, United Kingdom, and Switzerland). The year also marks the first meeting of the "Pompidou Group," set up to deal with drug-related issues (starting with France, Germany, Belgium, Italy, and the United Kingdom, and later gaining twenty-four other European countries during the 1980s). 23 The Berne Club was joined by several other coordinating groups such as the Vienna Club (France, Austria, Germany, Italy, Switzerland) and the Quantico Group (United States, France, Germany, Austria, Canada, United Kingdom, Sweden) in 1979, 24 as well as Stars, Mag 92, and Interpol. 25 The members of these groups varied; for example, the Berne Club brought together the heads of European security services while the Vienna Club consisted

of Ministers of the Interior. 26 This often resulted in duplication and inefficiency, since groups would seldom inform one another of their activities. The anti-terrorist group that was to have the most influence in the long run, the Trevi Group, was set up in 1975 by a meeting of European Ministers of the Interior in Rome. Since the Trevi Group was established as an European Union organization, it has come to serve as an umbrella group that coordinates, to some extent, the work of the organizations listed above.

The European Community structures were young and weak during the 1970s. The biggest player on criminal issues was the Council of Europe. This was largely because the Council was the intergovernmental organization associated with the Community, and it was thus the first institution to be embraced by European countries. Another initiative with an inter-governmental nature, launched in 1970, was the "European Political Cooperation" (EPC) which was aimed at coordinating member nations' foreign policies. The first elections to the European Parliament did not occur until 1979, and the role of the Commission remained insignificant. The influence of the Court of Justice was small but growing. 27 Through the 1970s, as it had been in the past, the European Council was the institution which drafted the important Conventions and treaties dealing with border issues and international crime: the European Convention on Extradition (1957), the European Convention on Mutual Assistance in Criminal Matters (1959), and the European Convention on the Suppression of Terrorism (1977).28 This last Convention reflects the emphasis on terrorism during the 1970s; it is the issue on which most of the early groups mentioned above base their legitimacy. Apart from the development of the Community structures, the years from the mid 1960s to the mid 1980s were years of stagnation for the European Community; further steps in addressing international crime within the Community did not occur until 1985.29

The 1980s brought an expansion of European Union treaty framework addressing frontier related crimes, a new focus on the need for anti-drug enforcement initiatives, and the development of the early anti-terrorist groups into broader law enforcement groups. In 1985, the Schengen Agreement was signed between the Benelux countries, France, and the German Federal Republic; the goal of the treaty was to remove internal barriers at a quicker rate (before the scheduled deadline of 1992) than the other member countries who were less eager to establish the SEM in order to show their commitment to deeper integration. A year later the Single European Act was signed in February of 1986. Both developments put increased pressure on the countries of the European Union to address the by now apparent problems that would result from the opening of borders. As a result of these treaties, the issue of drug trafficking was officially addressed by the European Communities. In 1986 the Pompidou Group was officially recognized. At the 1989 Strasbourg meeting of the European Council, a European Committee for the Fight Against Drugs (CELAND) was set up to formulate a plan to combat drug -trafficking in Europe.30 Immigration was also addressed for the first time during the second half of the decade. In 1986, an ad hoc working group was set up on Immigration under Trevi. 31 The same year the Council set up a committee to deal with the problems raised by free movement of people, reflecting the migration pressure brought about by the break-up of the Soviet bloc.32 Finally, during the 1980s the Trevi group had been expanding its mandate to cover more than just terrorism. The Trevi Group, originally named after a

fountain in Rome, was renamed in 1986 to reflect its broader functions. The acronym is self-explanatory: Terrorisme, Radicalisme, Extremisme, and Violence Internationale.³³ Trevi is divided into four working groups: Trevi I, on terrorism, Trevi II on public order issues (ranging from football hooliganism to forensic science), Trevi III on serious and organized crime, and Trevi 92, on police and security issues of the free movement of people. Trevi 92 also deals with compensatory measures to combat the relaxation of intra-EC border controls, supervises the Ad Hoc Group on Immigration, and reports to another group of interest, the Group of Coordinators. The Group of Coordinators was set up by the European Council in 1989 to act as an honest broker between Trevi and the European Union and to try to "coordinate the work of other relevant bodies including, according to the matter at hand, the EC Council, EPC, Trevi, Pompidou Group, the ad hoc immigration group [under Trevi], MAG 92 [Immigration and Administration cooperation], etc." ³⁴ By the end of the 1980s most of these groups had been established long enough for inter-group rivalry to be a problem. As 1992 approached, the date that free borders were to go into effect for the Schengen countries, European officials began to seriously consider how to coordinate and control the network of overlapping European security structures into a coherent and effective whole.

CURRENT LAW ENFORCEMENT COOPERATION

During the early 1990s the first steps towards a common security structure were made starting with the signing of the Maastricht Treaty which established a separate pillar in for Justice and Home Affairs in 1992, and strengthened by the signing of the agreement for a common police structure, Europol, and the implementation of the Schengen Agreement in 1995. These agreements draw on the two previous decades worth of experimentation in common security structures. The Maastricht Treaty outlines in Title VI, Article K the areas of international crime under the jurisdiction of the European Union and creates the first official European police force. Article K.1 designates the nine areas of common interest to European states, and thus under European Union supervision: 1. asylum policy, 2. rules governing border crossings, 3. immigration policy and policy towards nationals from third countries, 4. combat of drug addiction, 5. combat of international fraud, 6. judicial cooperation in civil matters, 7. judicial cooperation in criminal matters, 8. customs cooperation, and 9. police cooperation for the purposes of preventing and combating terrorism, unlawful drug trafficking, and other serious forms of international crime. The full text of Article K.1.9. forms the basis for the creation of Europol: "police cooperation for the purposes of preventing and combating terrorism, unlawful drug trafficking and other serious forms of international crime, including if necessary certain aspects of customs cooperation, in connection with the organization of a Union-wide system for exchanging information within a European Police Office (Europol)."³⁶ Thus Maastricht takes the first step towards a common security structure. Maastricht also identifies the protection of individual rights (Article K.2) and the need for uniformity and coordination of related actions taken by European Union countries (Article K.3.) as areas of concern. ³⁷

The Europol Convention was signed on July 26, 1995 establishing the structure to fulfill the Europol mandate in Article K.1.9. in the Maastricht Treaty. The Convention designates

that "each Member State will create a national unit, which will designate a liaison officer representing their interests among Europol." 38 The Convention also mandates the creation of an Interpol-style computer base, with regulated access by member states to protect the individual rights concerning the personal data stored in the computer base. Much of the Convention deals with measures for "data security, data use, and [data] transmission to third parties which forms a general regime of data protection complying with the current instruments of the Council of Europe." 39 Although the formal adoption of the Convention is a big step, it must be ratified by all fifteen national parliaments before it can be implemented which may take a considerable period. At the moment, only a forerunner Europol organization is in operation at the future headquarters of Europol at the Hague: the Drug Unit, established and running since the beginning of 1994. Due to the expected delay with the Europol Convention, the Drug Unit has been given some of the responsibilities which will probably be handled by Europol after ratification: "exchanging and analyzing information and data between two or more Member States on unlawful drug trafficking, illicit trafficking in radioactive and nuclear materials, illegal immigration networks, illegal trafficking of motor vehicles and criminal organizations involved therein and associated money laundering." 40

The full implementation of the Schengen Treaty on July 1, 1995 is a test case for crime prevention measures that have been created to deal with the removal of borders. Since the treaty was signed in 1985, three additional countries have joined: Italy (1990), Greece (1992), and Austria (1995). Further security steps have been taken by the member countries outside of the European Union framework. A Schengen Information System has been set up, again on the Interpol model, as a resource for police and immigration officials with information on suspect persons, undesirable people, stolen vehicles, and forged money. 41 The new main identity check points will be on the exterior borders of Schengen countries. In other words a common external border control system will be instituted to replace the dissolved interior controls. Many European Union countries are wary of surrendering their passport systems, while the United Kingdom has stayed out of the agreement entirely. Significant problems have arisen and been dealt with by the member countries in order to make the check-free zone a reality three years later than originally scheduled. Three issues emerged as key reasons for the delay: German unification, the right to asylum, and tax harmonization. German unification and the right to asylum posed problems with the use of the Schengen Information System on the screening of "undesirable people." Fears were elevated when a supposedly secret addition to the convention on security safeguard measures was published in the Amsterdam weekly *Vrij Nederland* listing 45 countries whose nationals have to undergo border controls; the countries listed included: "Arab states, East European countries (including Yugoslavia), Turkey, South Africa, Zaire, the Sudan, Ethiopia, Colombia, Surinam, Afghanistan, Cambodia, Pakistan, and Taiwan." 42 Questions were raised on how the new system could be used to compromise existing legislation on the protection of individual rights. These problems were eventually worked out through careful guidelines on how the information will be used and are valuable as a pattern for how to deal with similar problems in the context of the entire European Union. The implementation of Schengen will serve as an experiment, performed by core European Union members,

which will blaze a path for Europol to follow and which will allow other members to assess the costs and benefits of giving up their internal border controls.

JUDICIAL COOPERATION

The signing of the Europol Convention is only half of an answer to the questions posed by the removal of European border checks: the judicial side of the issue is still open. The development of judicial cooperation has traditionally lagged behind that of enforcement cooperation. This is due to the fact that enforcement cooperation usually occurs on an informal basis, leaving national jurisdiction on all international criminal activities untouched. For example, Interpol is not based in an international treaty framework, rather, the organization was created by a meeting of Police Chiefs and has developed in an ad hoc manner. Some of the groups mentioned earlier have played a role in establishing a common basis for judicial cooperation. The Trevi group included meetings of justice and interior ministers to address the judicial side of "illegal immigration, organized crime, preparations for the completion of the internal market and...preparations for the establishment of Europol."⁴³ The Ad Hoc Group on Immigration set up in 1986, along with the Rhodes Group of Coordinators set up by the Rhodes European Council in 1988, focused on recommendations for compensatory measures against internal security and immigration problems that would result from the removal of border controls. The Ad Hoc Group on Immigration drafted two key Conventions which could serve as a basis for European Union Court jurisdiction: the Dublin Asylum Convention and the External Borders Convention. The External Borders Convention clarifies several points of ambiguity including acceptable points of entry, guidelines for "effective surveillance", the competent authorities for the exercise of controls, the criteria for allowing entry, the identity documents required, the drawing up of a computerized list of persons to be refused entry, carrier liability sanctions, and the common list of countries whose nationals would require a visa for entry."⁴⁴ Despite these initiatives, the development of common conventions and agreements on border issues has been small in comparison with past cooperation with enforcement.

The Maastricht Treaty adds a little more solidity to the prospect of European Court jurisdiction. Article K.4 sets up a new Coordination Committee, known as the "K4 Committee," which will coordinate such existing groups as Trevi and the Ad Hoc Group on Immigration that have been set up within the Union at earlier dates. Article K.3 (2) specifies that although the goals set out in Article K should be accomplished through conventions, or implementing procedures under conventions, such conventions may stipulate that "they fall under the jurisdiction of the Court, and this is the case with the Schengen Agreement."⁴⁵ At the present time, the Court does not have the power to rule on Title VI of the Maastricht Treaty, the jurisdiction of the Court has a strong precedent of expanding, and there is much debate on whether the Court will eventually gain marginal jurisdiction over Title VI, and thus over issues relating to Europol.⁴⁶ There is little agreement on which areas should remain under the jurisdiction of the national courts and which areas should be transferred to the Court. In all likelihood, the Court will gradually build jurisdiction through precedent, especially if its rulings on the Schengen Agreement are successful.

The discussion of the possible jurisdiction of the Court of Justice of the European Communities, scheduled to coincide with the drafting of the Europol Convention, has been postponed until June 1996. Any jurisdiction granted to the European Court will be an important step in the development of a European security system. Judicial cooperation has traditionally been harder to achieve than police cooperation since a harmonization of the entire legal framework is necessary for it to work. The judicial branch of the European Union has the opportunity to slowly build jurisdiction through precedent on matters pertaining to international conventions and treaties of the Union. This could be the base on which jurisdiction over international crime on European Union soil could be built. It is obvious that the control of international crime through an international structure will only be effective if it is enforcing international law. The thorny problem of actually creating a body of common law and a zone of jurisdiction for the Court of Justice of the European Communities remains to be worked out and could be the crux of getting control of international crime in Europe.

CONCLUSION

In conclusion, the European nations will have to cooperate and give up sovereignty in order to effectively combat the security problems posed by international crime. Increased terrorism, drug-trafficking, and illegal immigration are the direct results of loose and porous external borders and the total removal of internal borders in the European Union. The traditional methods of dealing with international crime, particularly through Interpol, will no longer be viable due to the disappearance of border controls. Over the years several spontaneous security structures have attempted to address these problems. These structures form the basis for the development of a European wide security system. Potential progress has been made through Maastricht, Schengen, and the Europol Convention to create a new, institutionalized European security structure. The new system will be based on the creation of a European police force, "Europol," which will have jurisdiction over international crimes which occur in the European Union. The organization will be directly responsible to the European Union. Europol will probably be complemented by the development of a common body of international law on criminal issues and at least some judicial cooperation.

The historical development and current state of international crime control in the European Union reveal a recognizable proto-structure for a new security system in Europe. The development of the Union itself will obviously play a major role in how the member states will cooperate on criminal issues. In the next decade it is likely that the Schengen Agreement will serve as a pattern for the full removal of internal borders across the European Union. The types of problems that have cropped up and been addressed through this institution—the right to asylum, harmonization of screening procedures and criteria, coordination of tax laws to prevent tax fraud—will be valuable in developing the common European Union structure. Likewise, the embryonic enforcement structure, Europol, will probably be ratified and put into use within the decade. The pressing need for coordination of information is seen in the *de facto* role of the Drug Unit in performing enforcement tasks that are vital for the security of the Union. The point on which the effectiveness of the entire security structure may rest is the judicial side of law.

enforcement. National court systems, laws, and penal codes will have to be harmonized in order to function within an European Union setting. The judicial side of the question will be the hardest area in which to make progress. Nations will not want to modify laws that are particularly suited to themselves. Questions of sovereignty will doubtlessly emerge. However, the nature of the crimes: terrorism, drug trafficking, and illegal immigration, are each sufficiently serious to warrant true innovation in order to bring them under control. As the European Parliament develops, along with the principle of democratic oversight through European Union citizenship, acceptable compromises will most likely be worked out. The process will be long and difficult, but in the end both a common enforcement and judicial system under European Union jurisdiction will probably be set up in order to make the dream of a Single European Market a reality.

NOTES:

1. Louise I. Shelly. "Transnational Organized Crime." *Journal of International Affairs*. Vol.48, No.2, (Winter 1995), p.489.
2. Tim Wall. *U.N. Chronicle*. Vol. 32, No. 1 (March 1995), p. 89.
3. Lucia Mouat. "UN States Try to Curb Organized Crime." *The Christian Science Monitor*. (May 3, 1995), p. 1.
4. Michael Fooner. *Interpol: Issues in World Crime and International Criminal Justice*. New York, NY: Plenum Press, 1989. p. x.
5. Tim Wall. *U.N. Chronicle*. p. 89.
6. Juliet Lodge. "Frontier Problems and the Single Market." *Counter-Terrorism in Europe: Implications of 1992*. London: Riset (Research Institute for the Study of Conflict and Terrorism), February 1991. p. 25.
7. Didier Bigo. *L'Europe des polices et de la sécurité ultérieure*. Paris: Editions Complexe, 1992. p. 56.
8. John F. Murray. "The Future of Multilateralism And Efforts to Combat International Terrorism." *Columbia Journal of Transnational Law*. Vol. 25. No. 1. (1986), p. 54.
9. Laurent Greilsamer. *Interpol: Le siège du souçon*. Paris: AM Editions Alain Moreau, 1986. p. 10.
10. Juliet Lodge. "Frontier Problems and the Single Market." p. 23.
11. Ibid.

12. Richard Clutterbuck. "Technology and Civil Liberties." *Counter-Terrorism in Europe: Implications of 1992*. London: RISE, February 1991. p. 3.
13. List compiled from Ian Smart, *Behind the Headlines: International Terrorism*. David Stafford, ed. Canadian Institute of International Affairs, 1987. p. 3. and Stephanie Verlaine, "La coopération internationale en matière de lutte contre le terrorisme." *Politique Etrangère*. 4/1986.
- No. 4 Hiver 1986. p982.
14. "Le gouvernement évoque les pistes islamiste et serbe au lendemain de l'attentat meurtrier du RER parisien." *Le Monde*. 27 Juillet 1995. 1.
15. Ian Smart. *Behind the Headlines: International Terrorism*. David Stafford, ed. Canadian Institute of International Affairs, 1987. p. 15.
15. Ibid p. 9.
16. David A. Andelman. "The Drug Money Maze." *Foreign Affairs*. Vol 73, No. 4, (July-Aug. 1994),
- Internet excerpt.
17. Ibid.
18. Raymond Godson and William J. Olson. "International Organized Crime." *Society*. Vol. 32, No. 2, (Jan/Feb 1995), p. 29.
20. Ibid.
21. Juliet Lodge. "Frontier Problems and the Single Market." p. 23.
22. The Maastricht Treaty. World Wide Web. Webmaster@echo.lu.
23. Didier Bigo. *L'Europe des polices et de la sécurité ultérieure*. p. 143.
24. Ibid. p. 145.
25. Ibid.
26. Stéphane Vérine. p. 983.
27. John Pinder. *European Community: The Building of a Union*. Oxford: Oxford University Press, 1991. p. 14.
28. Juliet Lodge. "Frontier Problems and the Single Market." p. 24.

29. John Pinder. *European Community: The Building of a Union*. p. 14.
30. Juliet Lodge. "Frontier Problems and the Single Market." p. 25.
31. Didier Bigo. *L'Europe des polices et de la sécurité ultérieure*. p. 146.
32. Ibid.
33. Ibid. p. 53.
34. Juliet Lodge. "Frontier Problems and the Single Market." p. 26.
36. The Maastricht Treaty. Internet. WWW, webmaster@echo.lu.
37. Ibid.
38. "Free Movement of Persons Within the European Union: Europol Agenda." European Union. WWW. Webmaster@echo.lu.
39. Ibid.
40. Ibid.
41. "Free Movement of Persons Within the European Union: Schengen Treaty fully implemented since July 1, 1995" Agenda. WWW. Webmaster@echo.lu.
42. Juliet Lodge. "Frontier Problems and the Single Market." p. 33.
43. Malcolm Anderson, Monica den Boer, and Gary Miller. "European Citizenship and Cooperation in Justice and Home Affairs." *Maastricht and Beyond: Building the European Union*. Andrew Duf, John Pinder, and Roy Price, eds. New York, NY: Routledge, 1994. p. 113.
44. Ibid. p. 114.
45. Ibid. p. 118.
46. Ibid.

Courtney Spivey

**The Invisible Society:
Women in Middle Eastern Culture**

Existing in a world so distant from their own, the experience of the Arab woman is truly an enigma to the Western mind. The first step in the investigation entails an analysis of women and cultural values. With a clear understanding of the Islamic thought on women, and knowledge of the importance of honor in Arab society, an idea regarding the value of females in Middle Eastern culture begins to take form. Augmented with an understanding of both men's perceptions of women and women's perceptions of themselves, a clear picture of the lives of Middle Eastern women develops.

Next, the inquiry leads to an exploration of women in society. Perception of the position of females in the Arab social context is key. In examining the role of the female in society, realization of Middle Eastern society's split into "private" and "public" spheres will surface. In order to fully realize the female social positioning, an investigation into women's roles in each of these spheres must take place.

WOMEN AND CULTURAL VALUES

Islam stresses the idea of a public morality which is to be enforced collectively. Today, many perceive that it is the government's job to enforce this morality. In light of this, Islam has acquired a political nature, despite the original Islamic sources' rare mention of government or state. 1 Islam cannot be the sole reason for the position of women in the Muslim world since implementation of Islamic codes vary from country to country.² However, the Arabs have legitimized their governments, including its relation to the status of women, by linking them to religion.¹ Because of the profound effect religion has on government and culture, the position of women in the Middle East cannot be understood without reference to Islam.

A major component of the Islamic view on women concerns the concept of desire. Differing from other religions such as Christianity and Judaism, Islam does not see desire as a force that must be eliminated or systematically regulated. Rather, one must employ it in a way that coincides with what religious law dictates. For example, sexual desire, exercised according to Muslim beliefs, ensures the continuation of the human race. Sexual desires exerted outside of the scope of Islam, however, can lead to destructive acts and work to destroy the social order. Desire must be constantly steered in the right direction to ensure that it is used properly. ²

Women are believed to be endowed with a fatal sexual attraction. They are seen as sources of seduction who are responsible for man's inability to resist them. However, because they are considered the morally and intellectually inferior sex, it is their sexuality that must be strictly controlled and regulated. In a society that relies on external rather

than internal moral enforcement, it is believed that women must be hidden and separated from men so that the males are not overpowered by feminine sexual appeal. 3 Young females, in whose every soul lies a temptress, must be modestly dressed, which has evolved into the tradition of veiling.

The custom of veiling involves covering the entire body (including hair) except for the hands and face. Veiling has become a symbol of female virtue and obedience to Allah, as well as an integral part of the larger Islamic code stressing sexual segregation.⁴ Due to cultural pressures to dress "decently," even many non-traditional women who do not believe in the justification behind the veil feel compelled to wear one. 5 Veiling is a distinct example of how Islam reinforces the perception of women as purely sexual beings who need to be controlled.

Islam is used as a vehicle to assert male control and domination of women, often through the marital practices of polygamy and repudiation. The Koran states "Marry of the women who seem good to you, two, three, or four, and if ye cannot do justice [to so many] then one [only]". 6 With this religious justification, many Arab states have adopted laws legalizing polygamy. When a man takes an additional wife, an action which does not require the consent of the present wife or wives, the current wife may feel that she has failed in several ways. She may be perceived to be a failure as a sexual being, a characteristic which has previously been shown to be a vital aspect of her very existence.⁷ Although most Middle Eastern societies have moved away from the practice of polygamy, whether through legal or social practices, this "stronghold of male authority" continues to be a force, inasmuch as it remains a symbolic threat, in the Middle East today. 8

The policy of verbal repudiation, adopted in some Arab states, is addressed many times in the Koran. Verse 20 of Sura 4 states: "And if ye wish to exchange one wife for another and ye have given into one of them a sum of money (however great) take nothing from it." This passage exemplifies the arbitrariness of the decision as well as the perception that it is a fundamental right of a man to divorce his wife. 9 In some cases, the husband must simply repeat the formula of repudiation known as *talaq* and is not required to give a reason for his decision, nor must he approach the courts with the matter. 10

The concept of honor plays a substantial role in the lives of both men and women in the Middle East. As previously explained, Middle Eastern society often revolves around the concept of public morality. Within this type of society, honor is of supreme importance. Fear of scandal is a major consideration in the daily lives of many Arabs.¹¹ Upholding the honor of the family and protecting it from dishonor is a vital responsibility.

Many men see women as the weak link in the chain that is the family's dignity. In order to safeguard the family's honor, male kin believe they must keep a close watch on their female relatives. 12 In the past, this has been facilitated by the restricted nature of female activities. However, modern trends have led more women to work outside of the home, presenting a fundamental problem for men. A man may feel that he is dishonored and believed incapable of providing for his family. 13 Also, his wife is placed in a public

atmosphere where she is more exposed and vulnerable to an attack on her honor, which is equivalent to a attack on the honor of any man in her family. Fear of this leads most men to carefully and strictly monitor their female relatives' activities.¹⁴

Men's perception of women

The concept of honor, as well as the Islamic thought on women, combine to formulate the male perception of womanhood. As previously explained, women are largely defined by virtue of their sexuality. Most men see it as their responsibility to protect feminine sexuality by strictly controlling women's actions. Men deem this as necessary due to their perception that women are easily led by their emotions and unable to manage their desires.¹⁵ Women are believed to be less astute and less capable as managers or leaders.¹⁶ These views of women penetrate through the "fashionable" trend of men to speak of women's rights. Many men express progressive views concerning the position of women in society as long as it does not affect the woman in their family. Those who have the loudest voice when it comes to fighting for women's rights are often quite reactionary when the issue hits close to home.¹⁷ As a result women are still viewed as morally corruptible and in need of supervision.

Women's perception of women

Women's views of themselves mirror those of men in many ways. With a fuller understanding of how Arab women view their position, it becomes easier to comprehend the dynamics of their role. Many women agree with the perception that they are highly sexual beings. In addition to the fact that wearing a veil works to sustain their family's honor,¹⁸ women also dress "modestly" because they believe it helps to liberate them. Veiling, along with the general segregation of the sexes, works to desexualize women, allowing them greater freedom and mobility.¹⁹

The time that women do have in a single sex environment is treated in a special way. When they have established a "safe" distance from men, women have relative freedom in their actions. The apparently conservative women might adorn themselves with relatively risqué coverings such as revealing blouses and make-up.²⁰ Women often take the time to beautify themselves and to appear as elegant as possible when they know that they will only be in the company of other females. In this environment, they are able to revel in each other's attractiveness and freely express their admiration for one another.²¹ Some types of situations during which women will be with one another involve times of birth, death, or marital problems. They are quick to offer support and condolence to each other when it is needed.²² Female bonding is an important haven in a world that has not always been pleasant for women. Most women find remarkable comfort from one another in the male dominated world in which they exist.²³

When it comes to female employment, the opinion varies among veiled and unveiled women. For example, in a survey conducted in Egypt, 33.7 percent of veiled women stated that women should only work when there is economic need and 12.2 percent were totally opposed to women working. Sixty-eight percent of unveiled women support a

woman's right to work.²⁴ Generally, women do not define themselves through their ability to help financially support their family. Rather, they often more highly value the duties of house wives and mothers.²⁵

Despite the fact that most Westerners would consider the position of women in the Middle East as inferior, many women enjoy the special treatment that they are granted by society. A vast majority of women in the region would not want to completely alter their social and cultural positions. ²⁶

WOMEN IN SOCIETY

An essential element to the understanding of women's position in Middle Eastern society is the fact that men are in control of official decision making. Men clearly dominate all facets of life in the Arab states including economics, politics, and society.²⁷ Women have a clear position in society; however, this position must always remain in the shadow of the authoritative male. Women tend to have less education as well as less experience in the public realm than a majority of men. ²⁸ Even in the realm of the family, a sphere where females play a significant role, males continue to dominate. It is men who primarily control marriage contracts, divorces and the acquisition of additional wives.²⁹

While men occupy the official position of control in the Middle East, women do, nonetheless, possess their own role in Arab society. As stated in literature from the Iranian Ministry of National Guidance quoting Ayatollah Khomeini, "Women are not equal to men, but neither are men equal to women...their roles in society are complementary...each has certain distinct functions according to his or her nature and constitution." ³⁰ Due to the belief that men are more capable leaders, their roles have primarily been in the "public sphere." Simultaneously, women's position has continually been directed into the "private" sphere which includes the domain of family and home.³¹

It is important to understand the rationale behind this view. Although many Western feminists would argue that separate positions are inherently unequal, many Arab women would disagree. In fact, Islamic feminists feel that if Islam were "perfectly realized" women would attain equality with men despite these differences.³² The distinctions between the sexes have already provided women with a few types of "power" positions. One example of this is the role played by older women in marriages. Elderly women have abundant access to information concerning young women. This knowledge provides them with tremendous influence in decisions involving who will be married to whom. Such influence presents them with a position of power which would not have been available to them if it were not for their principal position in the "private" realm.³³

A vital feature of the position of women in the public domain is veiling. Already mentioned in relation to its significance in Islam, veiling plays a crucial part in sustaining the separation of the distinct positions between men and women. Expanding on the ideal of separate realms for the sexes comes the notion of separate space. Many women veil themselves when they are outside of the home in streets or shops. This is because they have entered the "male sphere." They use the veil to express their understanding that

although they are in man's domain, they are "invisible" and therefore are not violating the separation of the sexes. 34 Further, a women risks social sanctions if she rebels against the wearing of the veil. 35

The family is at the core of women's position in Middle Eastern society. Furthermore, the family is the centerpiece of society in Arab states. It is the basic unit from which all other establishments revolve; it has shown great resilience and proven to be especially successful in the Middle East. 36 As is made apparent through the Arab proverb, "To forfeit one's family is to forfeit one's dignity," the family is held in very high regard, 37 and is even considered "sacrosanct" by men. 38 The contemporary Muslim view sees the family as responsible for the rearing of dedicate Muslims instilled with the "proper" cultural values. This responsibility rests on the shoulders of women. 39

Although women have the principal roles in the family, it is nevertheless a sphere officially dominated by men. When a female marries, she leaves her home to live with her husband. The family is patriarchal; it is based around the father, his sons, their wives, and their children. 40 Despite the physical separation of the bride from her natal family, ties between females and their blood relatives are hardly ever broken. Because of this, women often have a place to turn if severe problems - such as divorce, death, or overall marital difficulties - arise.41

As was previously mentioned, women hold a central position in the family. The role of the wife in the family is multi-faceted. It is the wife's responsibility to act as a sexual partner to her husband, 42 and to maintain the household, i.e. prepare meals, clean, wash clothes, etc. 43 Also, women, in their own way, work towards sustaining the social status and position of their family. For example, women may use social visits to other women to maintain this status.44

Perhaps the most crucial duty required of women is that of bearing and raising children. The mother's job is not simply to feed and protect her children - it goes much further than that. Mothers are left with the imperative responsibility of rearing her family's next generation. It is their duty to educate them in the culture and religion that is the rock upon which their society stands. 45 Mothers must produce the legacies of their family, the children who (if male) will carry out the family name as well as help provide for her in years to come.

With this great responsibility comes a degree of power. As stated by Andrea Rugh in her book *Family in Contemporary Egypt*, women are "The central figures in the central institution of the society; they control the organization of the domestic domain and financial dispersals a good part if not all of the day, they are potent forces in the communication between households, they control those things that are most valued by the men- sex, honor, children, a happy well-organized household." 46 Their position in this "central institution" grants them specific powers. Some of these power allotments involve marriages. 47

As previously mentioned, women hold a position of power through their role in marriages. Mothers are the ones with access to potential brides for their sons. The conversations between the two women, not to mention the information gained by the mother about the bride's looks, are as, if not more, important than the monetary negotiations handled by the fathers.⁴⁸ Although the responsibility officially falls on the father, it is the son's mother who makes decisions about the marriage and future family of her son. ⁴⁹

Another more abstract aspect of women's power concerns the control she holds over her husband. This power manifests itself through obligations that a husband maintains with his wife. The wife constructs these "dependency structures" which allow her to impact her husband's activities. Many women work very hard on these "structures," through which they gain a type of access to the control that is otherwise dominated by men.⁵⁰

Some women will take extensive measures to ensure that they acquire a husband. Because virginity is a necessity to a large majority of potential brides, some females who are not virgins have doctors sew their hymens in order to appear "pure."⁵¹ Additionally, many women do not have the luxury of focusing on love or sex when marrying. In an attempt to acquire a husband, some women will overlook the fact that their marriage will lack love and/or sex.⁵²

Women are imparted with many significant duties in the private realm of the family. The fact that they have been placed in charge of such important responsibilities has influenced many peoples' ideas regarding women's possible activities outside of the home. Iranian writer Fereshteh Hashemi summarizes one view on the subject when she writes, "Women have the heavy responsibility of procreation and rearing a generation. God, therefore, absolves the woman from all economic responsibilities so that she can engage herself in this prophetic and divine act with peace in mind." ⁵³ Women's role with regard to these "economic responsibilities" is yet another element in understanding the position of women in Middle Eastern society.

As earlier mentioned, women and men are divided into private and public realms respectively. Thus, the economy of the Arab states is characterized by a gender-specific division of labor. This idea asserts that males are in charge of providing for the family while women's labor is performed at home. This division is derived from the ideas that men are superior leaders and managers. Although it is the prevalent belief in the Middle East today, some women have crossed over into what is often considered the man's realm. ⁵⁴ Popular support for the sexual division of labor limits the type of work that is available to them. ⁵⁵ A large majority of the jobs women acquire are in the fields of medicine, teaching, and the social sciences. ⁵⁶

When females enter the economic sphere and step outside of their "isolation" in the private sphere, they are effected in many ways. Along with working outside of the home comes a social stigma. This causes many working women to have less self-confidence than women who are unemployed. ⁵⁷ Also, unfamiliarity with the work force often causes new female workers to be quite self-conscious. This self-consciousness can many

times be seen in a worker's skirt which is a little too short or long, or in an awkward headpiece, all of which she employs in an attempt to "fit-in" and alleviate any discomfort she feels. 58 Another effect of society's disapproval of female employment is a heightened level of sexual harassment towards working women. 59 Some women are made to endure groping of their bodies and other such semi-sexual abuse. 60

The positive aspects of working, including the earning of salaries, are not always enjoyed by employed women. For example, some husbands may take complete control over their wife's paychecks, not allowing them to enjoy the benefits of their labor.61 Another disadvantage which working women experience deals with the dual nature of their labor. After finishing a full day's work, women arrive home where their "real jobs" await them. A woman's household responsibilities do not disappear when she gains employment outside of the home. On the contrary, she must clean, prepare meals, supervise the children, and perform all of her other household duties, in addition to her outside employment. 62

Despite these drawbacks, some women favor finding employment outside of the home. One of the reasons for this is the rising economic need for women to work. 63 However, another justification may be the fact that some women are beginning to view employment as a path towards independence, freedom, self-actualization, equality, participation in society and responsible enfranchisement. Many women from the younger generation tend to stress the social and political rewards that may be acquired from employment, in addition to the benefits of the economic freedoms working provides. 64

On the other side of this argument are women who do not support females working outside of the home. In a society which respects women for their positions as mothers and wives, most women do not recognize outside employment as important or as a goal they wish to accomplish. 65 On the contrary, many of these women see formal employment as below their social position and degrading. 66 They believe women should work only in response to economic necessity. Some circumstances which would constitute necessities are a husband's illness, absence in war, or inability to support the family. 67

Whereas the opinions regarding women in the work force is somewhat divided among women, a vast majority of men are against women working outside of the home. Most men feel they will lose some of their dignity if their female kin are employed.68 There is immense cultural pressure for a man to keep women from working. Men are reared under the belief that a "real man" can provide for his family without financial assistance from his wife or children.69 If females work, even if it is by their own choice, it relays the impression that the family is strapped for money which the husband is unable to provide. 70

There are further reasons why women are encouraged to stay at home. Rising unemployment and tightening economic conditions have helped to push the "back to home" bandwagon, encouraging women to give up their jobs so that these opportunities for employment can become available to men. 71 Also, the blame for crowded transportation and low productivity has been placed upon women. Proponents of a single-

sex workplace also convey concerns that employed women will undermine child raising and the family unit as a whole.⁷²

CONCLUSION

The issue of women in Middle Eastern society and culture is clearly multi-faceted one. In order to arrive at a true understanding of their position, a thorough examination into the various dynamics of Arab women's lives is crucial. This investigation began with an analysis of women and cultural values. Through this inquiry, an Islamic view of women as sexual beings emerges. In a society that is so deeply concerned with honor, it is considered to be the man's duty to control women to ensure that they do not act in a way which could harm the dignity of their families. The practices of veiling and separation of the sexes arise from the necessity for this control. The second step in this inquiry was an examination of women in society. Society in the Middle East is split into "public" and "private" spheres. The "private" sphere, in which women's lives are based, is made up of the family and home. Although men may have ultimate official control of this realm, women are able to use their position to exert some power. Although it is against overall public opinion, some women choose to enter the male dominated public realm by acquiring a job. Females who gain employment are often forced to endure negative consequences. Among women, the view on female employment is divided. While some are adamantly against it, others see working outside the home as liberating. With the completion of this investigation, a greater understanding of the position of women in Middle Eastern culture may be reached.

NOTES:

1. Nazih Ayubi. *Political Islam: Religion and Politics in the Arab World*. (London: Routledge, 1991), pp. 1,3,35.
2. Valentine M. Moghadam. *Modernizing Women : Gender and Social Change in the Middle East*. (London: Lynne Rienner Publishers, 1993), p. 6.
3. Nazih Ayubi. *Political Islam: Religion and Politics in the Arab World*. p.3.
4. Ibid. pp. 27-30.
5. Ibid. pp. 37-38, 41.
6. Fatima Mernissi. *Beyond the Veil: Male-Female Dynamics in Modern Muslim Society*. (Indianapolis, ID: Indiana University Press, 1987), p. 142.
7. Mervat Hatem. "Egypt's Middle Class in Crisis." *Middle East Journal*. Vol. 42, No. 3, (Summer 1988) pp. 416-417.

8. Bourhaina Shaaban. *Both Right and Left Handed: Arab Women Talk About Their Lives*. (Indianapolis, IN: Indiana University Press, 1988), p. 33.
9. Fatima Mernissi. *Beyond the Veil: Male-Female Dynamics in Modern Muslim Society*. p. 46.
10. Ibid. p. 48.
11. Bourhaina Shaaban. *Both Right and Left Handed: Arab Women Talk About Their Lives*. p. 60. and Hinchcliffe, Doreen. "Women and the Law in the United Arab Emirates." Ian Richard Netton, ed. *Arabia and the Gulf from Traditional Society to Modern States*. (New Jersey: Barnes and Noble, 1986.), p. 241.
12. Fatima Mernissi. *Beyond the Veil: Male-Female Dynamics in Modern Muslim Society*. p.49.
13. Doreen Hinchcliffe. "Women and the Law in the United Arab Emirates." pp. 242-243.
14. Nazih Ayubi. *Political Islam: Religion and Politics in the Arab World*. p. 43.
15. Mehran Kamrava. *Culture, Society, and Democracy in the Middle East*. p. 41.
16. Nazih Ayubi. *Political Islam: Religion and Politics in the Arab World*. p. 39.
17. Ibid. p. 41.
18. Mehran Kamrava. *Culture, Society, and Democracy in the Middle East*. p. 41.
19. Ibid. p. 44.
20. Bourhaina Shaaban. *Both Right and Left Handed: Arab Women Talk About Their Lives*. p p. 67-68.
21. Mehran Kamrava. *Culture, Society, and Democracy in The Middle East*. p. 44.
22. Mervat Hatem. "Egypt's Middle Class in Crisis." *Middle East Journal*. p. 419.
23. Bourhaina Shaaban. *Both Right and Left Handed: Arab Women Talk About Their Lives*. p. 29.
24. Ibid. p. 30.
25. Andrea B. Rugh. *Family in Contemporary Egypt*. (New York: Syracuse University Press, 1984), pp. 18 and 79.