

**SECULAR GENDER ESSENTIALISM:  
A MODERN FEMINIST DILEMMA**

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*“Ultimately, only the oppressed can truly name their oppression,  
and only the oppressed can define their liberation.”<sup>1</sup>*

**I. IDENTIFYING AND RESOLVING THE IMPACT OF SECULAR  
FEMINISM ON RELIGIOUS WOMEN**

In 1990, Angela Harris brought gender essentialism to the forefront of the feminist movement. She suggested that feminist authors such as Catharine MacKinnon and Robin West ascribed to a form of feminism that was unitary in nature, wherein members of the movement were forced to label their struggles and tribulations as a result of being a woman, and nothing more. “[G]ender essentialism [is] the notion that a unitary, ‘essential’ women’s experience can be isolated and described independently of race, class, sexual orientation, and other realities of experience.”<sup>2</sup> The infiltration of race, socioeconomic status and sexual orientation were nothing more than mere periphery, something that existed outside the primary issues of women.<sup>3</sup>

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<sup>1</sup> Cheryl B. Preston, *Women in Traditional Religions: Refusing to Let Patriarchy (or Feminism) Separate Us from the Source of Our Liberation*, 22 MISS. C. L. REV. 185, 202 (2003) (internal quotations omitted).

<sup>2</sup> Angela P. Harris, *Race and Essentialism in Feminist Legal Theory*, 42 STAN. L. REV. 581, 585 (1990). (describing the essentialism of feminism); see also Carla M. Hammond, *Audre Lorde: Interview*, 16.1 DENV. Q. at 10 (1981), available at [http://www.english.illinois.edu/MAPS/poets/g\\_lorde/feminist.htm](http://www.english.illinois.edu/MAPS/poets/g_lorde/feminist.htm) (“There’s always someone asking you to underline one piece of yourself—whether it’s *Black women*, *mother*, *dyke*, *teacher*, etc.—because that’s the piece that they need to key in to. They want to dismiss everything else. But once you do that, then you’ve lost because then you become acquired or bought by that particular essence of yourself, and you’ve denied yourself all of the energy that it takes to keep all those others in jail.” (emphasis in original)).

<sup>3</sup> Harris, *supra* note 2, at 595. (referring to this phenomenon as the nuance theory, “by being sensitive to the notion that different women have different experiences, generaliza-

Harris argued this practice not only further isolated minority women from the very movement that intended to protect *all* women, but it also impeded the progress of the feminist movement towards greater equality. Indeed, it is diversity for its own sake that would bring greater creativity and understanding to the movement. “[W]e must recognize differences among women who are our equals, neither inferior nor superior, and devise ways to use each others’ differences to enrich our visions and our joint struggles.”<sup>4</sup> Harris’s rallying cry for a critical reexamination of the feminist movement rang true to many involved, and it drew awareness to the inherent value of the multiplicitous layers of women which cumulatively form their realities—a richness previously ignored by the movement.

In the decades since Harris presented her theory of gender essentialism, the feminist movement has undergone many changes and adopted various models and purposes.<sup>5</sup> I do not suggest that Harris’s concerns are no longer troubling issues in the movement, but I am left wondering if there is a new form of essentialism lurking, where women who refuse to conform to secular ideals are silently pushed to the wayside. This new form of essentialism is what I will refer to as secular gender essentialism. Secular gender essentialism is premised on Western ideologies of the separation of church and state, and the fundamental rejection of the integration of religion into either law or feminism.<sup>6</sup> “Seeking to make a clean break with the past, law could separate

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tions that can be offered about ‘all women’ while qualifying statements, often in footnotes, supplement the general account with the subtle nuances of experience that ‘different’ women add to the mix.”)

<sup>4</sup> Harris, *supra* note 2, at 608 (quoting Audre Lorde).

<sup>5</sup> See, e.g., Joan Williams, *Implementing Antiessentialism: How Gender Wars Turn into Race and Class Conflict*, 15 HARV. BLACKLETTER L.J. 41, 51 (1999).

<sup>6</sup> References to Western feminism and ideologies throughout this paper are intended primarily to mean the United States, but can embody the larger community of secularist ideologies where they so fall. It would be a gross overgeneralization to presume that all American feminists believe secularism forms the basis of their views. Therefore, this only attempts to represent those individuals who both identify themselves as feminist and believe that secularism is an important basis of this movement.

from religion only by definitional fiat, constructing religion as something wholly distinct from law—that is, as law’s ‘other.’”<sup>7</sup> It is from this historical separation of law from religion that secular feminism finds its roots—where a woman’s struggle for equality must be completely separated from her religion.

Secular feminists do not deny the existence of religious women’s struggles, rather they define their struggles in terms of the religion itself and seek to resolve these problems by eradicating the significance of religion from women’s lives. Thus in some ways, secular gender essentialism is the antithesis of the problem posed by Angela Harris. Whereas Harris suggested feminists refused to recognize the unique struggles of Black women, secular gender essentialists do recognize the unique plight of religious women. In fact, secular essentialists not only recognize the struggles of religious women, they also identify the religion as the source of their woes. As such, religious women are denied the holistic support needed to assist them in achieving greater equality. Secular gender essentialism poses several dangers to religious women’s fight for equality, including (A) presenting religious women with an inadequate binary choice between their religion or equality; (B) imposing victimizing stigmas on women who *choose* religion and traditional religious practices; (C) perpetuating imperialist norms on the *appropriate* way to achieve greater equality for all women; and (D) risking the loss of religious women, and their inherent diversity, from the feminist movement. Additionally, I offer considerations for the secular feminist seeking to assist religious women in their fight for equality, such as (E) accepting the position as the *outsider* in religious women’s fight for equality; and (F) avoiding cultural relativism by imposing a baseline of rights not to be denied in the name of any religion or culture.

Through this secular gender essentialist lens, I also analyze the success of secular feminists in their efforts to aid Muslim women in their fight for equality. Particularly, I focus on a recent speech delivered by President Barack Obama in Cairo, Egypt

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<sup>7</sup> Madhavi Sunder, *Piercing the Veil*, 112 YALE L.J. 1399, 1417 (2003) (footnotes omitted).

where he addressed many of the issues in the Middle East, including women's rights. Because President Obama is a representative of the feminist movement he provides an apt resource to evaluate secular feminists' impacts on religious women living abroad.

Before beginning, however, I feel it is imperative to disclose that I am among the secular feminist movement. I am deeply troubled by an integrated church-state and am cautious of its incorporation into any walks of political life. As one anthropologist stated:

Because of my own experience with the fundamentalists I believe the separation of church and state represents major progress in human history. . . . [It] is the only way you can promote tolerance, coexistence and democracy within a state. I am more convinced than ever now that secularism is the only way out.<sup>8</sup>

Although I have never experienced the effects of a fundamentalist church-state, I have felt the isolation and otherization that a religion can impose when it plays a role in education, the workplace, and other public sectors. Indeed, America's own independence is a poignant example of the detrimental effects a religious government can have on its people.<sup>9</sup>

However, these secular concerns must be balanced by the overarching purpose of the feminist movement. Feminism not only assists women with attaining equality, but also creates a forum for women to engage in open discourse and dialogue regarding the meaning of true freedom and equality. Additionally, the feminist movement will only be more enriched by the inherent

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<sup>8</sup> Karime Bennoune, *A Disease Masquerading as a Cure: Women and Fundamentalism in Algerian, an Interview with Majfoud Bennoune*, in *NOTHING SACRED: WOMEN RESPOND TO RELIGIOUS FUNDAMENTALISM AND TERROR* 75, 87-88 (Betsy Reed ed., 2002).

<sup>9</sup> See U.S. CONST. amend. I. ("Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.").

diversity religious women could bring to the movement. Thus, while I would fight adamantly to keep secular ideologies in my own country, I cannot profess that secularism is necessarily ideal for every country or community around the world. Religious women are currently creating their own movements and seeking support from Western feminists. They should not be forced to choose between secularism and equality. Feminism need not exist in a static vacuum — purposes, ideas and roles can change from one rally to the next, and I believe it is time for secular feminists to reexamine their position and goals when considering the aid of religious women around the world, particularly Muslim women.

### **1. Marginalization and the Binary Choice**

When secular feminists frame the oppression of religious women in terms of the religion itself, religious women who seek a place within the movement are left isolated and marginalized. Many Western feminists theorize that religion is the representation and perpetuation of patriarchy and the source of women's oppression. "Religion is so heavily masculinized that the tenets and extensions of religious belief are sometimes, in and of themselves, violations of women's human rights."<sup>10</sup> However, this over-simplistic framing of religion as a purely masculine-motivated theology trivializes the lives and beliefs of religious women. Such framing leaves religious women to face their struggles for equality on their own. As such, secularists deny religious women the relevance and legitimacy of their own religion which affects women within the United States and abroad. For example, a feminist and academic, who is also a member of the Church of Jesus Christ of Latter-day Saints, asked "Am I less of a feminist because I am deeply religious and devoted to this traditional, conservative organized religion?"<sup>11</sup> Her feelings of isolation and otherization from the feminist movement are surely not unique. Women statistically are more devout,<sup>12</sup> and in many

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<sup>10</sup> Juliet Sheen, *Burdens on the Right of Women to Assert Their Freedom of Religion and Belief*, in *FACILITATING FREEDOM OF RELIGION OR BELIEF: A DESKBOOK* (Lindholm et al. eds. 2004).

<sup>11</sup> Preston, *supra* note 1, at 186; *see also* Feminist Mormon Housewives, <http://www.feministmormonhousewives.org/?p=1451> (last visited Dec. 3, 2009).

<sup>12</sup> *See, e.g.*, Dalia Sussman, *Who Goes to Church? Older Southern Women Do; Many Catholic Men Don't*, ABC NEWS, Mar. 1, 2002, [http://abcnews.go.com/sections/us/DailyNews/church\\_poll020301.html](http://abcnews.go.com/sections/us/DailyNews/church_poll020301.html). *Cf.* Christine Benlafquih, *America's Religious Diversity*, SUITE101.COM, Mar. 24, 2008, <http://racism->

countries, including the United Kingdom, overwhelmingly make up the newest members of the Islamic faith.<sup>13</sup> Religious women, therefore, are a large and growing population of women, some of whom seek an identity within the feminist community and feel they are denied that option because of their religious beliefs.

Moreover, when secular feminists identify religion as the source of inequality for religious women, they impose an inadequate binary choice between religion and equality:

If the feminist message is posited in a strict polarity between feminism and traditional religion, making women think they have to choose between the two, then many of the world's women will choose their religion. What church-affiliated women, myself included, want from feminists is help in reconciling these elements of our lives, and suggestions for working within our religious institutions.<sup>14</sup>

Where strict secularists put religious women in such a position, the feminist movement as a whole loses sight of its purpose of empowering *all* women to achieve greater equality. Additionally, there is a risk that secular ideologies will push the contributions and diversity of religious women out of the feminist movement altogether.

Furthermore, much like LDS<sup>15</sup> women in America, Muslim women around the world continue to create their own feminist movements and seek support and encouragement from the larger

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religion.suite101.com/article.cfm/american\_religious\_diversity. (presenting an interesting overview on the complexity of religion in America).

<sup>13</sup> Lucy Berrington, *Why British Women are Turning to Islam*, TIMES (London), Nov. 9, 1993, available at [http://www.islamfortoday.com/british\\_women.htm](http://www.islamfortoday.com/british_women.htm).

<sup>14</sup> Preston, *supra* note 1, at 197; see also Sunder, *supra* note 7, at 1459 (“To be sure, women from Muslim countries and communities embrace the universal concepts of justice, equality, and democracy. But unlike traditional Western lawyers, they seek to apply these concepts within explicitly religious and cultural contexts. . . .”).

<sup>15</sup> LDS is an accepted acronym for membership in the Church of Jesus Christ of Latter-day Saints and is chosen intentionally over “Mormon” which many have expressed as a pejorative term for membership in the Church.

feminist community. And much like the frustrations experienced by LDS women, Muslim women continue to express frustration with secular gender essentialist ideology—stripping the struggles from the religion and the religion from the woman.

The fact that [Muslim] women continue to value religion and culture cannot be reductively explained as a product of ignorance or brainwashing . . . [but rather] a complex reality in which religion plays a much more multifaceted role, where it coexists with the demand for rights that overlap with liberalism but may not come from a liberal understanding of self or society.<sup>16</sup>

For many, religion is one and the same with the feminist movement, and it cannot and will not be separated from the struggle for greater equality. Thus, strict secularist ideologies are unacceptable for many religious women, and will result in further isolation and marginalization.

## **2. *Victimization & Disempowerment***

An additional effect of secular feminism is the labeling of religious women as victims of their own religion. Portraying any woman as a *victim* can have dangerous effects. As bell hooks once said “[t]he notion that women’s commonality lies in their shared victimization by men ‘directly reflects male supremacist thinking. Sexist ideology teaches women that to be female is to be a victim.’”<sup>17</sup> Such victimization images are especially true for secular feminist efforts in Muslim countries, where a woman wearing a burka is the Western symbol for oppression. “To westerners, the most visible symbol of the Taliban’s oppressive regime [is] . . . the burka, [while many women in Kabul] say the burka is the least of their concerns.”<sup>18</sup> Using images of the burka as a symbol of

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<sup>16</sup> Cyra Akila Choudhury, *Empowerment or Estrangement?: Liberal Feminism’s Visions of the “Progress” of Muslim Women*, 39 U. BALT. L. F. 153, 162 (Spring 2009).

<sup>17</sup> Harris, *supra* note 2, at 613 (commenting on BELL HOOKS, *FEMINIST THEORY: FROM MARGIN TO CENTER* 45 (1984)).

<sup>18</sup> Richard Lacayo, *About Face: An Inside Look at How Women Feared Under Taliban Oppression and What the Future Holds for Them Now*, TIME, Dec. 3, 2001, at 34-36, available at 2001 WLNR 10079078; see also Sherif Abdel Azeem, *The Myth & The Reality, Women in Islam Versus Women in the Judaea-Christian Tradition*, [http://www.islamswomen.com/articles/comparing\\_women.php](http://www.islamswomen.com/articles/comparing_women.php) (last visited Nov. 30,

inequality over-generalizes and trivializes its religious significance and it disempowers Muslim women's efforts to fight for equality and live according to their own understanding of Islam.

Many Muslim women identify the wearing of a veil or burka as a deeply virtuous act that embodies an effort to live in accordance with the Quran.

On the question of attire, the Quran . . . only gives basic boundaries . . . [and] this was not to restrict woman, but to provide a virtuous society where sexual attraction is not the main obsession of everyone. This forces everyone to respect the woman for what she is as a human being, as an intellectual and a spiritual being, rather than being diverted to her sexuality.<sup>19</sup>

When secular feminists present victimized images of Muslim women engaging in religious practices, it trivializes their actions and denies their legitimacy.

These images also over-generalize the supposed homogeneity of Muslim women. Not every Muslim woman lives in a Muslim country, nor wears the burka, nor follows Shari'a law.<sup>20</sup> The practices and cultures of Muslim women vary widely from region to region and community to community. For example, more women than men attend universities in Saudi Arabia, women serve as members of Parliament in Morocco,<sup>21</sup> and Muslim majority countries such as Turkey, enforce strict secularism to the point of denying women the right to wear a head scarf "on state-

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2009) ("In the West, Islam is believed to be the symbol of the subordination of women par excellence.").

<sup>19</sup> Islam's Women, Jewels of Islam, Women's Rights in Islam, [http://www.islamswomen.com/articles/do\\_muslim\\_women\\_have\\_rights.php](http://www.islamswomen.com/articles/do_muslim_women_have_rights.php) (last visited Dec. 2, 2009).

<sup>20</sup> "The combined set of individual and social duties prescribed on every believer by the Islamic faith is Shari'ah, or the sacred law." Richard Hooker, World Civilizations, Islam, <http://www.wsu.edu/~dee/GLOSSARY/SHARIA.HTM> (last visited March 10, 2010).

<sup>21</sup> See *Arab Women Increase MP Presence*, BBC NEWS, March 3, 2005, [http://news.bbc.co.uk/2/hi/middle\\_east/4314211.stm](http://news.bbc.co.uk/2/hi/middle_east/4314211.stm) (last visited March 10, 2009).

run university campuses and in government buildings.”<sup>22</sup> Thus, generic images of Muslim women inaccurately stigmatize them as victims, and over-generalize the supposed reality of their lives—as forced objects of their own religion.

Additionally, and perhaps most importantly, such victimization propaganda denies Muslim women recognition for their own achievements and disempowers their efforts towards achieving equality. A victim is defined as “one that is acted upon” or “subjected to oppression, hardship, or mistreatment,”<sup>23</sup> but does not include an individual taking affirmative action to achieve equality or justice. Thus, when Muslim women are labeled as victims, they are denied the empowerment they have already achieved through their efforts for greater equality. An example of such an organization is the Revolutionary Afghan Women’s Association (RAWA). RAWA has thousands of members and works tirelessly to fight for peace and the end of fundamentalist religious practices in Afghanistan.<sup>24</sup> This group has identified its own vision and is actively pursuing it in a country which has historically oppressed the voices of women. RAWA and countless others are continually disempowered when Western feminists identify them as victims and only further harms the greater feminist movement..

### **3. Imperialistic Tendencies**

Hand-in-hand with the effects of victimization and disempowerment are the imperialistic undertones of a secular feminist movement. Secular feminism often effectuates a Western imperialist purpose when taking on the causes of religious women. Much like America’s past imperialist attempts to control its present-day borders under the veil of *progress*,<sup>25</sup> secular feminists seek to extrapolate religion from religious women’s fight for

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<sup>22</sup> See Mona Eltahawy, *Headscarves and Hymen*, HUFFINGTON POST, N.Y., June 16, 2009, [http://www.huffingtonpost.com/mona-eltahawy/headscarves-and-hymens\\_b\\_216236.html](http://www.huffingtonpost.com/mona-eltahawy/headscarves-and-hymens_b_216236.html), also available at <http://www.monaeltahawy.com/blog/?p=140> (last visited Dec. 4, 2009).

<sup>23</sup> MERRIAM-WEBSTER’S COLLEGIATE DICTIONARY 1316, “victim” (Frederick C. Mish et al. eds., Prelude Press) (1999).

<sup>24</sup> See Revolutionary Association of the Women of Afghanistan, <http://www.rawa.org/index.php>. (last visited Dec. 1, 2009).

<sup>25</sup> One need only look to the history of American Indians to recognize the imperialist efforts practiced by early America. American Indians endured hundreds of years of forced separation and assimilation, all at the whim of the United States government.

equality in order to *save* these women from further subordination and oppression. As Cyra Akila Choudhury noted, “Another example of liberal feminism’s ‘imperative to progress’ is the . . . assertion that the veil does not have a singular significance for Muslim women.”<sup>26</sup> While imperialist tendencies do not end at the veil, it is a telling example of secular feminists’ attempt to strip individual actions of equality and self-identity from religion. In sum, Western ideals of separation between church and state do not necessarily belong in every country and political unit in the world.

Instead, more support for local practices of human rights and liberation that are being engaged in by ordinary Muslim women and men in the global south in general might be better ways to improve lives, even if we disagree with their definitions of liberation and human flourishing. This would require us to accept these women as fully capable humans and their commitments to their religion and culture as valid expressions of ‘freedom.’<sup>27</sup>

Cyra Akila Choudhury is not alone in desiring that Western feminists remove themselves from the definitional aspect of finding equality and justice for Muslim women—for “only the oppressed can truly name their oppression, and only the oppressed can define their liberation.”<sup>28</sup>

#### **4. *Loss of Diversity***

The final risk strict secular gender essentialism poses is the loss of diversity that religious women would bring to the larger feminist movement. As Harris and Lourde both suggest, it is the very diversity of the women involved in the movement that also serves to empower its efforts. The presence of diversity fosters greater understanding of women’s struggles and enables more women to feel empowered to join the movement. There is little doubt that deeply-seeded secular beliefs will conflict with the

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<sup>26</sup> Choudhury, *supra* note 16, at 158.

<sup>27</sup> Choudhury, *supra* note 16, at 170.

<sup>28</sup> Preston, *supra* note 1, at 202.

goals of religious feminists' efforts to implement religion in the laws and practices of their locality. But these differences should be seen as an opportunity to make the movement better and stronger as a whole. Religious women add another layer to the consciousness of the feminist movement. Secular gender essentialism must yield to the greater good of diversity within the movement, or risk losing many religious women altogether.

### **5. *Outsiders: The New Position of Secular Feminists in a Religious Feminist Movement***

Assuming secular feminists heed the concerns described above and seek to reexamine their roles within the feminist movement vis-à-vis religious women, they should also consider the positioning of those roles—as outsiders to the religious woman's fight. One cannot be a true secularist and an insider in the religious women's feminist movement. While the movement can and should be supported by secular feminists, it is not an area that should be defined by them.<sup>29</sup>

The majority of Muslim women who are attached to their religion will not be liberated through the use of a secular approach imposed from the outside by international bodies or from above by undemocratic governments. The only way to resolve the conflicts of these women and remove their fear of pursuing rich and fruitful lives is to build a solid Muslim feminist jurisprudential basis which clearly shows that Islam not only does not deprive them of their rights, but in fact demands these rights for them.<sup>30</sup>

A secular feminist would be unable to create such a balanced understanding between Islam and equality without denying Muslim women their own opportunity for empowerment. "The desire to help women throughout the world is certainly noble, but when dealing with other cultures, backgrounds and religions, we

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<sup>29</sup> See Preston, *supra* note 1, at 202-03 (describing the notion that secular feminists by their nature must be the "outsiders" of the religious feminist movement); see generally Emily Albrink Hartigan, *Engaged Surrender in the Void: Post-Secularist "Human" Rights Discourse and Muslim Feminists*, 22 J.L. & RELIGION 131, 132 (2006-07).

<sup>30</sup> Azizah al-Hibri, *Islam, Law and Custom: Redefining Muslim Women's Rights*, 12 AM. U. J. INT'L L. & POL'Y 1, 3 (1997).

must defer control and decision making to insiders.”<sup>31</sup> By understanding our role as that of outsiders, secular feminists will appropriately position themselves to assist as needed but not overreach in the religious woman’s fight for greater equality.

### **6. Cultural Relativism Limits**

Finally, a concern and an inherent difficulty in confronting secular gender essentialism—especially when considering Muslim women living in more restrictive and oppressive countries—is the problem of cultural relativism.

People from the Left will say, “Well, it’s their culture. Who are we? Are we racists? We can’t interfere,” . . . The problem with that way of thinking . . . is that “everything can be tolerated in the name of culture.” A better approach . . . is to examine the sources of cultural edicts, and to ask whose interests are being served or disserved by them.<sup>32</sup>

If secular gender essentialists take a back seat in their support for religious women’s fight for equality, that does not impose a gag order on their own ideas of morality—rather, one must be vigilant in the examination of cultural norms and subjectively determine whether the activity in question violates a human right. While identifying a baseline to human dignity exposes secular feminists to imperialistic outcries, this concern cannot silence the invocation of fundamental human rights for women. The tension between imperialism and relativism is not unique to feminism and is a necessary consideration whenever seeking to reexamine the adequacies of a paradigm defining human rights.

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<sup>31</sup> Preston, *supra* note 1, at 203. It may also be helpful to note that religious men, whether identified as feminists or not, will also be outsiders at the table: “Another kind of ‘outsider’ with a stake in this process is the religiously-affiliated man. Admittedly, men may have forgotten for too long that they are not the only ones at the table, and they may have tried to usurp too much decision making authority in the past.” *Id.*

<sup>32</sup> Sunder, *supra* note 7, at 1438.

Cultural relativists have targeted feminism itself as a product of Western ideology and global feminism as a form of Western imperialism. Ironically, cultural relativists have accused feminist human rights activists of imposing Western standards on non-Western cultures in much the same way that feminists have criticized states for imposing male-defined norms on women.<sup>33</sup>

Thus, there must be a balance found between altering the feminist perspective so as to permit a religious woman's fight for equality, as framed within her religion, while also imposing a baseline level of human dignity. For "[c]ultural diversity should be celebrated only if those enjoying their cultural attributes are doing so voluntarily."<sup>34</sup>

## II. EXAMINING THE CAIRO SPEECH THROUGH THE SECULAR ESSENTIALIST LENS

It is from this lens of secular gender essentialism that the Cairo Speech<sup>35</sup> delivered by President Barack Hussein Obama on June 4, 2009, will be analyzed. This speech was the first official address to the Muslim world after the transition of power from George W. Bush to Barack Obama. The speech was viewed as America's and the West's official position on the most salient issues facing U.S.–Middle East relations. While the President addressed many topics such as the Palestine-Israel conflict, and the presence of nuclear weapons in Iran, he also discussed the issue of women's rights. Barack Obama spoke not only as the President of the United States, but also as the leader of the Western feminist movement.<sup>36</sup> Because of his unique position as

<sup>33</sup> Tracy E. Higgins, *Anti-Essentialism, Relativism, and Human Rights*, 19 HARV. WOMEN'S L.J. 89, 97 (1996).

<sup>34</sup> Radhika Coomaraswamy, *Reinventing International Law: Women's Rights as Human Rights in International Community*, in DEBATING HUMAN RIGHTS: CRITICAL ESSAYS FROM THE UNITED STATES AND ASIA 167, 181 (Peter Van Ness ed., 1999).

<sup>35</sup> Barack H. Obama, U.S. President, Remarks in Cairo, Egypt (June 4, 2009), Daily Comp. Pres. Docs., DCPD No. 00436, 8 (2009), available at <http://www.gpo.gov:80/fdsys/pkg/DCPD-200900436/pdf/DCPD-200900436.pdf> [hereinafter "Cairo Speech"].

<sup>36</sup> See David Knowles, *Ms. Magazine Posits Obama as Super-feminist*, Jan. 12, 2009, <http://www.politicsdaily.com/2009/01/12/ms-magazine-posits-obama-as-super-feminist/> ("When the chair of the Feminist board, Peg Yorkin, and I met with Barack Obama, he immediately offered, 'I am a feminist.'") (last visited Nov. 15, 2009).

feminist and world leader, the speech provides an opportune medium to critically examine the successes and failures of the Western feminist movement in its role vis-à-vis the Muslim women's movement.

To begin, I provide the section of the Cairo Speech regarding women's rights in full:

The sixth issue that I want to address is women's rights. I know . . . there is healthy debate about this issue. I reject the view of some in the West that a woman who chooses to cover her hair is somehow less equal, but I do believe that a woman who is denied an education is denied equality. And it is no coincidence that countries where women are well-educated are far more likely to be prosperous.

Now, let me be clear: Issues of women's equality are by no means simply an issue for Islam. In Turkey, Pakistan, Bangladesh, Indonesia, we've seen Muslim-majority countries elect a woman to lead. Meanwhile, the struggle for women's equality continues in many aspects of American life, and in countries around the world.

I am convinced that our daughters can contribute just as much to society as our sons. Our common prosperity will be advanced by allowing all humanity, men and women, to reach their full potential. I do not believe that women must make the same choices as men in order to be equal, and I respect those women who choose to live their lives in traditional roles. But it should be their choice. That is why the United States will partner with any Muslim-majority country to support expanded literacy for girls, and to help young women pursue employment through micro-financing that helps people live their dreams.<sup>37</sup>

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<sup>37</sup> Cairo Speech, *supra* note 35.

At the outset, the President should be credited for not exercising a strict secular feminist approach to Muslim women's rights. He neither suggests Muslim women should have to choose between their struggles for equality and their religion, nor does he attempt to define what equality should look like. Rather, he provides as a baseline the notions of education and an opportunity to work, noting further the welcomed benefits such contributions could render. He also stifles many imperialistic overtones by noting America's own shortcomings in its struggle for gender equality, and takes a limited outsider approach in his financial offerings for literacy programs and micro-loans. However, the President never recognizes the current efforts of Muslim women in their own fight for equality, nor does he admonish the most salient and brutal forms of oppression against Muslim women committed in the name of Islam. As a result, Muslim women around the globe remain disempowered despite their efforts to achieve their own definitions of equality. These issues will be considered through the lens of secular gender essentialism and its tendency to marginalize, victimize, demonstrate Western imperialism, create a loss of diversity, fail in its positioning as an outsider, and foster complacency towards cultural relativism.

### ***1. Rejection of Strict Secularism and the Binary Choice***

While strict secular feminists tend to present religious women with a binary choice between religion and equality, President Obama expressly rejected this position. "I reject the view of some in the West that a woman who chooses to cover her hair is somehow less equal."<sup>38</sup> By refuting this fundamental secular position he does not further marginalize Muslim women from the feminist movement. Additionally, his first substantive point directly confronts Western feminists' use of the veiled Muslim woman as the poster child of female oppression effectuated by her own religion. Further, it recognizes that actions expressing one's religious views can be consistent with both equality and the divergent and often conflicting layers of religious women. Premising the speech by rejecting such a binary choice not only legitimized religious choices and actions as integral to feminism, but also created an inclusive policy for religious women's pursuit of equality.

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<sup>38</sup> Cairo Speech, *supra* note 35.

However, the President's recognition of religion as an aspect of Muslim women's fight for equality is conditioned on women *choosing* to embody such religious actions or beliefs as a part of their quest for equality. "I do not believe that women must make the same choices as men in order to be equal, and I respect those women who choose to live their lives in traditional roles. But it should be their choice."<sup>39</sup> This position embodies secular feminist views to the extent that the President created a condition precedent on the presence of Islam in the feminist movement: it can only be integrated where such religious norms and beliefs represent the woman's choice in her fight for equality.<sup>40</sup> Thus, while President Obama rejected the strict secular essentialist approach which would completely separate religion from equality, he conditioned Western feminist support for the Muslim women's feminist movement on them first choosing to integrate religion into their fight.<sup>41</sup>

## **2. *Disempowerment of Muslim Women by Failure to Recognize and Legitimize***

While President Obama did not expressly label Muslim women as victims of their own religion, and although he in fact supports the idea of a self-defined equality, he failed to publicly recognize any of the valiant efforts currently underway by Muslim women in their own fight for equality. This omission was likely politically motivated as a protective effort to avoid fundamentalist backlash. Nonetheless, by failing to recognize the most salient Muslim feminist movements, he disempowered their efforts and again reinforced their image as victims of their religion and as victims to male religious leaders. "The 13 or so lines dedicated to

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<sup>39</sup> Cairo Speech, *supra* note 35.

<sup>40</sup> See e.g., Adrien Katherine Wing, *Global Critical Race Feminism: A Perspective on Gender, War and Peace in the Age of the War on Terror*, 15 MICH. ST. J. INT'L L. 1, 13 (2007) ("What 'Islam is the national religion' means to a person walking around in a mini-skirt in Lebanon versus someone in a burqa in Afghanistan is an entirely different thing.").

<sup>41</sup> See Sunder, *supra* note 7, at 1459 (highlighting the basic requirement of choice is recognized by Muslim women scholars as a necessary baseline when defining their own equality. "No argument has yet shown that there is any human being who does not desire choice.").

us focused on headscarves and education, a bland and stereotypical view of Muslim women that ignored the courageous creativity of so many fighting against misogyny and male-dominated interpretations of my religion.”<sup>42</sup>

Another powerful example of the changing roles of women in Afghanistan is captured in a moving documentary filmed by fourteen young Muslim women traveling to the remote villages of their own country in order to record and document the lives and struggles of Afghani women.

From July 2002 to August 2003, 14 young women, several still in their teens, trained as camera operators and video journalists at the AINA Afghan Media and Culture Center in Kabul. The first female journalists to be trained in Afghanistan for more than a decade and the first ever to be trained in digital media. . . . Created as the culmination of this unique training program, *Afghanistan Unveiled* contrasts the harsh lives of the rural women of Afghanistan with those of the film’s young camerawomen, who are experiencing newfound freedom and opportunity while attempting to use their work to change the condition of women in their country.<sup>43</sup>

The young women responsible for this documentary showed courage and empowerment in their efforts to accurately represent the lives of Afghani women. Their story highlights the injustices currently imposed upon many women in the remote villages of their country, while juxtaposing the ongoing presence of Islam as a justifiable and necessary aspect of their lives.

The efforts of these young women and the many other Muslim women already fighting for equality deserve international recognition for their triumphs, yet were denied this opportunity.

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<sup>42</sup> Eltahawy, *supra* note 22.

<sup>43</sup> Independent Lens, PBS.org,

<http://www.pbs.org/independentlens/afghanistanunveiled/film.html> (last visited Dec. 2, 2009) (describing the documentary’s story and roots).

The President's failure to recognize *any* positive efforts being made by Muslim women only further propels their stigma as victims of their religion and to their own culture, and undercuts their current efforts for equality.

Additionally, the President's speech disempowers Muslim women because it justifies their fight for equality in terms of economic advantages rather than in terms of Islamic and humanistic principles proposed by Muslim women. President Obama stated in the Cairo Speech that "it is no coincidence that countries where women are well-educated are far more likely to be prosperous."<sup>44</sup> This comment was not intended for the ears of Muslim women – the very subject of this portion of his speech – but rather was intended to reach out to Muslim men by focusing on the economic prosperity that could result from the inclusion of women in the labor market. While polls of Muslim women show they believe "they ought to have an unfettered right to vote, to work outside the home and to serve in the highest levels of government"<sup>45</sup> they do not necessarily identify greater economic prosperity as the purpose for their efforts.<sup>46</sup> Rather, groups such as RAWA define their objective as "increasing [the] number of Afghan women in social and political activities *aimed at acquiring women's human rights*. . . ."<sup>47</sup> Justifying the cause for women's equality in terms of increased earning power rather than in terms of human or religious values is demeaning to Muslim women and to women around the world.

### **3. Hedging Imperialistic Tendencies by Recognizing Failures in American Equality**

Because imperialistic tendencies are an ever-present concern when Western feminists seek to aid movements in other parts of the world, President Obama aptly identified that his own country is not without its own inequalities.

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<sup>44</sup> Cairo Speech, *supra* note 35.

<sup>45</sup> See Choudhury, *supra* note 16, at 160 (discussing 2006 Gallup Poll findings on the *Perspectives of Women in the Muslim World*).

<sup>46</sup> See, e.g., Azeem, *supra* note 18 (noting Muslims should be working towards granting women their "full Islamic rights").

<sup>47</sup> About RAWA, <http://www.rawa.org/rawa.html> (last visited Dec. 2, 2009) (emphasis added).

Now let me be clear: issues of women's equality are by no means simply an issue for Islam. In Turkey, Pakistan, Bangladesh and Indonesia, we have seen Muslim-majority countries elect a woman to lead. Meanwhile, the struggle for women's equality continues in many aspects of American life, and in countries around the world.<sup>48</sup>

Recognizing America's own shortcomings is critical in order to negate the Western feminist's tendency to embark on a Western-driven effort to *save* Muslim women. America is yet to reach equality between men and women and by so noting, the President subtly recognized that the West will not zealously seek to impose its own solutions in seeking greater equality for women, but will instead offer guidance and support.

#### **4. Acknowledging the Inherent Diversity of Muslim Women**

Furthermore, the President implicitly recognized the great diversity Muslim women would offer to both the feminist movement and the world, by rejecting any notion that Muslim women must separate from their religion in order to achieve equality, and by noting the contributions that women make to the world at large. "Our daughters can contribute just as much to society as our sons, and our common prosperity will be advanced by allowing all humanity – men and women – to reach their full potential."<sup>49</sup> These contributions will be political, moral, ethical, familial, innovative, and diverse. Just as Angela Harris recognized that diversity would empower the feminist movement, President Obama acknowledges that greater freedoms for Muslim women will empower men and women around the world.

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<sup>48</sup> Cairo Speech, *supra* note 35.

<sup>49</sup> Cairo Speech, *supra* note 35. This comment also has the potential to disempower Muslim women because of the potential economic connotations related to the potential *contributions* of these women. It should be clear that I do not mean to discuss their potential in such terms but rather focus on their greater ability to empower themselves and others in the world because of the rich and diverse cultures and histories they have experienced.

### **5. Positioning America and Western Feminists as Limited Outsiders**

Western feminists must be mindful of their position when attempting to assist Muslim women in their fight for equality, so as not to exert undue influence or control on their movement. Secular feminists should limit their role to that of an *outsider*, so that the Muslim women's movement alone will be responsible for defining its terms of equality and the structure of its organization. As such, the appropriate position is one of support and assistance, beyond the realm of direct control. In the Cairo Speech, President Obama offered a mixture of support and control, thereby taking a limited outsider position: "That is why the United States will partner with any Muslim-majority country to support expanded literacy for girls, and to help young women pursue employment through micro-financing that helps people live their dreams."<sup>50</sup>

Although the President offers financial support in the form of micro-loans and literacy programs, he also controlled the areas in which the support would be used. This is over-intrusive in that there may be other areas that particular countries and communities find necessitate more immediate attention in order to achieve greater equality for women. Moreover, the offer places the West in a position to exert undue influence and control by conditioning the opportunity for financing on commitments to Western interests – likely with secular undertones – rather than providing such support free of any overt control by the West. Allowing the religious feminist movement to control its own destiny is critical to attaining a truly self-defined equality and empowering women in the process.

### **6. Cultural Relativism or Fear of Political Backlash?**

While the President aimed to relax the edges of strict secular feminism by intertwining Islamic beliefs into the fight for equality, the support must be both tempered by tendencies for complacent cultural relativism and also cognizant of the dangerous political climate that further imperialistic

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<sup>50</sup> Cairo Speech, *supra* note 35.

condemnations would create.<sup>51</sup> The Cairo Speech addressed women and men from all spectrums of the Islamic faith, including the most radical Islamic sects that continue to control vastly populated countries and regions throughout the world. Women living under these fundamentalist regimes are often subject to oppressive and brutal punishments in the name of religion.<sup>52</sup>

A pointed example is the recent stoning of Aisha Ibrahim Duhulow, a thirteen-year-old girl who lived in a region of Somalia controlled by Taliban insurgents. Aisha allegedly confessed to the authorities of committing adultery and asked that Shari'a law "and the deserved punishment . . . apply."<sup>53</sup> Despite witness accounts of rape, the young girl was forced crying into a hole with only her head exposed and stoned to death by more than fifty men while over one thousand filled the stadium to watch.<sup>54</sup>

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<sup>51</sup> See e.g., The American invasion of Afghanistan, officially titled "Operation Enduring Freedom" or OEF. Wikipedia, *Operation Enduring Freedom*, [http://en.wikipedia.org/wiki/Operation\\_Enduring\\_Freedom](http://en.wikipedia.org/wiki/Operation_Enduring_Freedom) (last visited Dec. 2, 2009) While this name attempts to glorify the presence of American troops in Afghanistan, many extremist groups used the very same language to fuel the jihad against the West; see also Wikipedia, *Jihad*, <http://en.wikipedia.org/wiki/Jihad> (last visited Dec. 2, 2009) ("During September 2002, the remnants of the Taliban forces began a recruitment drive in Pashtun areas in both Afghanistan and Pakistan to launch a renewed 'jihad' or holy war against the pro-Western Afghan government and the U.S.-led coalition.").

<sup>52</sup> I say *religion* because it is more likely those with power who interpret such religion who create the cultural religious norms, rather than such norms actually being explicit in the Quran. See Azeem, *supra* note 18

Almost all Muslim societies have, to one degree or another, deviated from the ideal of Islam with respect to the status of women. . . . The societies that have digressed in the [more conservative and restrictive] direction treat women according to the customs and traditions inherited from their forebears. These traditions usually deprive women of many rights granted to them by Islam.

See also Preston, *supra* note 1, at 205 ("A more sophisticated challenge is distinguishing *real religion* or theology from cultural practices that may be the historical residue of a male-dominated society and may not be necessary to the faithful membership in the religious organization.").

<sup>53</sup> See BBC NEWS, *Stoning Victim 'Begged for Mercy'*, Nov. 4, 2008, <http://news.bbc.co.uk/go/pr/fr/-/2/hi/africa/7708169.stm>.

<sup>54</sup> *Id.*

Where powerful insurgents such as these invoke the Quran and Islam to justify their brutal acts, any public condemnation by the President will be received as a direct attack on Islam and the Quran and foster further violence toward the West. "I can see why Obama didn't issue a ringing call for full civil rights for Muslim women. . . . Such a statement would have backfired; it would have allowed traditionalists and theocrats to pose as anti-imperialists, defenders of culture and religion against the impious West."<sup>55</sup> Thus, one must recognize the position from which Barack Obama delivered the Cairo Speech: as the leader of the United States, with American troops stationed in zones of danger, knowing full well that fundamentalist Islamic leaders would undoubtedly use any condemnation of religiously-affiliated practices to further fuel the jihad against Western civilization.

However, when the President and the leader of the Western feminist movement fails to admonish such horrific and brutal acts, the President implicitly endorses a cultural relativism that is unjustifiable, especially for the Muslim women to whom he is speaking. As one commentator aptly stated:

Is that a joke? With women being stoned, raped, abused, battered, mutilated, and slaughtered on a daily basis across the globe, violence that is so often perpetrated in the name of religion, the most our president can speak about is protecting their right to wear the *hijab*? . . . True justice, true peace, these are earned through courageous decisions and bold actions. Real truth to power.<sup>56</sup>

Many agree with Peter Daou's admonishment of the President for his failure to publicly identify a human rights baseline<sup>57</sup> that should never be violated, even in the name of religion. So long as

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<sup>55</sup> Katha Pollitt, *Muslim Women's Rights, Continued*, THE NATION, July 13, 2009, available at <http://www.thenation.com/doc/20090713/pollitt>.

<sup>56</sup> Peter Daou, HUFFINGTON POST, available at [http://www.huffingtonpost.com/peter-daou/let-women-wear-the-hijab\\_b\\_211226.html](http://www.huffingtonpost.com/peter-daou/let-women-wear-the-hijab_b_211226.html) (last visited Nov. 11, 2009).

<sup>57</sup> See Karima Bennouna, *Secularism and Human Rights: A Contextual Analysis of Headscarves, Religious Expression, and Women's Equality Under International Law*, 45 COLUM. J. TRANSNAT'L L. 367 (2007) (discussing the relevance of Muslim women's rights in terms of human rights).

there remain regions and countries controlled by fundamentalist Muslim men, it is necessary to publicly rebuke the evils identified as the gravest and most serious infringements on Muslim women's rights and liberties—"like a woman's right to initiate divorce, how to protect women against clerics who say Islam gives a husband the right to beat his wife, [and] fighting forced marriage. In other words, wrestling Islam back from the men who use it against us."<sup>58</sup>

### III. CONCLUSION

Twenty years ago, a movement to redefine Western feminism took hold of the academic world and reshaped the movement by recognizing and validating minority women's issues. It seems in this post-9/11 world of Western intervention into and concern with the Muslim world, a new crisis has developed in the feminist movement—secular gender essentialism. Much like the features of gender essentialism, secular essentialism marginalizes and disempowers religious women and often forces upon them a binary choice between religion or equality, rather than seeking to integrate religious ideas and norms as a part of religious women's fight for equality.

Cognizant of this dilemma, and through this critical lens, President Obama addressed the Muslim world through a modified secular approach. He rejected strict secularism with his explicit legitimization of equality entwined with religious beliefs, but fell short in terms of empowerment and cultural relativism. Notably, the President failed to recognize current efforts and successes of Muslim women's movements. Similarly, the President omitted any explicit condemnation of the most salient and oppressive forms of inequality currently facing Muslim women—and in so doing exercised a form of cultural relativism that is inexcusable even in the face of political backlash. Despite these shortcomings, the rejection of strict secular feminism invites and encourages Western feminists to support Muslim women in their own fight for equality, without attempting to control or eradicate religion from the process. The President set the stage for a new era of feminism that incorporates religion and equality, because a strict secular approach is an inadequate solution to the new crisis facing feminism. While secular feminists should support and encourage

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<sup>58</sup> Eltahawy, *supra* note 22.

religious women in their fight for equality, it is not a fight that can be run according to the secular agenda. Thus, secular feminists must be the outsiders of a religious feminist movement and cannot lead the fight for Muslim women's equality, because in the end, this fight belongs to Muslim women.