

WOMEN'S RIGHTS, CITIZENSHIP, AND DEMOCRACY IN POST-SOVIET AZERBAIJAN AND CENTRAL ASIA*

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The Muslim region to be addressed in this paper is very distinct from the rest of the greater Middle East and other Muslim communities, because of its different systemic experience under state socialism of the former Soviet Union. The region under consideration encompasses some very old civilizations, yet it was in a sense newly discovered after the disintegration of the Soviet Union. The Muslims of the former Soviet Union in Azerbaijan and Central Asia, known as the "Soviet East" were studied mostly by Sovietologists, and not scholars of the Middle East.

In recent years an increasing number of Middle East specialists are turning to this region for fresh explorations. Given the historic, ethnic, religious and language ties between these six newly independent Muslim republics and the Middle Eastern countries, they are bound to interact with each other and impact the geo-politics and geo-culture, including gender politics of the greater Middle East, including the Caucasus and Central Asia.

This region encompasses over 50 million Muslims, predominantly Sunni, except for Shi'a majority in Azerbaijan, and predominantly Turkic speaking population, except for Tajikistan. These are one of the first groups of Muslim communities to be colonized by a Western (European) power, i.e., Tsarist Russia, and the last to become independent and to begin a post-colonial process of nation building.

It is important to note both differences and similarities in the nature and patterns of colonial and post-colonial experiences between these peoples and those from the Middle East and North Africa. One of the important issues emerging in post-Communist and post-Soviet processes of "democratization" in the newly independent Muslim

republics of the former Soviet Union as well as Eastern European states is whether previous rights, especially women's rights, can be sustained. In a society which is more dominated now by the marketization process than democratization, the needs of the market-economy under the rhetoric of privatization, economic rationalism, structural adjustment, labor efficiency, productivity and the like have overshadowed the rhetoric of equality, justice and human rights. Since 1989, the struggles against totalitarian or authoritarian statism and for national independence in Eastern Europe, Eurasia and Central Asia, have popularized the ideas of democracy and democratic rights anew. The successor new states, however, have been aptly labeled by some feminists as "male democracies" (Eisenstein, 1994; Einhorn, 1994; Buckley, 1993), as within their 'liberal democratic discourse, women's rights have been overlooked.

In the case of newly independent Muslim republics of Azerbaijan and Central Asia, the political structures and predominant discourses are, for the most part, far even from liberal democratic ones, male or otherwise. The socio-economic underdevelopment and poverty, the prevalence of conservatism, the centrality of traditional family and kin-based relations, and the wide-spread inter-ethnic tensions, localism and ethnocentric nationalism, have all hindered a post-Soviet egalitarian construction of citizenship and a non-patriarchal and civic re-imagination of nationhood and cultural identity. As often mentioned in traditional debates about communism versus capitalism, one strength of the communist regimes of Eastern Europe and the Soviet Union was that they had institutionalized social and economic forms of citizenship by establishing economic and social rights. Granting of full employment, public education and public health care as citizens' entitlements did contribute to a highly developed form of citizenship in communist systems. Yet, these societies were often weak in terms of legal and political rights. As Bryan Turner (1997: 14) has put it, they had economic rights without a comprehensive civil society.¹

The post-Soviet developments, however, have not resulted in adequate legal and political rights yet. Furthermore, in the face of

withering welfare state and social safety networks on the one hand, and the revival of traditional or Islamic customs and religious intervention in family law, and also the widespread ethnocentric nationalism, not only social and economic rights but even the civic understanding of citizenship, especially for women, are in jeopardy. But, given women's universal literacy, the high rates of female participation in public spheres, and intervention of gender-sensitive international NGOs, many women are displaying an active resistance against the adverse trends and a positive agency in shaping the parameters of ongoing changes.

What, then, is the gender dimension of Soviet model of modernization and institutionalization of citizenship and rights and the post-Soviet democratization, citizenship and human rights in newly independent Muslim republics of Central Asia and Azerbaijan? While the focus of my discussion below will remain on the oil-rich Azerbaijan, the analysis and examples are based on a regional perspective encompassing Central Asia, Turkey and Iran. Some general common patterns and certain significant differences within Central Asian republics as well as between them and the Middle Eastern Muslim societies like Turkey and Iran are also taken into consideration.

In the case of the Soviet East (Muslim republics), the weakness of civil society, and of legal and political rights was more profound, partly because the Soviet version of top-down, statist modernization took place under a colonial context. Although it achieved a considerable degree of industrialization, the socio-economic systems of these Muslim communities remained incoherent, peripheral, dependent and mono-cultural (cotton in Central Asia and oil in Azerbaijan). Furthermore, these Muslim societies, like many others in the Middle East, were catapulted into an externally-oriented "modernization" process under which native, indigenous individual initiation and entrepreneurship could not get the chance to grow into a domestically led self-sustained middle-class.

Modernization, thus, happened to them without going through a liberal-bourgeois revolution or transformation against feudal and

patriarchal privileges. That is, without the very process that took shape through long years of struggle in the West as a pre-requisite for citizens' political rights and democracy. What do we have now? Due to the Soviet legacy, we still have a secular state, secular education, and civil code in regard to the personal status and family law rather than the Islamic Shari'a.

Some comparison will put this in a better perspective. In the constitution of the Islamic Republic of Iran: "The family unit is the foundation of society and the main institution for the growth and advancement of mankind." In principle 10, it is further postulated that, "All regulations, rules and planning for its [the family's] comfort and preservation of its holiness and the stability of family relationships should be based on Islamic standards and moral concepts." In the constitution of the Republic of Turkey, too, "the family is the foundation of Turkish society" (Article 41). Similarly, according to the Article 18 of the constitution of Azerbaijan Republic, "the family as the foundation of society shall be under special protection of the State."

But there are some interesting differences here between these three constitutions in regard to the family that render different implications for women's role and rights in society. In the IRI's constitution, the family, especially motherhood is glorified and sanctified by requiring that "It is the principal duty of the Islamic government to regard women as the unifying factor of the family unit and its position" and women are held responsible as "a factor in bringing the family out of the service of propagating consumerism and exploitation and renewing the vital and valuable duty of motherhood in raising educated human beings to take part in the various

fields of active life. As a result, motherhood is accepted as a most profound responsibility in the Muslim viewpoint and will, therefore, be accorded the highest value and generosity."

In Azerbaijan's constitution, however, instead of women and mothers alone, it is parents (mother and father) and state that are held responsible for the children's upbringing: "To take care of the children and their upbringing shall be the obligation of the parents.

The state shall see to it that this obligation be fulfilled." The Turkish constitution, like the constitution of Azerbaijan and unlike that of Iran is free from valorizing rhetoric and moralistic obligations placed unevenly on women's shoulder. It holds the state (rather than mothers or parents) responsible for protection of the family: "The State shall take necessary measures and establish necessary organization to ensure the peace and welfare of the family, especially the protection of the mother and children and for family planning education and application" (Article 41).

It should be noted here that despite the rhetorical glorification of women and especially motherhood in the constitution of the IRI, in practice and on the basis of the family law of the IRI, children belong to fathers and in case of divorce, mothers lose their rights to child custody (after age two for sons and age seven for daughters).

Furthermore, women are treated very unequally in Iran in regard to the rights pertaining to marriage and divorce.

While in the Turkish constitution no law is postulated in regard to marriage, the constitution of Azerbaijan takes an egalitarian stance. According to its Article 40 pertaining to the right to Marriage, "Husband and wife shall have equal rights." Another important difference that distinguishes the constitution of Azerbaijan as more progressive and egalitarian than that of Iran, Turkey and many Muslim and non-Muslim states alike is related to the right to citizenship. According to the Article 60 of the constitution of Azerbaijan, citizenship can be acquired through the mother as well as father's citizenship: "A person whose one parent is a citizen of Azerbaijan Republic shall be a citizen of the Azerbaijan Republic" (emphasis added). In the constitution of both Iran and Turkey, however, only father's citizenship can guarantee the acquirement of Iranian or Turkish citizenship for a child.

A major distinction between Azerbaijan's constitution and that of other Muslim countries in the Middle East and North Africa (except for Turkey) is related to its stance in regard to the relationship between religion and state as specified in the Article 19: "Religion shall be separated from the state in the Azerbaijan Republic. All

religions shall be equal by law. The state education system shall be of secular character." The Azerbaijan State (like that of Turkey) is specifically described as "democratic, secular, and unitary republic" (Article 6).

My year-long (1991-92) field work in Azerbaijan and several shorter visits in the following years to the Caucasus and Central Asian republics; especially my interviews and conversations with women and some men from various age, class and ethnic backgrounds, indicate that for many their rejection of the Soviet system may have been due not necessarily to its socialist characteristics, but its totalitarian statism. Many of them though still critical about favoritism and "under the table bribery" keep talking nostalgically about universal health care, public education, subsidized housing, and adequate pension for elderly.

Given the socialist background of these Muslim republics and recent shift to market and capitalist economy, any discussion of citizenship, democracy and women's rights must begin with what is missing in both socialism and liberalism. Now that the elements of the two systems are incorporated, politically and economically, we must note the "androcentric" foundations of both systems Eisenstein, 1994:

11).³

Democracy in such "mixed" or "transitional" economies (like those of Eastern Europe, Central Asia, China, Vietnam, and even Cuba) seems to be fluid. As Eisenstein has recently argued, "democracy in the 1990s will move freely between different economies and politics. May be this is the political meaning of postmodernism: that what were once thought of as clearly dichotomous and competing ideologies, discourses, and economies are now recognized as necessary pieces of each other."⁴ Eisenstein quotes the late Marxist, Ralph Miliband, that "socialism will have to build on the foundation of liberal democracy while pushing further in democratic directions."⁵ Some Marxists and socialist feminists like Ralph Miliband, Zillah Eisenstein, and Chantal Mouffe "hope to develop a 'post-individualist concept of freedom' that pushes toward a radically libertarian, plural democracy." Mouffe adopts the de

Tocquevillian notion of "perfect equality" and "entire freedom", while Tocquevil himself thought that mixture of the two was not feasible.⁶

Along with Eisenstein, I think we must dare to move beyond theories already tested by history and reality. Marxism is not enough, nor is liberalism, nor is feminism bound by these categories. The pro-democracy movements and subsequent collapse of state socialism pose serious challenge to our understanding of liberalism and socialism. For one, it faults the conventional dichotomization of the two. As Eisenstein reminds us, many liberals, including John Stuart Mill, the father of modern liberalism, repeatedly criticized the inequalities and great disparities between rich and poor of capitalist economic distribution and many Marxists like Rosa Luxemburg endlessly called for greater freedom of expression for dissenters of the Bolshevik revolution. In 1979, while branding freedom and democracy as Western, liberal and alien concepts, conservative Islamists took power and began imposing their version of totalitarianism in Iran. One of the main banners raised by thousands of women protestors then read: "Freedom is neither Eastern, nor Western; it is universal!" Ten years later, during the demonstrations against totalitarian Communist statism in • Romania and Czechoslovakia, students were echoing the same idea by saying: "There is no socialist democracy or bourgeois democracy...there is either democracy or there isn't."

The pro-democracy movements in Eastern Europe and the former Soviet Union emphasized the individual rights, demanded plural parties, freedom of thought and expression. In the case of Muslim communities, the quest for independence from Russian domination and building of a sovereign nation has overshadowed democratic demands. During the past seven years

of independence, a sort of post-colonial ethnic-oriented identity politics have blurred democratic aspirations for civic and individual rights. Similar to other colonial and post-colonial contexts in the Muslim world, this has further complicated women's aspiration for individuation and individual rights in newly independent republics.

Many women of the former Soviet Union, including the Muslim ones, tend to reject Western style feminism. Some of them are also pessimistic about the formerly state-enforced women's equality. They feel that both Western liberal feminism and the Soviet rhetoric emphasize women's equality which means sameness, and purport to treat women like men by equating entry into the labor market with equal rights. Both models overlook the fact that women are not treated equally in the market and, on the whole, occupy second-class citizenship. Soviet sexual egalitarianism had two components. It equated women's equality with her entrance into the market (paid labor), and it singled women out for "protection". Provisions such as subsidized day care and maternity leaves, which assisted women in their traditional roles, were part of protective legislation enacted by the state.

Along with many nationalist men, some nationalist women in Muslim republics argue that under the Soviet system, women were actually over-employed and over-worked. In the Soviet Muslim East, women's highest rate of participation in labor force (e.g., 52% in Turkmenistan and Tajikistan and 53% in Azerbaijan and 55% in Uzbekistan compared with 40% in Russia) was in agriculture and manual farm labor. In Azerbaijan, for example, only 10% of women farm workers were trained specialists.

On collective farms, women's labor was concentrated in more difficult and less mechanized spheres of livestock and dairy work like the traditional system of milking cows three times a day. Furthermore, despite women's large share in national economy (as of late 80's: 45% at the Union level and 43% in Central Asia as compared to 31% in Turkey and 10% in Iran), their representation in managerial and high-level decision-making jobs was minimal (5.6% at the Union level and 2.5% in the Muslim East). Women industrial workers were also concentrated in the lower paid, lower rank and lower skill grades. In addition, women remained responsible for the care of children and the household and the maintenance of everyday life. Given the time-consuming and arduous nature of housework in the former Soviet Union (due to lack of mechanized kitchen and home appliances, the

long lines for shopping of daily necessities, shortage of water, especially potable water), the double burdened or overburdened woman had become a vivid image. Such negative implications actually discredited the discourse of sexual equality as a burdensome and deformed equality or state abuse of power.⁸ As a result, even post-Soviet NGOs (non-governmental organizations) attempts towards feminist critiques and any egalitarian strategies that smacks of Communistic rhetoric may not be well received.

Despite this legacy, a gender-sensitive (feminist) perspective has to be employed in order to offset some of the adverse effects of marketization and serious flaws in current democratization for women. These adverse effects, at least in the short run, include the disproportional unemployment (60-80 percent) and poverty among women, the rising cult of domesticity, the increasing unofficial (and possibility of future official) intervention of male biased religious laws (shari'a) in the family and marriage code along with the revival of patriarchal traditions and customs that provide an ideological justification for women's unemployment and domesticity. Other alarming effects of privatization and marketization relates to declining trends in public health care and in public education. The universal literacy and high educational attainment of women in this region, that up to recently has been a source of pride for them in comparison to high illiteracy rates in rest of the Muslim world, is in jeopardy now. What exacerbates the declining health status of people, especially of women is an increasing trend towards marketization of sex and commoditization of women's body and sexuality, sex tourism and sexually transmitted diseases, drug abuse, narcotics, violence and crime. Such trends are slower in Azerbaijan and Central Asia in comparison with the ones in Russia and

Eastern Europe. Yet, the negative social, moral and health-related consequences have already been manifested even in these Muslim republics.

The feminist critiques of marketization, liberalism as well as socialism of the past decades, then, should inform the commitment to

democracy, as Eisenstein argues. But, the current discourse of democracy in the newly independent Muslim republics, like the ones in Eastern Europe and Russia, are very much based on the old theories of democracy premised on a citizenry which is assumed to be male. The main challenge today for the women of Central Asia and Azerbaijan, is how to integrate the recent reintroduction of Islam; the state-provided protective measures and provisions like public child care centers, public education and public health care with the new demands of marketization and democratization.

NOTES

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1. Turner, Bryan S. "Citizenship Studies: A General Theory". In *Citizenship Studies*, 1:1, 1997, p.5-18.
2. Ramazani, Rouhollah. "Constitution of the Islamic Republic of Iran". In *The Middle East Journal*, 43:2, Spring 1980, pp. 181-204.
3. Eisenstein, Zillah. *The Color of Gender: Reimagining Democracy*. (Berkeley: University of California Press, 1994).
4. Ibid, p.7.
5. Ibid, p.11.
6. Mouffe, Chantal (ed.). *Dimensions of Radical Democracy*. (London: Verso, 1992).
7. As quoted by David Binder in "Two Student Militants", in the *New-York Times*, 10 January, 1990, p. 10, cited in Eisenstein, 1994: 15.
8. For Further discussion about the case of women in Azerbaijan, see Tohidi, Nayereh "Soviet in Public, Azeri in Private: Gender, Islam & Nationality in Soviet and Post-Soviet Azerbaijan". In the *Women's Studies International Forum*. 19: 1&2, 1996, pp. 111-124.

*X ü I a s ə***POST-SOVET AZƏRBAYCANDA VƏ ORTA
ASIYADA QADIN HÜQUQLARI, VƏTƏNDAŞLIQ VƏ
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Sovet ittifaqının süqutundan sonra bölgədə təşəkkül tapan yeni post-Sovet müsəlman ölkələri Yaxın və Orta Şərqi digər müsəlman cəmiyyətlərindən fərqlənən bir çox xüsusiyyətlərə malikdirlər. Bu xüsusiyyətlərdən biri odur ki, bu ölkələr dünya tarixində bir Avropa dövləti (yəni Çar Rusiyası) tərəfindən ilk olaraq müstəmləkəyə çevrilən, ancaq ən son olaraq müstəqillik əldə edən müsəlman cəmiyyətləridirlər. Başqa sözlə desək, onlar ən uzun müddətdə müstəmləkə kimi yaşayan müsəlman toplumlarıdır. Bütün bunlar, təbii ki, bu ölkələrdəki cəmiyyət quruculuğuna, onların adət-ənənələrinə və iqtisadi-siyasi təməllərinə təsir etmişdir.

Bu gün post-Sovet məkanında yer alan müsəlman respublikalarında, bazar iqtisadiyyatına keçidlə əlaqədar olaraq, bazarlaşma demokratikləşmədən daha sürətlə inkişaf edir. Demokratikləşmə və həqiqi siyasi və leqal hüquqların tanınması prosesi iqtisadi geriliyin və kütləvi yoxsulluğun kölgəsi altında qalmışdır. Bunun nəticəsi olaraq, iqtisadi inkişaf və vətəndaşların iqtisadi hüquqları, demokratikləşmədən və siyasi-hüquqi inkişafdan daha öndə tutulur. Bu durumda gender münasibətləri və qadın hüquqları kimi əhəmiyyətli ictimai məsələlər çox arxa plana atılır. Məhz buna görədir ki, hal-hazırda post-Sovet müsəlman ölkələrində mühafizəkarlıq və qadının ənənəvi ailə modeli içərisindəki rolu olduğu kimi qalır...

Əslində SSRİ-nin dağıldığı ərzədə bu ölkələr bir çox məsələlərdə digər müsəlman ölkələrindən, məsələn, qonşu ölkələr olan Türkiyə və İrandan daha çağdaş və demokratik göstəricilərə sahib idilər. Orta Asiya və Azərbaycanda qadınlar istehsalatda və sosial-iqtisadi proseslərdə daha fəal iştirak edirdilər, nəinki Türkiyə və İranda. Ancaq təzadlı məqam budur ki, Azərbaycan və Orta Asiya qadınının bu çağdaş xüsusiyyətlərinə baxmaya-raq, onun cəmiyyətdə və ailədəki ənənəvi rolu olduğu kimi qalırdı və hal-hazırkı iqtisadi-sosial çətinliklərin təsiriylə bu ənənəvi rol daha da güclən-məkdə, gender münasibətlərinin çağdaşlaşması prosesi isə durğunluq keçir-məkdədir.