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ARTICLES

Research Articles

- On how power is produced: The case of the National Electoral Commission (NEC) in the Angolan electoral process of 2008** 154
Catarina Antunes Gomes
- 'Women and Armed Conflict: Widows in Kashmir'** 161
Farah Qayoom
- Muslim/Christian politics of religion in Nigeria: The *Sharī'ah* Application and the religious foundations of global Muslim Engagement with modernity** 169
Ibrahim Olatunde Uthman* and Lateef Oluwole Abbas
- Assessment of social and emotional care services for elders in Awira - Amba Community Elders' Care Center, Ethiopia** 180
Missaye Mulatie1*, Belay Tefera2, Birhanu Mekonnen1, Mengesha Endalew1 and Daniel Tsehay1

Full Length Research Paper

On how power is produced: The case of the National Electoral Commission (NEC) in the Angolan electoral process of 2008

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Inspired by Luhmann's concept of *autopoiesis*, this article will critically assess Angola's process of political transition towards democracy by focusing on 2008 legislative elections. It aims to demonstrate that the development of the Angolan electoral process revealed the strategies by which the political hegemony of the MPLA constructed the necessary pre-conditions in order to secure its viability, that is, its 'conservative adaptation'. A significant part of power (re)production strategies employed the formal mechanisms made available by the resources of the democratic framework. These mechanisms were featured mainly in state institutions and symbolic and discursive practises. At the level of the legal state institutions, one finds an exorbitant and frequently opportunistic legislative production characterized by numerous contradictions. This juridical production allowed the crystallization and effectiveness of the power system decisions even, or better yet, especially when there was a strong disagreement. The case of the National Electoral Commission (NEC) is in this regard, particularly instructive. On the level of the discursive and symbolic practises, the references to the legal state, state institutionalization and institutional normalization were subjected to rival interpretations by different political actors. In moments where tensions were greater, this radicalisation led to a moralisation of the discourse, turning the political debate into a moral classification of its participants. Therefore these references operated as self-legitimization semantics which, in the face of divergence, can be characterized by a certain moralization of the political discourse.

Key words: National Electoral Commission, legislative elections, Angolan political transition.

INTRODUCTION

Beginning in 1991-1992, the Angolan political transition towards democratization has been a troublesome process, severely interrupted on several occasions. With the end of the civil war and the peace accords celebrated in 2002, high hopes were deposited once again on the

continuity of democratization process. The legislative elections of September 2008 represent, in this perspective, an important benchmark in what has been Angola's political transition (Compagnon, 2004). These were followed by the general legislative elections that

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took place in 2012. Nevertheless, the multiple restraints faced by the political transition have been so overwhelming that some authors came to question the validity of the expression 'democratization processes', choosing instead to analyse what they consider to be a 'power recomposition'. This critical reading of Angolan contemporary history has been strongly emphasized in specialized literature. In fact, authors such as Messiant (1993; 2002), Mabeko-Tali (1997; 2005), Chabal (2002) among many others, highlighted the adaptation of Angola's power regime in the context of multiparty politics and analyzed the ways through which democratic ideals and procedures can, in certain circumstances, operate as a new resource of legitimacy and power exercise. In this sense, it is useful to remind Bayart's remark, according to which "democracy, or even better, the discourse on democracy is nothing else than another source of rent (...), but more adequate to the spirit of time" (Bayart, 2000: 226; Villers, 2003: 47).

Inspired by Luhmann's concept of autopoiesis, or self-production (King and Thornhill, 2005; Luhmann 1982; 1991; 1993; 1995), this article will focus on 2008 legislative elections. It aims to demonstrate that the development of the Angolan electoral process revealed the strategies by which the political hegemony of the MPLA constructed the necessary pre-conditions in order to secure its viability. In other words, through the organization of the electoral process, the power system in place secured its own self-production, that is, its 'conservative adaptation' (Luhmann, 1995).

In order to gain access to these strategies, one has to consider the electoral process as the period of time in which the general and legal framework of elections is constructed, in which elections are prepared and in which discussions and negotiations between actors are at the forefront of political life. This implies a necessary expansion of the usual understandings of a given electoral process, beyond the period of time dedicated to electoral campaigns. Quantin makes the same argument, considering that this effort of contextualization is a necessary condition in order to assess if the elections allow free choice (Thiriote, 2004: 16). In a similar vein, Compagnon criticizes analyses that tend to neglect the organization of an electoral process, its legal framework and also its procedures (Compagnon, 2004: 60).

The excessive control of the electoral process by the MPLA was pointed out by political actors, and national and international civil society actors, as was the case of the SADC – Southern African Development Community (Luanda digital, 2007). Identified with phenomena of 'governmentalisation' and/or 'partidarisation', this control was quite visible in several occasions, especially in what concerned the juridical framework of the electoral process¹. How such phenomena manifested themselves

on the creation and institutionalization of the NEC will be analysed in this text.

A significant part of power (re)production strategies employed the formal mechanisms made available by the resources of the democratic framework. These mechanisms were featured mainly in state institutions and symbolic and discursive practises.

At the level of the legal state institutions, one finds an exorbitant and frequently opportunistic legislative production characterized by numerous contradictions. This juridical production allowed the crystallization and effectiveness of the power system decisions even, or better yet, especially when there was a strong disagreement. It must be added that the archaeology of this legislative production and its constant remakes, helps to understand how the (re)production of the political hegemony in place was able to assert itself and condition the transition to a relatively disciplined and/or domesticated multi-party system (Messiant, 2006). In fact, ambiguities and indefinitions were managed, in several occasions, as a political capital. Luhmann is quite explicit in explaining their importance for a power regime: "an important question (...) is what latitude in behaviour is left open to the power-holder himself with regard to his decision-making chain, how open his future still is, once he has started to communicate (...) for example, whether a normative form of legitimation or even a juridical formulation of power puts more pressure on the power-holder to be consistent. The openness of his future and the flexibility of his actions are dependent not least on whether the power holder is free to act opportunistically" (Luhmann, 1979: 125).

On the level of the discursive and symbolic practises, in several occasions during political debate, the references to the legal state, state institutionalization and institutional normalization were subjected to rival interpretations by different political actors. The differences between them were so evident that they seemingly produce two different world visions. It should also be mentioned that in moments where tensions were greater, this radicalisation led to a moralisation of the discourse, turning the political debate into a moral classification of its participants. Therefore these references operated as self-legitimization semantics which, in the face of divergence, can be characterized by a certain moralization of the political discourse.

NATIONAL ELECTORAL COMMISSION

In the development of the electoral process, the NEC was one of the most significant objects to map the strategies of self-production of the instated power. It was also one of the most fruitful objects to analyse how this political transition was managed (Thiriote, 2004).

The discussion about the statutes of the NEC was in fact one of the most controversial ones. It had two main dimensions: the first focused on the range of competences in terms of electoral registration; the second

¹ The disputes about the constitutional revision, about electoral registration, among others, are clear in this respect. One should also mention here the debate about the National Agenda of Consensus.

raised issues related to its composition. In both dimensions, one could observe an action pattern that consisted on the juridical consecration of the political decisions of the power system. This pattern imposed itself whenever the acceptance of those decisions faced strong resistance and was highly improbable. It also had important consequences for the management of the electoral process. For instance, having no consensual support, the divergences reproduced themselves, re-emerging almost constantly during the electoral process, despite the juridical consecration of the instated power decisions.

First round: the electoral registration - the role of NEC

After the presentation of the electoral calendar, the discussion concerning the legislative framework was initiated. It focused on the electoral registration issue and soon led to antagonist positions concerning the institution that should be in charge of the voters' registration. The MPLA argued that it was a government responsibility; the opposition wanted it to be managed by an independent organism. The main controversy resided in article 13 of the electoral registration law draft, presented by the MPLA. This conflict turned out to be symptomatic. One knows there are many possible institutional models. The attribution of the registration tasks to a public administrative organism, to the government or to an independent institution, is possible and valid (Santos, 1992). But, in Angolan case, article 13 determined that the registration was a governmental responsibility. And in a context in which fears and mistrust towards governmentalisation and partidarisation dominated the electoral process, this option faced strong resistance and was interpreted as weakening the credibility of the process itself.

One should mention at this point, that governmental structures' gate-keeper role concerning the organization of the electoral process was already being prepared. In fact, starting in 1999 – at a time when the MPLA considered elections, even in the context of civil conflict – changes were initiated within the framework and duties of the Ministry of Territorial Administration (MTA²), predicting the transition of the electoral registration to this organism. The law by decree no. 7/99 of January 8th, for instance, approved the internal regulation of the National Executive for Electoral Processes, which was in charge of organising, planning and executing the preliminary electoral processes (article no. 1). The coordination of this organism was later consecrated to MTA. In fact, the law by decree no. 86-A/99 of June 18th established in its article 1 that it was duty of the Vice-Minister of Territorial Administration to help the Head-Minister in the coordination of the following organisms: National Board of

Electoral Processes Aid and Cabinet of Local Authorities)³.

Considering the resistance against its intentions, the MPLA submitted a new proposal of the controversial article 13, which gave NCE the responsibility of superintendence and inspection of the electoral registration. This last function was extended to the political parties.

Nevertheless, the real conflict wasn't solved. The responsibility for voters' registration would belong to the Government. Antagonism and friction subsisted. The opposition argued for the validity of what had been established by the Law no. 5/92⁴ and what the electoral law in discussion vaguely indicated. In fact, it defined in its article 154 the NCE as an "independent and participated organism that coordinates the execution, conduction and achievement of all the tasks and operations concerning the election as well as the superintendence and supervision of electoral registration acts"⁵. The plausibility of these demands was, nevertheless, rejected with the argument that registration execution would need an institutional and logistic apparatus that only the Government could secure. It was also argued that "there is no contradiction between article 13 and the law (no. 5/92)" and that the differences introduced, although possibly seen as a downgrading of NEC, was at worst a "relative demotion". From this perspective, what the opposition understood as an "emptying of competences", was in fact a "power-sharing" model⁶.

Trying to avoid the risk of paralysis, the power system proceeds to the juridical consecration of its own intention and, with the support of its parliamentary majority, approved the Electoral Registration Law⁷. Therefore, it

³ Another important juridical disposition was the law by decree no 19/99 of the Council of Ministers. It approved the Organic Status of the MTA by stating that the MTA is responsible for «the creation of organizational, technical and administrative conditions for the electoral process procedure» (al. I, article 1) and for «the course of action of electoral registration» (al. m, article 1). It also established the National Board for Elections as one of the central MTA services (article 18°), which was in charge of the «planning, organization and execution of electoral processes». In this brief juridical archaeology, one clearly sees the instated power intention of placing itself in the centre of the mechanisms for elections organization.

⁴ The law by decree no 5/92 of April 16th, defined the main rules of 1992's electoral process. It established the creation of «an independent organism from public power and from political parties»: the National Electoral Council (Conselho Nacional Eleitoral), which was responsible for the «coordination, execution, conduction and realization of the electoral registration and of all activities concerning the electoral process» (Public Conference by Raúl Araújo presented at a public debate, organized by Friedrich Ebert Foundation and realized in Luanda, October 30th 2002. The conference is entitled «Debate about the rules for the elections» («Debate sobre as regras para as eleições»), and is available on http://library.fes.de/pdf-files/bueros/angola/hosting/up12_02araujo.pdf.

⁵ The new electoral law is the law by decree no 6/05. It was approved on August 10th and replaced the law by decree no 5/92.

⁶ Interview of a social actor involved in the organization of the electoral process. The interview was in Luanda in 2007.

⁷ Law by decree no 3/05 of July 1st. The article 13 took the following form: «1. The National Electoral Commission is responsible for the approval and supervision of the electoral registration programme presented by the governmental organism in charge». The regulation of this law was established

² The Ministry of Territorial Administration was institutionalised by the decree no 35/91, July 26th.

was established that the registration execution was a responsibility attributed to the MTA. In the words of a political opposition actor, “the MPLA now has a set of conditions that gives a greater control over the elections than those observed in 1992. The registration is fundamental. That is what explains the intervention of the MTA and the control of the calendar”⁸.

At this point, one should bear in mind that in 1992, the governmental presence was far from being merely residual. Santos argues in this respect that “from the Peace Process of Bicesse to the institutionalization of National Council of Elections, it was the Government that took - with the legal support of the law that created the MTA- the responsibility for the administration of the electoral process in its own hands. After the constitution of the National Council of Elections, the Minister of Territorial Administration becomes a central member of this organism and this allows the Government to remain inside the medium that conducts the elections process” (s/d: 65). But if, in 1992, the framework of the Peace Process, the presence of international observers and even the institutionalisation of the General Board of Elections (Direcção Geral das Eleições) allowed, to a certain extent, a minimization of the concerns regarding an excessive control by the government, in 2008, this “protective effect” suffered a significant dissipation.

Furthermore, with the approval of the range of competences of the National Electoral Commission, the Regulation of the Electoral Registration Organic Structure was also approved in the Council of Ministers. According to it, the central organisms for electoral registration coordination were the Council of Ministers, the Inter-Ministerial Commission for the Electoral Process⁹ and the Ministry of Territorial Administration. In this three-headed structure, the MTA took upon itself “the conception, programming, organization, coordination and execution of the electoral process” (article 6).

Without any responsibility over the registration execution, the definition of the range of competencies of the National Electoral Commission followed a formal procedural path: it was approved by the parliamentary majority of the MPLA and it was object of a legal consecration. That formal procedural path was however clearly insufficient to produce an authentic consensus and acceptance. It was interpreted by political and civil society actors as a “procedural democracy”¹⁰, which is easily transformed into an instrument for the power system self-production. This sort of ‘procedural demo-

cracy’ allows it to capitalise the formal resources of the democratic framework in order to secure its own self-production. In this perspective, the role of institutions, as the National Assembly, was being reduced to a chamber of approval of the intents and decisions of the power system – a chamber in which «everything suffers with the impositions of a ‘democratic’ dictatorship. They use and overstate the parliamentary majority”¹¹.

The conflict will constantly be re-appearing in other moments of the electoral process and this shows not only the resistance towards the ‘governmentalisation’ and/or ‘partidarization’ of the electoral process, but also how the instated power dealt with it.

Second round: the composition of the NEC

A second controversy concerned the composition of the NEC. For the MPLA, its composition should obey to what it understood as a ‘principle of proportion’. Therefore, the composition of the organism should be as follows: three deputies of the MPLA, two deputies of UNITA, one deputy for the rest of political parties represented in the National Assembly, a member indicated by the Ministry of Territorial Administration, two members indicated by the Presidency, one member indicated by the Supreme Court and another indicated by the National Council for the Media. The opposition strongly disagreed, arguing that it represented a clear and excessive partidarization of the National Electoral Commission. Their perspective enhanced that even the members indicated by entities other than the MPLA or the Presidency, were an extension of the power system – or, in the expression of some actors, ‘chains of transmission’¹², given the non-differentiation between the legal system and the political sphere.

The opposition presented a counter-proposal, according to which the National Electoral Commission would be composed by six members elected by the Parliament and indicated by each political party; one member elected by the Assembly of the Supreme Court; one member representative of the MAT; another of civil society organizations; and one representative of historical Churches. It ought to be emphasized that the inclusion of civil society forces in this proposal could anchor the National Electoral Commission in a broader and diverse social platform.

This conflict empirically translates the findings of Thiriot: the possible diversity of institutional models of a given National Electoral Commission maintains an important relationship with the ways by which a political transition to democracy is processed (Thiriot, 2004). The author specifically argues that when a democratic transition is driven forward by the bases, the institutional models adopted tend to be broader and based on the principles of participation and co-management. She

by the decree no 62/05 of September 7th, which clarifies the National Electoral Commission’s function in what concerns the electoral process (article 55).

⁸ Interview of a political actor of parliamentary opposition in Luanda, 2007.

⁹ The Interministerial Commission for the Electoral Process was responsible for the preparation of technical, material and administrative conditions for the elections. It was composed by representatives of the Ministries of Territorial Administration, of the Interior and of Telecommunications. It was created by the Council of Ministries resolution no 34/04 of December 21st.

¹⁰ Interview of a social actor responsible for a national non governmental organisation. The interview was done in Lisbon, 2008.

¹¹ Interview of a religious (catholic) actor involved in human rights advocacy. The interview was done in Lisbon, 2007.

¹² Common expression employed by several actors and that symbolically evokes the social memory of the uniparty regime.

illustrates this with the example of Mali, where, similarly to the Angolan opposition proposal, the executive organism in charge of the political transition included representatives from different political, economic and social spheres. As such, Thiriot's main idea is that when a political transition is driven forward by the power elites, its openness tends to be limited, and the status of the National Electoral Commission tends to be a controversial issue.

The disagreement concerning the composition of the National Electoral Commission overlaps the discussion about the Presidential mandates. In fact, the 17th article of the new Electoral Law established that the Head of State could only exercise two consecutive or three non-consecutive mandates. This disposition was immediately reprovved by the Presidency that demanded the Supreme Court to produce a verdict about the constitutional character of article 17. The Supreme Court, defending the Constitution of 1992 (Tiny, 2007), agreed with the Presidency and established that the Head of State could in fact run for three consecutive or interpolate mandates.

The Supreme Court considered that, since the second run for presidential elections never took place, José Eduardo dos Santos has been ruling under a constitutional mandate. With this argument, the President can be in office for three additional mandates.

The issue of presidential mandates being solved; the conflict about the National Electoral Commission once again unravelled by the legal consecration of the political intent, through parliamentary majority approval of the Electoral Law¹³. In late April, the proposal of the MPLA was approved, without being anchored in a previous consensus. A leader of UNITA considered that "the MPLA wanted to impose a National Electoral Commission in which the loyalty of two thirds of its composition is guaranteed. This composition secures the control of the electoral process by one of the involved parties" and this "injures the basic democratic principle of impartiality, exemption and equality between the competing parties".

This represented a serious concern shared by the SADC, for whom: "the fact that 6 of the 11 members of the National Electoral Commission are indicated by political parties raises worries about the extent to which the institution is seen as impartial (...). It also raises worries about the extent to which actors, especially political parties, can trust a process of electoral registration free from the influence of the main competitor"¹⁴.

And this is the central point of a third conflict, since the problem "resides in the fact that there are no mechanisms to control the registration execution"¹⁵.

Third round: superintendence

It is by now quite clear that the legal consecration of a political decision is a structuring strategy when the power system faced strong resistance and opposition. It is a structuring strategy not only because it is recurrent, but especially because it allows the self-(re)production of power. The osmosis between legal and political systems allows therefore power reproductions "in simplified form without the re-occurrence of the conditions for its production", and signals how in these circumstances "it is hardly possible to reach any judgment about the future of the rule of law as a solution for mediating between politics and society" (Luhmann, 1979: 168/169). Nevertheless, although this strategy invests in a political decision the strength of the law, it is not enough to eliminate conflict and dissension. In fact, this strategy only achieves the transference and transmutation of the conflict to other moments of the political process; it only (re)produces new themes of antagonism.

For instance, after the definition of the NEC, the constitutional quality of government acts concerning the organization of the elections was questioned by UNITA in April 2005. The party asked for the verdict of the Supreme Court on several issues, namely in what concerned the independence of the NEC. In its public address, one can read the following: "the National Electoral Commission, as it is defined by article 56 and 161 of the actual Electoral Law, is in violation of the constitutional principles (...). Considering the 'modus operandi' of Public Administration in what concerns financial independence from the executive (...), the 'real independence' of the organism 'is compromised'" (LUSA, 2005).

The main focus of these worries would be centred on electoral registration superintendence by the NEC. In 2006, several political parties formed the so-called 'group of the seven' and publicly presented their dismay towards the electoral process and alerted to a particular serious situation: the fact that "political parties, represented in the National Assembly, voted in favour of the election of the magistrates of the Supreme Court and magistrates of other courts as members of the NEC organisms, and hoped for the suspension of their magistrate functions according to Article 131 of the Constitutional Law", which was not the case. They regarded "the NEC as the organism that organizes and commands the electoral process, and decides about the complaints and irregularities of the process. The Supreme Court, acting as the Constitutional Court, would be the Instance of Appeal of the decisions made by the NEC; we consider

¹³ In April 2005, the majority of the laws concerning the electoral process were approved by the National Assembly: the Nationality Law (no 1/05 of July 1st), Political Parties Law (no 2/05 of July 1st), Electoral Registration Law (no 3/05 of July 1st), Electoral Observation Law (no 4/05 of July 4th), Code of Electoral Conduct (Resolution no 10/05), and Political Parties Finance Law. But the Electoral Law no 6/05 was only approved on August 10th. Also, the Council of Ministries Decree no 58/05 concerning the Electoral Law regulation was only approved on August 24th.

¹⁴ SADC Parliamentary Forum Voter Registration to the Republic of Angola. *Op. cit.*: 3.

¹⁵ Interview of a social actor responsible for a national non governmental organisation. The interview was done in Luanda, 2007.

this incompatibility of functions we're confronted as a flagrant unconstitutionality" (<http://www.angonoticias.com/Artigos/item/8804/partidos-da-oposicao-denunciam-funcionamento-anormal-dos-orgaos-de-soberania>). The central problem here resides in the effectiveness of the power separation principle and it is explained by a civil society actor in the following manner: "all main state institutions are domesticated. One can not talk about independence. The judges are nominated (...), all great institutions show off the face of the MPLA (...). There is not a system of check and balance: the institutions are not independent and do not surveil each other". The accumulation of simultaneous mandates in the National Electoral Commission and in the Supreme Court was constantly questioned during the electoral process and one can read from a SADC report on the electoral registration evaluation that: "the Observation Mission received complaints concerning the nomination of a Supreme Court Judge as President of the National Electoral Commission. Some actors expressed their fears concerning a possible conflict of interests. This issue demands clarification from the governmental authorities to enhance trust on the National Electoral Commission". The SADC also recommended that "the Inter-Ministerial Commission for the Electoral Process and the National Electoral Commission should guarantee that none of its officials performed both functions of registration execution and superintendence" and that "the government should seriously consider the use of a single and independent organism of electoral management to avoid confusion and to enhance transparency and credibility, instead of the present model, in which the Ministry of Territorial Administration and the National Electoral Commission are both involved in the process".

CONFLICT OF SEMANTICS

Given the fact that juridical consecration does not derive nor produce an operative consensus, powerful semantics are employed in political discourse that aim to force the acceptance of a political decision. These semantic apparatus use implicit and explicit references to a persuasive political symbolism concerning the 'rule by the law', 'state institutionalization' and 'institutional normalization', among others.

Therefore, for example, the MPLA reacted to the public position of the 'group of the seven' by stating that "according to the Law, the competent institutions should continue to develop its activity with efficiency, impartiality and celerity, so that the preparatory tasks of the electoral acts, specially the electoral registration of citizens, may be achieved in time and allow His Excellency the President of the Republic, under his legal and constitutional competences, to hear the National Electoral Commission and the Council of the Republic, in order to set a date for the elections and subsequent establishment of an Electoral Calendar" (Angonotícias, 2006).

Such semantic apparatus was, therefore, activated in order to produce a perception about a supposed institutional normality, which several actors did not recognize. The institutionalization of the rule by law was truly disputed between the political hegemony of the MPLA and those opposed to it. Consequently, two irreducible world visions were produced: on the one hand, one encounters strong criticism about an excessive control of the electoral process and serious worries about the real possibilities of democratization of Angolan state and society; on the other, one is confronted by a power system that tries to enhance the acceptance of its decisions and intents by describing them as legal, legitimate and in accordance with the rule by the law and power separation principles¹⁶.

Nevertheless, the employment of such semantic strategies did not reveal itself as a sufficient condition to diminish the anxiety of spirits and to win their approval. And, in the face of this resistance, political discourse can approach a sort of moralization that transforms what should be a political debate into a moral classification of the participants. In the public announcement made by the MPLA, mentioned above, the osmosis between political and moral discourse is quite clear. Celebrating "the efforts of the President of the Republic, of the Government and of the MPLA" towards peace consolidation, the MPLA considered "unjust and ridiculous the attempt to accuse its leaders and activists of intimidating and of intolerant practises against other political formations, when one knows that these, and especially UNITA, insist irresponsibly in indicating their representatives for many locations, elements that in the past, with guns in their hands, committed atrocities against the populations".

In this manner, a moral controversy is heightened which clearly conditions political dialogue and relationship. The moralization phenomenon tended to emerge in those moments where tension was greater, that is, when conflicts could not be resolved. In this sense, the transfiguration of political discourse into a moral discourse can be interpreted as a pathological symptom – one that indicates the incapacity of the political system to process its own conflicts democratically (Luhmann, 1999).

Conclusion

Through the analysis of the institutionalization of the National Electoral Commission, mapping and identifying the strategies with which the political hegemony of the MPLA was able to secure the conditions it needed to guarantee its own production in the uncertain context of elections, became possible.

In what concerns the National Electoral Commission, these strategies included the definition of its juridical

¹⁶ Indeed, according to King and Thornhill, the semantic of political values is the most persuasive instrument to maintain stability in the political system (*op.cit.*: 94).

framework (its range of competences and its composition). The manner by which that juridical framework was constructed brought about the awareness of the limits of a "procedural democracy" and those limits originated significantly in the problematic existence of the institutions and in the non differentiation between the legal system and the political sphere. This led to a questioning of political decision even when it was object of juridical consecration. And it was this context that justified one of the most significant recommendations of the SADC: "the government should seriously consider the separation of powers between state, government and party to avoid conflict of interests in resolving electoral disputes"¹⁷.

On the other hand, this conflict solving juridical strategy had its limits: because it was not anchored in real consensus, the divergences tended to re-appear constantly throughout political process with new themes or debates that shared a same common ground: the criticism towards the excessive control of the electoral process by the instated power. This is part of the explanation of why the Angolan electoral process was so turbulent.

Lastly, when tension grew, one observed the employment of a semantic apparatus that uses the "rule by the law" and the "state institutionalization" references. This, by its turn, led to a moralization of the political discourse that strongly conditioned political dialogue, revived fears and obscured what could be a transitional moment towards a non domesticated democracy.

From these strategies of self-production and from their consequences in terms of the electoral process, emerged, using the words of a civil society actor, the image of a 'super-athlete' that ran against 'crippled and mutilated' opponents. In this sense, one may ask for the meaning of an electoral process to a democratization process. Perhaps it remains useful to think about democratization in luhmannian terms: "Democratization occurs as a development through which a constantly increasing number of areas of communication interconnect with politics and which a constantly increasing number of themes become relevant for the code of power in the political system. Democracy is thus the political reflection of a condition in which all social systems approach a level of maximum inclusivity, in which they can respond to extremely diffuse and complex environments, and in which all events in society have relevance for one or more social system" (King and Thornhill, 2005: 83).

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¹⁷ SADC Parliamentary Forum Voter Registration to the Republic of Angola. *Op. cit.*: 7.

Full Length Research Paper

‘Women and Armed Conflict: Widows in Kashmir’

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The armed conflict in the state of J and K has touched the lives of all the people living in the Valley in some way or the other. Though, many women have become direct and indirect victims of this conflict. They have faced violence either indirectly in the form of loss/death of near and dear ones or become the direct victims of torture, assault etc. The paper is a sociological account of the experiences of the women who have lost their husbands to this Conflict going on in the Valley from the last two decades. The researcher utilizes the research tools of in-depth interview to understand and highlight the loss, deprivation and social stigma faced by these women which has more or less become a ‘Social Reality’ of their lives. It focuses on the personal narratives of these women highlighting the multiple experiences of deprivation and loss faced by them. The social stigma faced by these widows is also analyzed but at the same time, the paper highlights an important fact that in the struggle for survival these women have emerged stronger and an overwhelming majority of them is heading the households they live in.

Key words: Widows, armed conflict, widows, deprivation, trauma, social stigma.

INTRODUCTION

Armed conflict has drastic effects on the overall social fabric of the society. It devastated people, families, communities and nations. It not only obliterates the present, but also mutilates the future. It shatters the lives of the current generation and the dreams of the next thereby leaving a huge impact on the society at large. In the prevalent form of modern armed conflict, every section of the population is affected. Though mostly men participate in the conflict openly, women and children are the ones mostly affected of such conflict. Their exposure to spaces of violence may sometimes have over-reaching effects on their overall social functioning. Armed conflicts may lead to the development of various psychological disorders among the sections of population directly and

indirectly exposed to violence.

In situations of armed conflict, communities as well as individuals are often affected in a way which destroys unity and solidarity of the social networks. Households are left without breadwinners, the livelihoods of individuals are threatened and the safety of communities and the human rights of individuals are not preserved. Aside from the physical and emotional trauma of these oppressive and deliberate actions, such events have long lasting effects upon the ability of these communities to recover in the wake of armed conflict (UNHCR, 1997).

There is no dearth of scholarly attention to the impact of armed conflict on women. A number of studies in this field have been undertaken by humanitarian and human

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rights organizations, such as the International Committee of the Red Cross (ICRC) or the United Nations Development Fund for Women. Through these studies, it has been shown how often the plight of women and the impact of war on their lives have been ignored. The reports and studies on the effect of armed conflict was traditionally tended to incorporate women in the general category of civilians and have hence failed to highlight the different ways in which men and women experience armed conflict. Women owing to their position in the society are affected by wars differently than men. There are problems resulting from situations of conflict are, however, very often neglected. It is important, therefore, to focus attention on these issues and create awareness about the rights women have in these circumstances as well as present possible means to improve their situation.

In traditional societies of South Asia women are often categorized into two identities that is, as the wives of men and mothers of children. They are perceived as symbols of honor. As women are dependent on their husbands or fathers; death, disappearance or detainment of these men often have serious consequences on them. Widowhood is socially stigmatized in South Asia and becoming a widow means possible isolation, loss of dignity and individual identity, since widows become dependent on their relatives. They are frequently denied inheritance and property rights.

In situations of armed conflict, the sense of frustration and powerlessness may be manifested in a number of ways and in many cases, the worst hit victims are the women. Such a situation is compounded by the polarization of gender roles which frequently occurs during armed conflict. An image of masculinity is sometimes formed which encourages aggressive and misogynist behavior. On the other hand, women may be idealized as the bearers of a cultural identity and their bodies perceived as 'territory' to be conquered. Troops as well as rebels may also use rape and other forms of violence against women to increase men's subjugation and humiliation.

The beginning of tragedy for many Kashmiri women dates back to the insurgency of 1989. In 1987, state elections in Jammu and Kashmir were rigged which resulted in widespread dissatisfaction amongst the Kashmiri youth. Pakistan took advantage of the situation and began supporting the cause of Kashmiri disaffected youth who were calling for the creation of a separate state. Thus began a bitter proxy war against India and the situation soon gave rise to a virulent insurgent movement in Kashmir. (Ray, 2009, 5). The years of armed conflict in Jammu and Kashmir have claimed the lives of tens of thousands of people, and also wounded and displaced several thousands more. Since the beginning of the armed conflict between the government and the armed groups organized violence has almost become an everyday occurrence in several parts of the state. The state is one of the world's most heavily militarized places where special laws are currently promulgated.

According to Urvashi Bhutalia (1999), in situations of conflict and particularly those involving religious identities, women are targeted in specific ways. "In times of conflict, particularly religious conflict, it is women who carry the honor of the community on their backs and bodies and defiling their bodies usually through rape is a way of hitting back at the other community". What this implies is that in most cases, the woman's identity becomes objectified as one that can be used to dishonor the "other" community. Thus, rape has often been used as a weapon of war but has taken various forms. Militants in Kashmir have used rape as a weapon to humiliate the Muslim community by violating its women. Other forms of atrocities have included attempts by militants to impose women's dress codes like wearing of the *burqa*. Militant and other fundamentalist groups have also gone to the extent of declaring family planning to be "un-Islamic".

There are, however, writers like Kazi (2009) who provide a different perspective by arguing that mainstream analyses of the conflict are limited only to discussions about the relationship between Kashmiri men and the Indian state. Such analyses are undoubtedly one-sided as they ignore the social dimensions of the conflict and its influence on women. Moreover, it is often falsely assumed that since women do not participate in the conflict directly, their voices and experiences are of little relevance. Kazi makes a very strong argument in support of examining the true identity of Kashmiri women but their experience as victims of armed conflict, deserves far greater attention.

Conceptual Framework

Armed conflict which is defined as open, armed clashes between two or more centrally organized parties, with continuity between the clashes, in disputes about power over government and territory brings its own distinct forms of violence against women with it. The general breakdown in law and order which occurs during conflict leads to an increase in all forms of violence. The tensions of conflict and the frustration, powerlessness and loss of traditional male roles associated with widowhood may be manifested in an increased incidence of domestic violence against women.

Studies have now established that women experience armed conflict in different ways than men. The effects of armed conflict on women vary across cultures depending upon the role of women in particular societies. As Judith Gail Gardam and Hilary Charlesworth note 'One thing is clear: armed conflict often exacerbates inequalities (in this context, those based on gender) that exist in different forms and to varying degrees in all societies and that make women particularly vulnerable when armed conflict breaks out. Of the more than one billion people living in poverty today, the majority are women. They are, moreover, generally disadvantaged in terms of education and are considerably less mobile because of their traditional

role of caring for others. Furthermore, these inequalities continue after the cessation of hostilities. Women are often excluded from the reconstruction processes that takes place after armed conflict as well as from peace building initiatives (Gardam and Charlesworth 2000, 148 to 166).

Charlotte Lindsay points out that women bear the consequences of wars disproportionately and suffer violations of human rights in situations of armed conflict, including terrorism, torture, disappearance, rape, ethnic cleansing, family separation and displacement. Moreover, they endure lifelong social and psychological traumas. Along with children, women constitute 80% of the World's refugees and displaced persons (Lindsey 2001). Due to the traditional role structure of the family, the popular perception is that men are soldiers or aggressors and that women are wives, mothers, nurses and social workers. The reality of war is that while it is primarily men who are conscripted and killed in battle, women make up the majority of civilian casualties and suffer in their role as care givers owing to a breakdown in social structures. They suffer emotionally, psychologically and economically. The concept of men going to war and of women staying safely at home with children and the elderly does not reflect the reality of war (Lindsey 2001).

In recent years, much attention has been devoted by international organizations, non-governmental organizations (NGOs), academics and certain governments to the plight, needs and rights of women affected by armed conflict. For example, the International Committee of the Red Cross (ICRC) published *Women Facing War* (2001), a study on the impact of armed conflict on women; the United Nations Security Council adopted Security Council Resolution 1325 on "Women, Peace and Security" (2000) which resulted in the production of a number of studies on this theme, by the Division for the Advancement of Women (2002) and UNIFEM (2002).

The conclusions of the *Women Facing War* study show that women's experience of armed conflict is multi-faceted: it means separation, loss of relatives, physical and economic insecurity, an increased risk of sexual violence, wounding, detention, deprivation and even death. In all conflicts, women suffer in ways specific to men. Yet they should not be seen as a homogenous group; different women will have different needs, vulnerabilities and coping mechanisms. Women in armed conflict are not passive and not necessarily "victims". Around the World, women become members of the regular armed forces, armed groups or their support services. Moreover, women are engaged as politicians, leaders of NGOs and active campaigners for peace (*Women Facing War* 2004).

In times of conflict, women and in some cases men, experience gender violence which exacerbates the general, common impact conflict has on people in general: death, injury, bereavement, displacement, loss of property and loss of livelihood. Combatants on either side use

sexual violence as a part of their battle plan. In any case, militarized societies experience and absorb higher levels of violence. (Rajagopalan 2010, 8). As women and men have different, culturally-determined social roles, they experience conflict in different ways. It is imperative to recognize these diverse factors of vulnerability and their consequences in order to adapt responses accordingly. At the same time, it must be appreciated that war precipitates changes in traditional roles, which are fluid rather than frozen in time. For example, in wartime, women daily demonstrate their resilience and coping mechanisms such as the capacity to engage in enterprise in the public sphere to sustain families. This shows that while everyone is responsible for improving the plight of women in wartime, there are significant benefits in ensuring that women themselves are involved in all measures taken on their behalf.

In addition, the very notion of vulnerability depends on an appreciation of what makes people vulnerable. This differs according to whether one is male or female, adult or child, rich or poor, deprived of freedom, displaced or a member of the civilian population generally. As women and men have different, culturally-determined social roles, they experience conflict in different ways. It is imperative to recognize these diverse factors of vulnerability and their consequences in order to adapt responses accordingly. At the same time, it must be appreciated that war precipitates changes in traditional roles, which are fluid rather than frozen in time. For example, in wartime, women daily demonstrate their resilience and coping mechanisms such as the capacity to engage in enterprise in the public sphere to sustain families. This shows that while everyone is responsible for improving the plight of women in wartime, there are significant benefits in ensuring that women themselves are involved in all measures taken on their behalf.

Although women are not vulnerable as such, they are often at risk in conflict situations. Women are particularly susceptible to the marginalization, poverty and suffering engendered by armed conflict, especially when they are already victims of discrimination in peace time. Women may also be at risk by virtue of the fact that they are often portrayed as symbolic bearers of their cultural or ethnic identity and as producers of future generations. The degree of vulnerability depends on the nature of each specific situation (Curtet-Lindsey et-al., 2004).

Charlotte Lindsey argues that armed conflict can lead to a change in the women's traditional roles. She maintains that armed conflicts greatly affect the lives of women and can completely change their role in the family, the community and the "public" domain. This is normally unplanned. The breakdown or disintegration of family and community networks forces women to assume new roles. Armed conflicts have created large numbers of female-headed households where the men have been conscripted, detained, displaced, have disappeared or are dead. Women invariably have to bear greater responsibility for

their children and their elderly relatives - and often the wider community - when the men in the family have gone. The very fact that many of the men folk are absent often heightens the insecurity and danger for the women and children left behind and also accelerates the breakdown of the traditional protection and support mechanisms upon which the community especially women have previously relied upon (Curtet-Lindsey et-al., 2004).

Such studies have done much to raise awareness of the way women are affected by armed conflict and how states and organizations have responded to their plight. Recommendations as to how to ensure the most appropriate responses to the needs of women have also ensued. However, for such work to be truly effective, it needs to be adapted for those who operate in situations of armed conflict.

Women are faced with challenges and in some cases redefining, the cultural and social perception of themselves and their former boundaries in society. Women may for the first time have the possibility of working outside the home, being the income earners, main decision-makers and heads of households, organizing themselves with other women and going into the public sphere, which is often the role of men. This is eloquently summed up by Ana Julia from El Salvador: "Before the war women were not taken into consideration. Women were only working in the home. But, when war came, women came out of the house to demonstrate their capability. In fact, it was the outcome of war that made women to be taken seriously and that they could do a lot of things. It made people realize that women are capable of changing our society.

As pointed out in the study submitted by the Secretary-General pursuant to Security Council resolution 1325 (2000) titled Women, Peace and Security in situations of armed conflict, severe mental and social stress can be caused by death, separation and loss of family and friends; loss of home and social environment; exposure to violence, including witnessing or directly experiencing rape, torture and the killing of friends or relatives; the weakening or severing of family and community bonds and networks; destruction of basic infrastructure; loss of economic livelihood opportunities and material deprivation. In the context of conflicts which are prolonged for many years, populations experience longer exposure to extreme stressors. Children live deprived of caring adults; parents experience anxiety about their ability to protect and provide for their children and adolescent heads of households fear for their safety and that of their siblings.

One of the ongoing discussions around women and armed conflict relates to the potential of building more equitable gender relations in post-conflict societies. It is argued that war breaks down traditions and communities but also opens new spaces for women. It is pointed out that women take on new tasks – often non-traditional tasks – and thus gain a new degree of freedom, flexibility and opportunity. Positive changes in social relationships,

including gender relations have been reported, for example, in Chad. Swarna Rajagopalan in her article 'Gender Violence, Conflict, Internal Displacement And Peace building' asserts that for women, the breakdown of social networks due to conflict is an important reason why they are so much more vulnerable in times of conflict. According to her conflict in a sense, creates opportunity and impunity together—'an opportunity-impunity window'.

The psychological and social impacts of armed conflict are inter-twined. Changes in social interactions may create psychological distress. Studies have shown the grave consequences of gender-based social repression on the psychological well-being of women. In a study on women's health in Afghanistan during the Taliban regime, interviewees attributed their depression to Taliban policies that restricted their movement, access to employment and education opportunities and caused isolation, financial hardship and fear. Among the study group, 65% of the women reported where considering suicide and 16% reported having attempted to commit suicide.

The proliferation of armed conflicts and the high levels of military and civilian casualties in those conflicts have meant that there are large numbers of widows in many countries. This has a major impact not only on women but on society in general. Widowhood often changes the social and economic roles of women in the household and community and the structure of the family. The impact of widowhood differs between cultures and religions. However, it can affect the physical safety, identity and mobility of women. Widowhood can also affect their access to basic goods and services necessary for survival and their rights to inheritance, land and property, in addition to the wider impact it has on the community.

The Kashmir Conflict

For more than a decade now, Kashmir has been caught up in the grip of conflict that had its beginnings as a militant movement fighting for self determination which has turned into a battle involving not less than a hundred different militant groups with the Indian security forces pitted against them. All sides of this battle use violence and it is the common people of Kashmir whose lives are deeply affected by this conflict (Butalia 2002).

The current phase of Kashmiri nationalism began at the end of the eighties. Over the years the nature of this movement as well as the actors in it has changed radically. Paid mercenaries and trained militants from across the border have entered the picture, the sheen and romance of militancy for many young men in Kashmir has worn off and militant attacks on ordinary people in market places etc. have become commonplace. Repression and counter insurgency measures have been swift to follow and it is estimated that between 60,000 to 70,000

people have died, some 4000 are believed to be missing or in illegal detention, more than a million have been displaced, the number of widows and half-widows is said to be more than 15,000 (Butalia 2004)

The Armed conflict situation after 1989, the people of Kashmir landed up in a new exposure zone and they have experienced a range of psychological and social deprivation, lack of security (a daily fear of life and dignity) displacement, abuse of human rights, including random acts of violence and destruction and uncertainty among the population, loss of social networks and family structure that comprises the fabric and meaning of daily life, loss of daily activity, the loss of social roles that guide behavior, loss of livelihood and no access to employment opportunities; resulting in extreme poverty and poor environment. Such things increased the vulnerability of the conflict affected areas

It is widely accepted that while women seldom create conflict, they are often (along with children and aged) its chief victims and sufferers. Nowhere this is truer than in Kashmir (Butalia 2002)

The Kashmir conflict has impacted the Kashmiri women in a number of ways. They have suffered from all quarters. Talking about direct impact of the conflict on women, some of them were tortured and punished by the security forces while others by the militants. Along with attacks and threats on their life and safety these women have faced rape, death of loved ones, torture, trauma and other forms of violence. The indirect impact of conflict on women was that because of the death/ disappearance of their husbands who were the main bread winners of their family, their Social World was overnight transformed. They had to suffer for no fault of their own. 'As a result many women are forced to venture out of homes in search for remunerative work and also face harassment by armed forces.' Even now she writes, 'many of such women who are left behind in the armed conflict as survivors lead an invisible existence in suffering and neglect' (Qutub, 2011). According to Sudha Ramachandran, "In ethnic and nationalist struggles, women are regarded as the couriers of cultural and ideological traditions, women are expected to dress and behave in ways that are prescribed by tradition. In Kashmir, the traditional dress code has been imposed on women by the militants. If women are seen outside without proper attire, they are attacked. Women who chose not to cover their hair or wear trousers have experienced acid and paint thrown on their faces. Women are required to dress simply so as to not attract attention of men (Vanniasinkam 2010, 13-14).

By rendering women powerless, the long-term impacts are devastating. Many of the women who have experienced violence are suffering from posttraumatic stress disorder and live in constant fear of further attacks. The patriarchal society has grown stronger with men having much more power and control over women's choices in dress, reproduction and marriage. The clear delineation

of gender roles in Kashmiri society has further alienated women (Vanniasinkam, 2010, 14). Conflict in Kashmir has left behind a large number of widows whose husbands have been killed by either security forces or militants. It is estimated that there are about 20,000 widows of armed conflict (Kazi, 2009). The conflict hit society was unprepared to meet the staggering number of widows who still face apathy from many quarters. Relatives often refuse to support them and they bear the burden of raising children alone. They are often illiterate and have little knowledge of their rights and entitlements (Qutub, 2011).

The present paper focuses on the indirect effects of armed conflict in Kashmir focusing its impact on the widows. The conclusions are drawn on the experiences of a sample of forty widows whose husbands were killed in the ongoing armed conflict. The field study for the same was conducted in thirteen villages of district Ganderbal of the state of J and K from August to November, 2012. The methodological tools of case study focusing on the personal narratives of the respondents, interview schedule and non participant observation were utilized. The respondents were in the age group of 29 to 52 years. The tool of purposive sampling was used to identify the widows. The interview was carried using un-structured interview schedule. The mean age of the sampled widows was 29 years and the mean monthly income of 98% of the widows was less than 2000 rupees per month. The average age at widowhood was 29.5 years.

Implications of widowhood

A positive implication of widowhood on many of the sampled respondents was that it has led to the opening of new social spaces for many of such widowed women in a highly patriarchal society like Kashmir. Armed Conflict has led to the emergence of female headed households in the valley of Kashmir. It has thrown such women out of the traditional role structure and they have to perform roles like earning livelihood which were traditionally the domain of the males of the household. In most cases of widows, the husbands were the main bread winners of their family. The death of their husbands brought unending economic miseries to them. The world of the many such widowed women in Kashmir changed overnight following the death of their husband. The burden of responsibilities on the widow increased manifold and she had to arrange everything for the household. Right from arranging food for the children and other members of the family she had to take care of the education of her children. Due to lack of education, many of them had to seek employment based on unskilled manual labor. Some of them learnt the traditional art of embroidery and as a result are engaged in shawl work. During agricultural season most of them go for

agricultural work in the nearby villages. While others who are not well built for physical labour spin cotton on the charkha (Yander in Kashmiri). Most of them have been provided ex gratia by the government and what is shocking is that some of them do not even get the widow pension of 200 rupees per month given by the Social welfare department of the state government. There has been no support (in many cases studied by the author) so far from the various Non Governmental Organizations operating in the state.

The effects of armed conflict on the health of women particularly the widows have been disastrous. All of the sampled widows said that they had sleeping trouble ranging from difficulty in falling asleep, getting up in the middle of the night, having nightmares, to not falling asleep at all. Other health problems included post traumatic stress disorder, anxiety disorder, hallucinations, high blood pressure etc. Most of them admitted having consulted a psychiatrist at one point of time or the other. Farida* admits that she still has nightmares of the episode when her husband was killed. *'My heart starts beating fast when I hear the dogs bark incessantly at night', sometimes I get up in the middle of the night and feel like beating my children. I do not feel like talking to anybody. And there are times when I do not feel like getting up and going for work', she admits.*

The respondents revealed that that they cannot tolerate high noise and as a result have difficulty in attending to many of their social duties like attending marriages, funerals etc. Thus the lack of proper psychological well being also acts as an impediment in the discharge of their social responsibilities. Some of the widowed women are restricted to their homes and have very limited access to the 'public' areas of life. Thus when their rights are infringed like the denial of inheritance rights to the property of their late husbands' by their in-laws, they are unable to raise their voices and as such fight for their rights. Legal issues are often seen as the domain of the male members of the family and the widespread lack of literacy skills of women banned them from learning about their rights and they shy away from approaching public authorities. Many of them are expected to care for the households and children and thus do not have the time to travel long distances if the police or legal offices are far. Besides, they might fear reprisal or other disapproving reactions of their community. The problem as many people would agree lies in the system itself, since it is highly dominated by men. Women are under-represented in judicial process which explains why these processes are so frequently gender biased. Female lawyers may be inaccessible and often no support services are available to women. Chesfeeda*, a widow in her 30's did not approach the court when her father-in-law denied her and her children rights of inheritance to his property. *'I was advised not to go to police and court by my brothers as it would lead to a huge impact on their social prestige. Till now my children have not received a single penny out of*

their father's property', she says.

Many widows admit that even after their husbands were killed they still face stigma. They admitted that they have to dress modestly and have restrictions in talking to strangers especially males as they fear that it would bring a bad name to their children and family. For many women like Salima (name changed), whose husband was killed by militants alleging that he worked as an informer of the security forces, being the wife of an 'informer' (Mukhbir in Kashmiri) still acts as a source of stigma and threat to her. The level of social stigma is so high for others like Nabla* who had to sell all land and build a separate two room house as she was previously living with her in laws. *'Since I was living with my husband's brother and his family, I thought people would talk nonsense about me and my brother-in-law which might hamper my only daughter's marriage, so I sold all land and built this house', she says.*

Some Case Studies

Sarwar Jan* a Pakhtoon woman was 19 year old when she was married to Ghulam Mohiddin a surrendered militant. After 5 years of marriage he again took arms and joined the militants. During this time army would regularly come to her house, she was tortured and beaten when they came to know that she had met her husband. In 2001 when ceasefire was declared by the militants, she was taken by her husband and they took refuge in a village in Anantnag. On 6th February 2002, both of them were arrested by the Special Task Force of the J and K police. Her husband was killed and she was sent back home after interrogation. She was seven months pregnant that time. Her son was born two months after the death of her husband. With no one to support her financially she started doing embroidery on shawls and earns 600 to 700 rupees a month. Her son repeatedly asks her about his father. The scars of torture are still visible on her face. She says she attempted suicide many times but the only things which makes her live is her son.

Farida* 36 year old widow still remembers the day when her husband and four children were sitting in a room in her house. Her husband Muhammad Shafi Sheikh was an agricultural labourer. She was seven months pregnant that time. She was clipping the nails of her husband when unidentified militants came and shot him at his head. Her four children were in the same room and parts of her husband's head were thrown over her feet. She was 25 year old at that time. Her eldest daughter was 9 year old. She still remembers that cold winter night and from that day onwards no one in her house dares to enter that room after dark. Farida lives in abject poverty with her children three of whom left studies because of lack of money. She is very weak physically because she cannot undertake hard physical labor. She now helps her neighbors with domestic work in return for

a meager sum of money.

Rafiq* was 25 year old when her husband, a contractor was killed by unidentified gunmen who had demanded a huge amount of money from him. They came to his house at 7:30 in the evening and took her husband along. Her 9 year old son started crying when he saw them taking his father away and they threw a Kangdi (an earthen pot filled with charcoal and used for warmth in winters) at him. Rafiq ran to look for her husband when she heard gun shots, after running for about ten minutes she saw his body beaten before being shot. His left arm was broken. She started crying and no one in the village came out of the houses. She admits that no help was offered to her from any quarter and she could not sustain her family had she not taken an initiative herself. *'Had I kept thinking as to what my husband had done and why was he killed, I would have gone mad and my children would have remained illiterate'* she says. By doing embroidery on shawls which fetched her small amount of money, she educated her two sons one of whom is a teacher and another village level worker.

Nabla* was 40 year old when her husband left home at around 4 pm for some work and was killed by unidentified gunmen at Wussan Ganderbal. She had seven children and only one of her sons was earning that time. She admits *"When an FIR was registered in the local police station, I did not pursue the case further because I thought my children would go astray. In the search for justice, I would lose resources which I could use for educating my children. So instead of looking for killers of my husband I focused on the education of my children all of whom are well settled in government jobs now."* She started a small business soon after the death of her husband and with her one son pooled resources for the payment of school fees and other dues for the education of her children. Now when all her children are well settled she remembers the past with a sense of admiration for her determination. *"Though I faced life bravely after my husband, there is a scar which will never go, few questions which will never be answered which will only stop haunting me the day I reach my grave"*, she says. Instances like this reveal that armed conflict has also led to a new kind of growth as well as the utilization of potential hitherto unknown to many women in Kashmir society. A strong sense of unresolved grief was also seen among most of the widows who till this day do not know why they were pushed into such situations with no fault of their own.

An important thing which came up out of the research is that while the widows whose husbands were killed by security forces were very fearless and openly held the security forces responsible. Others whose husbands were killed by militants were hesitant in admitting it openly. Thus armed conflict in the valley of Kashmir has led to a situation in which the widows of conflict are challenging and in some cases redefining, the course of the cultural and social perception of themselves and as well as their

former boundaries in society. Owing to the armed conflict, many of such widows have for the first time in their lives had the possibility of working outside the home, the chance of being the income earners, core decision-makers and heads of their respective house-holds.

CONCLUSION

There is no denying the fact that widowed women in Kashmir have suffered immensely because of the armed conflict that has been plaguing their lives for over two decades. As the spectrum and scope of violence were widespread so has been the devastating impact on the lives of such women who had to assume matriarchal roles not because they chose to do so, but essentially because the conflict catapulted them into such a dominant role. As a consequence of the resulting responsibilities created by domestic tragedies women in the Valley have found an evolutionary confidence and maturity that was hitherto unknown to them. As tragedies resulting from the loss of spouse, brother, child or father turned the World upside down for women in the Valley, they have emerged as role models of confidence, patience, perseverance and fortitude that has given a new meaning and bearing to their lives. Not only have women emerged power resilient and stronger, they have given a new title and meaning to their roles as household runners and torch bearers in a society that has been benighted because of continued violence. This fact could not be more eloquently summarized by Ana Julia from El Salvador in the 'Report on Women Facing War' who writes:

"Before the war women were not taken into consideration. Women were only working in the home. But, when war came, women came out of the house to demonstrate their capability. In part it was war which meant that women could be taken seriously and that they could do a lot of things. It made people realize that women are capable of changing our society.

Conflict of Interests

The author(s) have not declared any conflict of interests.

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Full Length Research Paper

Muslim/Christian politics of religion in Nigeria: The *Shari'ah* application and the religious foundations of global Muslim engagement with modernity

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Contrary to the traditional modernist theories that development and progress can only be achieved through the western secular modernizing project, many Islamic societies are rejecting modernism and the modernization project, to borrow (Arnason 2003), “as an organic globalizing process” but not “as a globalizing civilization in the plural.” This paper differentiates between Islamic modernity and western modernity, and within this theoretical framework, demonstrates how Muslims in Nigeria differ from Christians on the *Shari'ah* Application and the relation between religion and state. It also examines how this engagement reflects global Muslim commitment to progress and development without submitting to a uniform, integral and singular modernist theory. The paper, while comparing this engagement with modernity in both Nigeria and Malaysia, submits that the politics of religion playing out in Nigeria where many Muslims and Christians denigrate and resent each other in the “name of God” amidst their rivalry for the control of the country’s resources could be brought to an end if Nigeria adopts the Malaysian model of modernity which has fused religion (Islam) and development, while rejecting some aspects of western modernity like western democracy, comprehensive secularism, liberalism and Greek rationality.

Key words: Politics of religion, modernism, Global Muslim societies, religious foundations and Islamic modernity.

INTRODUCTION

The global Muslim perception of modernity, despite the existence of differing Muslim groups with differing and at times competing views, is unified to a very large extent by certain principles of the Islamic faith in the world today as can be seen from the contemporary Muslim engagement with modernity in many Muslim countries, especially Malaysia.

This paper, using Malaysian Islamic modernity model will show how Islam can contribute to Nigeria’s modernization/development project without the socio-political and economic conflicts currently unfolding in the name of religion between Muslims and Christians. To do

this, this study will first define and explain the term modernity. This will include an examination of the two major components of modernity. A brief discussion of Muslim countries that have rejected modernity and adopted what can be categorized as Islamic modernity will follow.

The study will then provide an analysis of the Islamic modernity model that has been implemented in Malaysia and how this can serve as a framework to end the politics of religion playing out in Nigeria.

The findings of the study will be summarized in the conclusion.

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Understanding modernity and its postulates

Modernity can be defined as the diffusion of rationality in all spectrums of human life. It is the consideration of human intellect and reason as the sole sources of epistemology, morality and politics.¹ In line with this definition, modernity has two major components, the intellectual and the political. The intellectual component involves the use of human reason, experiment and observation in acting and decision-making to the neglect of religion, tradition and authority.

A major postulate of the intellectual component of modernity is comprehensive secularism, which erects a barrier between the Church and the state. Accordingly, comprehensive secularism intends the establishment of a state that is "wholly detached from religious teaching or practice," a state that is irreligious.² It is this brand of comprehensive secularism that has been described as "the most powerful philosophy of secularization in the nineteenth century" that was put into practice by Marxism in the then Soviet Union.³ Comprehensive secularism is a systematic and relentless all-out struggle to stamp out and eliminate religion. This was the case in the Soviet Union, Ataturk's Turkey, as would be discussed shortly, and to some extent, in China.

The political component of modernity is premised on western democracy, recognizing the sovereignty of the people and making their votes count in the formation of government. Thus the first postulate of the political component of modernity is popular sovereignty on which, the legitimacy of the modern state is founded. This, together with citizenship rights and separation of powers form the pillars of the political component of modernity that naturally leads to liberalism. The liberal creed is founded on humanism. Liberalism entails the belief in the superiority, sanctity and freedom of the human agency in the pursuit of happiness. John Stuart Mill as cited in *the secularization of the European Mind* observes that liberalism is founded upon the freedom of conscience as "an indefeasible right" such that a human being is accountable to nobody for his religious belief.⁴

It is in the light of the above that Glubb's observation that modernity is usually regarded as Westernization or Europeanization can be understood. Many Westerners and Europeans usually view modernity as emulating them in embracing the various components of modernity, especially western democracy. Hence when they demand Muslims in particular to adopt modernity, they in fact, imply that Muslims should "endeavor to be more like" them.⁵ This is more so as the West today believes that

democracy is a form of government that every country must adopt.

In line with this perception of modernity, many people, especially modernist scholars and theorists equate modernity with modernization and Western civilization. To these modernist scholars and theorists, the non-Western and underdeveloped societies must necessarily replicate the modernization processes through which Western societies became developed and as these societies achieve progress and development, the more, they must mimic Western culture. At this juncture, it is important to observe that many scholars oppose the traditional modernization/development theory. Some argue that modernity was heralded by the European Renaissance which was a renewal of the ancient pagan Greece and Rome. This renewal, especially of Greek rationality, the hallmark of European Enlightenment that was embraced by many nations of the West without making the slightest discrimination brought an end to the traditional Christian civilization and heralded the prevailing modern materialistic world, promoting the centrality of money and worldly possessions while antagonistically thwarting or distorting the expression of the spiritual, religious and Godly.⁶

According to Alasdair, a critic of modernity, Christianity lost its social context and became immersed in the social context of the Enlightenment, particularly in respect of morality, which may explain the reasons why many Christian beliefs have lost their religious and moral significance in the face of Enlightenment.⁷ One explanation for this is the way secularization has advanced in Christendom as Christianity loses its interpretative power. However, this has not occurred in the World of Islam. In fact, it appears the more the Muslims are exposed to modernization and development, the more their religious devotion increases. This may be confirming the assertion of Ali Shariati, a pre-revolution Iranian scholar and critic of Western civilization, in his *Civilization and Modernization* that the Muslim World cannot experience or embrace western modernization because of the pagan roots of the Enlightenment.⁸

This is why secular modernization has not occurred in Muslim societies. In the words of Ernest Gellner (1992), "there is one dramatic and conspicuous exception to all this: Islam. To say that secularization prevails in Islam is not contentious. It is simply false." To him, Islam is as strong now as it was a century ago and in some ways, it is probably much stronger.⁹

¹ A. Touraine, *Critique of Modernity* (Cambridge, Mass: Blackwell Publishers, 1995).

² Owen Chadwick, *The secularization of the European Mind* (Cambridge: Cambridge University Press, 1975), p. 27.

³ *Ibid*, p. 66.

⁴ Chadwick, *The secularization of the European*, p. 27.

⁵ J. B. Glubb, "The Conflict between Traditionalism and Modernism in the Role of Muslim Armies" in Carl Leiden (ed.), *The Conflict of traditionalism*

and Modernism in the Muslim Middle East (Texas: University of Texas Press, 1966), 9.

⁶ M. Lings, *A Return to the Spirit*. (Louisville, KY: Fons Vitae, 2005), 60-64.

⁷ A. MacIntyre, "Is Understanding Religion Compatible with Believing?" In A. Loades and L. D. Rue (eds.), *Contemporary Classics in Philosophy of Religion* (La Salle: Open Court, 1991), 571-574.

⁸ See A. Shariati, *Civilization and Modernization* (Houston, Texas: Free Islamic Literature, 1979).

⁹ E. Gellner, *Postmodernism, Reason and Religion* (London: Routledge, 1992), 5.

Why is Islam resistant to secularism? Gellner argues that out of the three Abrahamic religions, Judaism, Christianity and Islam, Islam is most resistant to secularism because it is closest to modernity due to its universalism. To him, the holistic message of Islam makes it applicable to the community. The Islamic principle of 'the community will not agree on error' gives the Muslim community a political authority of communal consensus. This combined with the theoretical absence of clergy makes Muslim theology egalitarian and Islam a universal worldview that allows Muslims to construct their values and practices.¹⁰

While some Muslims may have fallen prey to the traditional modernization theory, as suggested by Gellner, most Muslims have not been attracted by the glitters of westernization and secularization. He argues that the more Islamic societies achieve development and progress, the more they tend to increase their religiosity and faithfulness to the Islamic social norms unlike Jews and Christians.

Thus, in the wake of striving for progress and development, many Muslims and Muslim countries conceive of modernity not as Westernization. To them, development and progress are not synonymous with embracing the West and Western modernity by using western categories and standards.¹¹ This is because, while a major thrust of modernity is rationalism and the incompatibility of religion with human reasoning, many Muslims reject the consideration of reason and rationality as the sole criterion of modern development. Thus, these Muslims rather than mimicking the West adopt "Islamic modernity." It is therefore pertinent here to examine this Islamic model of modernity and how it is been implemented in some Muslim countries.

Islamic modernity in some Contemporary Muslim countries

Islamic modernity can be defined as the diffusion of Islamic principles and values in both the intellectual and political projects of modernity. This can be best understood within the theory of multiple modernities, which postulates that development and progress are not synonymous with embracing Europeanization or Westernization.¹² Therefore Muslim societies can make Islamic ideological and cultural values such as *tawhid* (divinity of Allah on whom rests absolute sovereignty), *Khilāfah* (caliphate which carries no theocratic or prophetic privileges), *Shurā* (consultation guided by the *Sharī'ah* (Islamic Law) to arrive at and bound by political decisions) and *'adalah* (justice for all, including non-

Muslims in rights and duties) the basis of both their intellectual and political projects of modernity.

Consequently, while some Muslim countries, such as Iran, Turkey and Egypt uphold such pillars of modernity like empowerment of women, elections, voting, mass education and urbanization, they also embrace or are re-embracing Islamic values which include emphasis on following the *Sharī'ah*, introduction of Islamic institutions such as Islamic Banking, Islamic Insurance, *halāl* food and the adoption of the Islamic dress, especially *hijāb* as would be seen these contemporary Muslim countries.

Contemporary Iran is the first Muslim country to engage with Islamic modernity as an alternative model to Western modernity. The country, which shared a lot in common with Turkey during the post-World War One eras of the Reza Khan Shah and Muhammad Reza Shah is today championing Islamic modernity. During this post-War period, the Shahs, inspired by the "success of Atatürk's Turkey;" pushed through western-style modernization through education, western dress, the press, industry, urbanization, political consciousness and empowerment of women. According to Anasri, like in Turkey, secularization and westernization were equated to development and progress in Iran.¹³

After many years, despite the principal features of modernity during the Shah era, such as secular feminism and the abandoning of the Islamic female dress, general increases in levels of education, especially female education and the mass urbanization of the Iranian society, the whole world was shocked by the Iranian Islamic revolution of 1979 and its reverberating effects in the revivalism and reassertion of Islam in the world today. Pre-revolution scholars of the Iranian Islamic revolution of 1979 like Shariati had predicted the collapse of western modernity in Iran because of its ideological and structural un-Islamic defects.¹⁴

Following the Islamic revolution of 1979, which brought Ayatollah Khomeini to power, Islamic feminism which takes Islamic modernity and not western secular modernity as its sources of legitimacy was born in the Kiyān Cultural Institute with *Zanan*, the Iranian women's revolutionary magazine that uses Islamic texts to demand rights granted women by Islamic Law. Abdul Karim was the guiding and intellectual inspiration for this magazine.¹⁵

This Islamic Feminism which has its intellectual base in Kiyān Cultural Institute has succeeded in using the Islamic imperative to fight against many anti-woman practices in Iran. By 1982, Islamic Feminists pushed through the appointment of female lawyers as advisers in family courts, and two years later, in administrative justice courts, as well as appointment to the posts of Assistant to

¹⁰ Ibid, 5-8.

¹¹ Johann P. Arnason, "Civilizational Patterns and Civilizing Processes" *International Sociology*, 2001, 16/ 3: 387-405 and his *Civilizations in Dispute: Historical Questions and Theoretical traditions* (Leiden and Boston: Brill, 2003).

¹² Ibid, "Civilizational Patterns," 387-405.

¹³ A. M. Ansari, *Iran, Islam and Democracy: The Politics of Managing Change* (London: The Royal Institute of International Affairs, 2000), 24-39.

¹⁴ See Shariati, *Civilization*.

¹⁵ R. Wright, "An Iranian Luther Shakes the Foundation of Islam" *The Guardian* 1 February, 1995.

the Public Prosecutor and Magistrates. In 1991, this Islamic model of modernity won for women bills allowing their early retirement age, granting them custody rights, ending the prejudicial treatment of women in higher education, and in the selection of University courses, as well as appointment of women into the *Majlis* and the provision of nurseries for working mothers.¹⁶

The juristic re-reading of the Iranian Civil Codes that discriminates against women in Iran by *Zanan* culminated in the 1992 Divorce Amendments, which annuls a supposedly Islamic divorce laws that grant men powers to abuse women. The 1992 Divorce Amendments curtailed men's right to divorce, granted women financial domestic provisions known as *ujrat al-mithl* or standard wages for housework and ended the subordinate position of women in the name of men's *qawamah* (male headship) of the family, domestic violence as well as gender inequities that exist in the hitherto Islamic penal codes of fixed punishments, retribution and discretionary punishments.¹⁷

To the Iranian thinker, Abdul Karim Soroush Islamic modernity as alternative to the secular modernist model is a form of "democratic religious government," which is a solution to the perceived gulf between Islam and modernity. According to his analysis, there can only be impasse between Islam and some components of western secular modernity, especially in the areas of Islamic values, ethics and religious principles. He argues further that as for the institution of governance, Islamic humanism is not at variance with the rights and duties of the governed and their representatives once Islamic values are maintained.¹⁸

That Islamic humanism is not at variance with the rights and duties of the governed and their representatives have been maintained by many contemporary Muslim scholars. To AbuSulayman, the principles of freedom and equality are the consequences of the Islamic teaching on justice. Hence, a person is free in Islam "to act according one's own moral convictions, to make ideological or intellectual choices, and to take decisions on the basis of these convictions and choices."¹⁹ He explains further that the system of *Shurā* in Islam provides that people sit together and deliberate issues of concerns and are bound by conclusions in the light of the principle of justice.

Similarly, Turkey is a shining example of Muslims who reject the wholesale adoption of the Western modernizing project. Post World War Turkey, which used fascist and

arbitrary military tactics to push through Ataturk's secularization and westernization project with Western style dress and other European innovations imposed on the people, is however today re-embracing the cultural values of Islam. This re-adoption of Islamic values, especially the *hijāb* that were banned for half a century in Ataturk's secular Turkey is similar to what is happening today in Egypt, Iran and Malaysia and Nigeria.²⁰

This can be best seen in the behavior of many Egyptian educated women who are today reclaiming the Islamic dress that was earlier rejected by their urban and educated grandmothers. This Islamic modernity or Muslim engagement with modernism in Egypt is today confirmed by the gradual re-adoption of *hijāb* that was discarded in Husni Mubarak's secular Egypt. This new adoption of *hijāb* is being championed by the Muslim Brotherhood which came into power, for the first time in July, 2012 and is demonstrated by the first TV station exclusively run by veiled Muslim women.²¹

To these Muslim countries, modernity does not involve secularism, which presupposes the absence of religion in the public arena or separation of Church and state. In Malaysia, as would be seen shortly, Islamic modernity, while adopting Islam as the official religion also offers equal opportunities for all religions in state patronage and participation in the public arena. Herein lies a pertinent lesson for Nigeria.

Malaysian Islamic Modernity and the Politics of Religion in Nigeria

Malaysia, which can today be regarded as the best model for the fusion of political modernity and the entrenchment of Islamic cultural values as by the late 90s, many Muslim scholars had come to terms with the projection of the country as an Islamic state, appears the most suitable model for Nigeria.²²

For one, Malaysia and Nigeria shares a lot in common in terms of their multicultural and religious composition. A Muslim mosque, Chinese temple, Indian temple and Christian Church are located at a distance of a few hundred meters from each other in Malaysia just as Muslim mosques, Christian churches and African Traditional temples exist together in many places, especially Southwest Nigeria. Secondly, there are many in Malaysia, both Muslims and non-Muslims who consider the idea of Islamic modernity as antithetical to the ideals of secularism and plural society which the country represents just as we have them in Nigeria. In fact, this is

¹⁶ H. Afshar, "Islam and Feminism: An Analysis of Political Strategies" in Mai Yamani (ed.), *Feminism and Islam: Legal and Literary Perspectives* (New York: New York University Press, 1996), 201-216.

¹⁷ Ziba. Mir-Hosseini, "Stretching the Limits: A Feminist Reading of the *Shari'ah* in post-Khomeini Iran" in Mai Yamani (ed.), *Feminism and Islam*, 285-316.

¹⁸ See A. Soroush, *The Expansion of the Prophetic Experience: Essays in Historicity, Contingency and Plurality in Religion* (Leiden: Brill, 2009).

¹⁹ AbdulHamid AbuSulayman, *Crisis in the Muslim Mind* tr. Yusuf Talal DeLorenzo (Herdon Va: International Institute of Islamic Thought, 1993), p. 89.

²⁰ T. Atabaki and E. J. Zürcher (eds.), *Men of Order: Authoritarian Modernization Under Ataturk and Reza Shah* (London: I. B. Tauris, 2000), 11-279.

²¹ The Nation, "Egypt Launches TV Station Exclusively Run by Veiled Muslim Women" *The Nation News*, July, 2012:49.

²² New Straits Times, Kuala Lumpur, 24 March 1997 cited in I. O Uthman "Muslim Women in Nigeria: the Position of FOMWAN and Lessons Islamic Malaysia" *JOAS, Journal of African and Asian Studies*, 2009, 18: 245-265.

the position of the Malaysian Consultative Council of Buddhism, Christianity, Hinduism and Sikhism (MCCBCHS).

However, the Federal Constitution of Malaysia like the Nigerian Constitution does not declare the country a secular state. In similar vein, both the constitution of Malaysia and Nigeria makes provision for what has been termed "legal pluralism" that is "the provision to establish native court systems in addition to the existing common law and *Shari'ah* law."²³ In recognition of the two countries' plurality, the *Shari'ah* does not have any status of superiority and neither is it an independent law in the two constitutions.

All these provisions would appear to justify the Muslims' position that these countries are not secular but rather multicultural, religious and pluralistic. In addition, they also confirm that there is a basis for comparison between the two countries, such that the Islamic modernity model in Malaysia may be applicable in Nigeria. Unlike Nigeria, which is divided along religious and ethnic lines, Malaysia is today using the Islamic impetus to unite its multi-religious and multicultural people and develop its society. How this has been achieved and how this can be of immense benefit to Nigeria form the focus of the remaining part of this paper.

Today, long standing multi-religious and multicultural prejudices and biases among the people²⁴ have been weakened by some provisions of the Malaysian Federal Constitution to bridge the educational and economic imbalance between Muslims and non-Muslims. These provisions include the adoption of the Malay language as the official national language while providing a means for the preservation of the cultures and languages of peoples of other religions and races in Malaysia. The idea of using the Malay language as the official national language and medium of instruction in all national schools is aimed at uniting all races in the country by bridging the communication gap between the non-Muslim and Muslim Malay communities. The introduction of the new economic policy (NEP) from 1970 to 1990 that grants Malays 30% equity in all economic, commercial and industrial operations in the country is also believed to have contributed to increasing interaction and inter-dependence between Muslims and non-Muslims in general, and Malays and Chinese in particular.²⁵

Malaysia is most relevant today as the best model of the Islamic alternative paradigm of progress and development because of the entrenchment of Islamic cultural values in the country. Islam is, according to the Malaysian Federal Constitution, the official religion of the

country while other religions are allowed to be "practiced in peace and harmony in any part of the federation."²⁶ The era of Prime Minister, Dr. Mahathir Mohamad (1981 to 2003), coincided with Islamic resurgence in the Middle East which has been defined by Chandra Muzaffar as: a description of the endeavor to re-establish Islamic values, Islamic practices, Islamic institutions, Islamic laws, indeed Islam in its entirety, in the lives of Muslims everywhere. It is an attempt to re-create an Islamic ethos, an Islamic social order in the vortex of which is the Islamic human being, guided by the Qur'an and the Sunnah.²⁷

Thus, the ascension of Dr. Mahathir Mohamad to the prime minister-ship of Malaysia in 1981 was a watershed in the boosting and entrenchment of Islamic cultural values in Malaysia. His vision was characterized by the need to give Islam and Malays, a greater role in political and economic structures of the country. He sought to transform the Malay mindset and inculcate Islamic values in the economic and political development of the country.²⁸ In strengthening the position of Islam in every sector of the Malaysian educational, economic, technological, cultural, and political development plan, the government of Dr. Mahathir enlisted the cooperation and support of the global and national leadership of the Islamic resurgence. For instance, Dr. Mahathir brought into his government, the national Islamic youth leader, the president of the Angkatan Belia Islam Malaysia (ABIM), the Muslim Youth Movement of Malaysia, Anwar Ibrahim, thus bringing to the ruling party, the United Malays National Organization (UMNO), a renewed Islamic appeal.²⁹ In short, the twenty years of the government of Dr. Mahathir laid the groundwork for Islamic resurgence or Islamization of all sectors of the country. For the first time, the entire spectrum of Malaysians became open to "Islamic input" and Islamic Banks, Islamic insurance companies and the use of the media for the propagation of Islam were officially instituted. All female news casters on radio and television stations were mandated to wear the *hijab*.³⁰ In 1983, the International Islamic University, (IIUM) was established to advance the Islamization of Knowledge project.

The post Mahathir era saw a further attempt at strengthening Islamic values in Malaysia by his

²³ Abdul Rashid Moten, "Malaysia as an Islamic State: A Political Analysis" *IKIM Journal of Islam and International Affairs*, (2003), vol. 1, no. 1 pp. 1-69.

²⁴ N. Z. C. Jen-T'chiang, 'Advocacy on 'inhumane practices'' and Roslizawati Mohd Ramly and Muhammad Khairi Mahyuddin, 'Muslims and non-Muslim relations: Bridging the gap and Building respect', in Ab Rahman, A. et al. (Eds.): *The World Today: Current Global Issues*, (Malaysia: Universiti Sains Islam, Malaysia, 2007), 5.

²⁵ Ibid.

²⁶ A. Ibrahim, "The Position of Islam in the Constitution of Malaysia" in A. Ibrahim, S. Siddique and Y. Hussain (eds.), *Readings on Islam in Southeast Asia* (Singapore: Institute of Southeast Asia, 1985), 214.

²⁷ C. Muzaffar, *Islamic Resurgences in Malaysia* (Petaling Jaya: Penerbit Fajar Bakti, 1987), 2.

²⁸ O. Bakar, "Islamic and Political Legitimacy in Malaysia" in S. Akbarzadeh and A. Saeed (eds.), *Islam and Political Legitimacy* (London: Routledge Curzon, 2003), 127-149.

²⁹ D. Camroux, "State Responses to Islamic Resurgence in Malaysia: Accommodation, Co-option, and Confrontation, *Asian Survey* (1996), 36/9: 852-868.

³⁰ M. A. Haneef, "The Development and Impact of Islamic Economic Institutions: the Malaysian Experience in K. S. Nathan and M. H. Kamali (eds.), *Islam in Southeast Asia: Political, Social and Strategic Challenges for the 21st Century* (Singapore: Institute of Southeast Asian Studies, 2005), 82-99.

successor. Islam *Hadhari* approach was launched by the former Prime Minister of Malaysia after Mahathir, Abdullah Ahmad Badawi in 2003 to propel the development and progress of the country on the basis of Islamic principles. Islam *Hadhari* is in short a means of renewal (*tajdid*) to revert the *Ummah* back to the fundamental principles that were used to establish the past Islamic civilization. It dictates the concept of life as service to God, work as worship, humans as vicegerents of Allah and the obligation to seek strength in every aspect of life and a broader understanding of *jihad* as encapsulating all aspects of life such as the pursuit of knowledge, mastery of science and technology. It also seeks economic prosperity for all based on an Islamic culture that balances the needs of this world and the next, *farḍhu kifayah* and *farḍhu ain* based on the statement of Allah to seek the home of the hereafter without forgetting the 'lawful enjoyment' in this world.³¹

Badawi summarized this project into ten key points: Faith and piety in Allah, a just and trustworthy government, a free and independent people, a vigorous pursuit of knowledge, balanced and comprehensive economic development, a good quality of life for the people, the protection of the rights of minority groups and women, cultural and moral integrity, the safeguarding of natural resources and the environment and strong defence capabilities.³² In his capacity as both the Prime Minister of Malaysia and the Chairman of the Organization of Islamic Countries, Ahmad Badawi (2007) promoted the Islam *Hadhari* approach throughout his regime to the whole world and to Muslim countries in particular.

Another further development of the post-Mahathir era was the introduction by the former deputy of Mahathir, Anwar Ibrahim of the KeAdilan Party (Justice Party) that went into alliance with a few opposition parties to form Barisan alternative (Alternative Front), headed by him, and now the de facto leader of the opposition alliance named Pakatan Rakyat (PKR) or People's Pact that launched its own version of economic development for the country, called New Economic Agenda (NEA), which replaces the importance of race with needs.³³ Malaysia, therefore, in its efforts to develop for over three decades, has been implementing a model of modernity that promotes Islam while projecting multiculturalism and pluralism which give enough space for all to practice their religions and beliefs.

In short, as Nigeria today, a wealthy country with abundance of both human and natural resources, confronts many socioeconomic and religious problems, there is need for the country to adopt the Malaysian Islamic model is obvious for many reasons.

Nigeria's adoption of the western economic model in

³¹ (Q28: 77).

³² See D.S.A.A. Badawi, *Islam Hadhari Approach: towards a Progressive Civilization/Selected Speeches*, by Dato Seri Ahmad Abdullah Prime Minister of Malaysia (Malaysia, Department of Islamic Development Malaysia, 2007).

³³ M. Mohamad, "Malaysian Democracy and the End of Ethnic Politics?" *Australian Journal of International Affairs*, (2008), 62/4: 441-459.

the form of the Structural Adjustment Programme (SAP) in the 1980s and 1990s, which was rejected by Islamic Malaysia during the same period, has not bettered the nation's economy. SAP has negatively impacted middle and low-income households. This failure of SAP, which was born out of the liberalization programme of the International Monetary Fund (IMF) and the World Bank was meant to solve the development problems of Nigeria was a result of the terms and conditions attached to loans received from the above neo-colonial bodies. The negative implications of SAP on third world countries, according to Lingam, include loss of employment; as a result of removal of subsidies by government which led to increased cost of goods and services, closure of many public offices and high inflation.³⁴

Hence, social amenities and services in Nigeria became unaffordable for many households after the introduction of SAP. This is not without its attendant repercussions on the family health most importantly, the women and children, in particular, the girl-child in the family. Many people were forced to eat less, especially nutritious food. Women suffered the most of all. Osemeobo posits that 80% of the women in the rural area in Nigeria can be classified as poor, with their household income from all sources, being less than \$1 per person per day.³⁵

Coping with these impacts has led women to assume domestic responsibilities as well as different home survival strategies in Nigeria. Some women must work longer hours, engage in labour-intensive work, and thus are forced to take more occupational risks than necessary. Working longer hours, however, has not guaranteed them more pay because of the effects of the ongoing economic meltdown.³⁶

The need for adopting the Malaysian economic model, especially in restructuring economic imbalance between Muslims and non-Muslims, as done by Malaysia above is further necessitated by the economic dimension in most religious conflicts in Nigeria. The Major Gideon Orkar led coup of 1990 reflected this economic dimension. Its religious dimension could be seen when the leader of the coup mentioned the excision of the five core Muslim states in the north. Interestingly, the leader of the coup came from the middle belt area that may be regarded as the Christian/Bible belt region of Nigeria. He also accused those states that were to be excised of domination over the other parts of the country. More so, it

³⁴ G. A. Adesina-Uthman and I. O. Uthman, "Women and Home Survival in Nigeria and Malaysia: A Comparative Analysis and Lessons for Contemporary Nigerian Muslim Women" *Journal of Sociology, Psychology and Anthropology in Practice*, 2011, 3/1: 5-12 also in <http://www.interestjournals.org/JRPGD> *Journal of Research in Peace, Gender and Development*, (ISSN: 2251-0036) Vol. 2/2: 022-027.

³⁵ Cited in *ibid*.

³⁶ I. O. and G. A. Adesina-Uthman, "The Role of Zakah and Waqf Management in Poverty Alleviation of Muslim women in Nigeria" Hassan Ahmed Ibrahim and Rafikul Islam (eds.) *Management of Resources in Muslim Countries and Communities: Challenges and Prospects*, IIUM Printing Sdn Berhad 2012, 233-252

came on the heels of many allegations against the Babaginda regime, first over the Organization of Islamic Conference (OIC) issue. Though the regime's attempt to join the OIC was purely to obtain economic assistance from the Islamic Development Bank, the Christian Association of Nigeria accused the regime, in an open letter, of being a principal agency of Islamization in Nigeria barely two months before the above mentioned coup. The open letter of the Christian Association of Nigeria shows that its problem was with over perceived lopsided political appointments.³⁷

Therefore it may not be wrong to contend that there is indeed both "political" Islam and "political" Christianity in Nigeria which arises as a result of the fight for the so-called Nigeria 'national cake' as seen when even some Nigerians, who are never religious, at least in the formal sense, begin to identify with Islam or Christianity for political ends like getting government's sponsorship for pilgrimages either to Mecca/Medina or to Jerusalem/Rome. What is sadly very clear is that these pilgrimages are not sponsored for religious, but political motives. This has led to the occurrence of some state governors in South Western Nigeria, paying for Christians and their concubines to go on pilgrimages to Mecca in recent times.³⁸

Again, the need for Muslims and Christians in Nigeria, in particular and other non-Muslims in general, to embrace the culture of multiple religions and peaceful coexistence as well as the need to remove religious prejudices, biases and other barriers to socio-political, economic, educational and military development and advancement of the country, is today confronting Muslims and Christians. This may also call for adopting the Islamic modernity model in Malaysia where Muslims and Buddhists, Muslims and Christians, Muslim and Hindus are engaging in interfaith networking, cooperation and dialogue. Interfaith Dialogue entails engagement with the *other* in religious interchange, communication and discussion that involve people of different religions e.g. Muslims and Christians and Muslims and African religionists (AFRELISTS) in Nigeria. This is despite the fact that there has been some forms of Muslim/Christian relations in the country such as the establishment of the Islam in Africa Project which later became in 1987 the Project for Christian-Muslim Relations in Africa (PROCMURA).³⁹ The project which started with the lofty objectives for Muslims and Christians to understand one another and employ indigenous resources to foster a better understanding between them, has sadly not succeeded in stamping out the mutual suspicion that exists between adherents of Islam and Christianity.⁴⁰

³⁷ *African Concord*, February 5 1990: 36-37.

³⁸ This is based on the author's personal experience during the *hajj* exercise when some people claim Muslim names to take part in the exercise.

³⁹ See J. Crossley, "The Islam in Africa Project," *International Review of Mission*, 61, 150-160.

⁴⁰ Akintunde E. Akinade, "The Precarious Agenda; Christian-Muslim Relations in Contemporary Nigeria", Public Lecture, 2002.

Similarly, the Nigerian Inter-Religious Council (NIREC) also founded by the government of Olusegun Obasanjo (2000) in its apparent determination to promote the ideals of peaceful coexistence, especially among the various religions in Nigeria,⁴¹ has also not succeeded in addressing serious religious and socio economic issues, which divide the Muslims and Christians of Nigeria.

For these and other similar projects to achieve their lofty objectives, there is a need to emulate the Malaysian Islamic modernity model, where the establishment of the Interfaith Committee (IFC) as a vibrant interfaith council, is seen as a desideratum for peace in this age of globalization. This is an age where the Information Communication Technology (ICT) ensures global networking on the internet, face book and other online resources, which can blow any religious crisis out of proportions as confirmed by the Prime Minister during the launching of the World Interfaith Day on 14 February 2011.⁴²

This vibrancy must be replicated in Nigeria by giving the current NIREC in Nigeria constitutional and legal strength. This power must include criticizing the government because it has an important role to play in sustaining and improving upon the religious and social harmony currently missing in almost all walks of life of the country. The current dialogical exchange among scholars which NIREC is focusing on is not what is necessary in Nigeria today. The gathering of scholars 'to compare and discuss the finer points of their intellectual traditions,'⁴³ has always been going on in Nigeria, especially at the behest of the Catholic Church. The contention here is that it is not the dialogue between eminent scholars of the Supreme Council for Islamic Affairs in Nigeria and the Christian Association of Nigeria as currently occurring that can provide the religious impetus for Muslims and Christians in Nigeria to collaborate and work together for the development projects of the country.

To borrow from Kenny 'in interreligious relations we need two eyes': one to see the failure of governance in Nigeria, the other to see the hungry and angry Nigerian Muslim and Christian masses.⁴⁴ What this suggests is that there is a need for a form of Muslim/Christian dialogical involvement in keeping watch over the government as well to cater for the welfare of the poor. It is these two eyes that explain the prevalence of a large degree of peaceful co-existence and accommodation among Muslims and the *other* today in Malaysia. It is only these two eyes of dialogical action by NIREC that will

⁴¹ Olusegun Obasanjo, *Address to the Nation on the Sharia Crisis*, Wednesday March 1, 2000.

⁴² Malaysian Television Station, Channel Two, 8.30 p.m. News, 14 February 2011.

⁴³ Charles B. Jones, *The View from Mars Hill: Christianity in the Landscape of World Religions* (Cambridge: Cowley Publications, 2005), 168.

⁴⁴ Joseph Kenny. "Interreligious Dialogue in Nigeria: Personal Reminiscences of 40 Years", in Anthony A. Akinwale (ed.), *All that they had to live on. Essays in honor of Archbishop John Onaiyekan and Msgr. John Aniagwu*, (Ibadan: The Michael J. Dempsey Center for Religious and Social Research, 2004), 191.

bring forth peace as Ezzati (2002) states 'the openness and dialogical nature of' religion can be embraced in open invitation and discussion with the *other* while eschewing all forms of force and coercion.⁴⁵

Also, as Muslim women who can mostly be found among the Federation of Muslim Women Associations in Nigeria (FOMWAN) are reflecting seriously upon the teachings of Islam as they become disenchanted with Muslim cultural values, practices and systems, the Malaysian Islamic model will serve them best on how to make leadership inroads into all fields in Nigeria.⁴⁶ They must learn from Islamic Malaysian development model for gender empowerment which has devised approaches not only in maintaining Islamic decorum but also eliminating practices that are harmful to women.

Nowhere can Nigeria benefit better from the Islamic modernity model than in the empowerment of Malay women. In fact, in line with many commentators that had expressed their marvel at how Malaysia is grasping with the concept of a modernity and Islam as a religion,⁴⁷ it is rather shocking that in this modern Islamic state, the Muslim women who are usually portrayed as backward and oppressed by a patriarchal Islam and therefore they need to be emancipated are in fact playing leading roles in all sectors of the 'Islamic Malaysian' Society. The visibility of Malay Muslim women who make up about half the Malaysian population today could be said to reflect what I have termed as the contemporary phenomenon of "authentic Islamic feminism."⁴⁸

The Malay Muslim women while upholding the Islamic dress on the one hand in their social, business, academic and official public engagements, are also protected by the country's Islamic laws from the imposition of the face-veil, segregation from the public spaces, domestic violence and other harmful practices in the name of Islamic Law. Today Malay Muslim women enjoy basic constitutional rights.

They enjoy the freedom to vote, run for office, pursue education and hold administrative and political positions as notable as university presidents and government

ministers. Contrary to the claim of the Norwegian Professor, Ingrid Rudie, the Islamic revival in the 1980s that brought about the Malaysian model of development has not curtailed the rights of Malay Muslim women. The emergence of Malay women in administrative and political positions has changed the power relations in the family and society.

Thus the equations of power in Malaysian families actually changed and women took lead in not only the domestic realm but also in many administrative and political positions. Malaysian Muslim women took over the reins of power in marriage.⁴⁹

With the Domestic Violence Act (DVA) enacted in 1994, Muslim women could seek protection from domestic violence as well as receive legal remedies for cases of domestic violence such as lack of maintenance, denial of children's custody, irregular divorce, assault and beating. In addition, before a man can marry a second wife, he has to obtain permission in writing from the *Shari'ah* court with evidence that he can satisfy certain conditions, such as maintenance. "Maintenance (*al-Nafaqah*) is the right of one's wife and children to get food, clothing and a residence, some other essential services and medicine, even if the wife happens to be a rich lady."⁵⁰

An example of this is which a *Shari'ah* Judge did not entertain Wan Mohd Yusof and Abdul Wahab's applications for second wives in 1990 because they could not satisfy any of the stipulated conditions.⁵¹ Hence, the applications for the practice of polygamy have decreased. So also, the Islamic Malaysia recognizes the wife's rights to maintenance, divorce, *Mut'ah* or consolatory gifts after divorce without just cause, her share of jointly owned property, inheritance, custody of children and protection from violence including statutory rape. Zaleha Kamaruddin, a professor of Islamic Law and currently, the rector of the International Islamic University, states that the Malaysian Muslim woman is better off than her colleagues elsewhere.⁵²

Unlike the Malay Muslim women, Nigerian women still suffer many violations of their human rights. One of the most common criminal violations of the rights of Muslim women in Nigeria today and which Islamic feminists in Nigeria have condemned as extremely dishonorable though executed in the name of protecting the *Sharaf* (honor) of the family, is the punishment of a Muslim woman for adultery or fornication on the basis of pregnancy outside marriage. The rampancy of judicial

⁴⁵ A. Ezzati, *The Spread of Islam: The Contributing Factors* (London: ICAS, 2002), pp. 76-77.

⁴⁶ Ibrahim Olatunde Uthman, "Muslim Women in Nigeria: the Position of FOMWAN and Lessons from Islamic Malaysia" *JOAS, Journal of Oriental and African Studies*, Greece, vol. 18, pp. 245-265.

⁴⁷ R. K. Khuri, *Freedom, Modernity and Islam- Toward a Creative Synthesis*, (Syracuse: Syracuse University Press, 1998), 6.

⁴⁸ My "Feminism in Postmodern Society: An Islamic Perspective," *Journal of Islam in Asia*, 2: 2 (2005), 131-150, *The Muslim Women of Nigeria and the Feminist Discourse of Shaykh al-Albani* (Kuala Lumpur: The International Islamic University, 2008), 84-87, "A Triadic Re-Reading of Zaynab al-Ghazzālī and the Feminist Movement in Islam" *Islamic Studies*, 49(1): 65-79 & also my "Rereading of Zaynab al-Ghazali's Representations of Muslim Women and Islamic Feminism in the 21st Century" *The Islamic Quarterly UK*, Vol. 55, No 3, pp. 215-232, also in *International Journal of Sociology and Anthropology*, USA, 2011 Vol. 3, No. 11, pp. 407-415, at <http://www.academicjournals.org/ijsa/PDF/pdf2011/Nov/Uthman.pdf> are some of the few works that focus on this burgeoning Islamic Feminism.

⁴⁹ Ingrid Rudie, *Visible Women in East Coast Malay Society: On the Reproduction of Gender in Ceremonial, School and Market* (Oslo, Norway: Scandinavian University press 1994), pp. 202-289.

⁵⁰ A. R. I. Doi, *Shari'ah: the Islamic*, Lagos: Islamic Publication Bureau, 1984, p. 204.

⁵¹ Junight Johar, "Wife Battering: Its Legal Protections Under Domestic Act (1994) and its Impact in the marriage," in Zaleha Kamaruddin ed. *Islamic Family Law: New Challenges in the 21st Century* (Kuala Lumpur: International Islamic University, 2004), Vol. 11, p. 49-62.

⁵² Zaleha Kamaruddin ed. *Islamic Family Law: Issues 2000* (Kuala Lumpur: International Islamic University, 2001), p. 1-30.

misdemeanor, irregularity, anomaly, discrepancy and violation of Islamic norms and values in applying punishments to Muslim women in *Sharī'ah* Courts in Northern Nigeria constitutes a major abuse of the human right of Muslim women in Nigeria which *Hajiya* Bilikisu Yusuf, a former National *Amīrah* (President) has described as a flawed implementation of the *Sharī'ah* by the authorities.⁵³

Instances of such judicial violations of Islamic norms and values which occurred in Nigeria have been addressed by many studies. A case in point is that of Bariya Ibrahim Magazu who was found pregnant without being married and who named three men as her possible impregnators. The *Sharī'ah* Court in Tsafe prosecuted Bariya and convicted her of *zinā* (illegal sexual intercourse) in September 2000 under the *Sharī'ah* Penal Code of Zamfara State, on the evidence of pregnancy outside marriage. She was then sentenced to 100 lashes for the crime and another 80 lashes for *qadhīf* (false accusation of *zinā*) because there were no witnesses to identify any of the three men she named as her possible impregnators.

The case was later appealed, following feminist and public outcry on technical grounds which include the invalidity of the severity of punishment meted out to Bariya since section 95 of the *Sharī'ah* Penal Code of Zamfara State. By virtue of this section, Bariya should not have been found guilty of any offence under the Act. However, even if the courts insist on a guilty verdict, it could not dispense the punishments for both fornication and false accusation.⁵⁴

The right of a man to divorce, unfortunately, has been another way by which many Muslim women are abused today. According to *Hajiya* Bilikisu Yusuf, the divorce rate in *Sharī'ah* States in Northern Nigeria is alarmingly too high. According to these Muslim women, even in Southwest Nigeria, the Customary Courts are not faring better as the manner men constantly divorce women is a big constraint to the protection of women in marriage, child support and other forms of fair treatment.⁵⁵

One of the abuses of women's rights in Islam is the way many girls are married off by their fathers when they are still minors or virgins (never-previously married daughters) though marriage in Islam is a pure contract and not a sacrament between the contracting would-be husband and wife. The notion of the father's power to

enforce the marriage of a minor or virgin daughter is in vogue in Nigeria, particularly in the North where early or child marriage is associated with *Vesico Vagina Fistula* (VVF). In addition to Female Genital Mutilation, (FGM), VVF has accounted for many cases of violence against women. There are many cases of underage girls that are married off to old men by their parents.⁵⁶

Perhaps the greatest area where the Malaysian Islamic model would be useful to Nigeria is in respect of the right of Muslim women to wear the *hijāb*. This is because many Nigerian Muslim women are today denied the use of the *hijāb* in government offices, secondary schools and even higher institutions.⁵⁷ What is unfolding on the *hijāb* in Nigeria is replica of debates revolving round the veil in modern society. In more recent times, sociological studies that seek to engage real-life experiences of women who wear the veil have come to the fore and Nigerians can learn a lot from the findings. Theodore and Hannan's collection of articles have shown how the British approach of allowing religious groups to maintain their individual identities within the overarching framework of British Law is right and can avert the polarization between two opposites, the Muslim world and the West. The failure to allow Muslim girls use Nigerian school is actually contributing to the polarization between Muslims and Christians in the country.⁵⁸ Hence as observed by Malika Ghamidi, the prohibition of the veil in France and elsewhere in Europe is a challenge to modern conceptions of democracy, secularity and feminism.⁵⁹

Conclusion

The analysis of Muslim engagement with modernity in this paper shows that while the Western modernization project is one approach to development and progress, the Islamic model can also support development and progress through the use of the Islamic imperative to provide social justice, well-being, comfort and high standards of living as well as good governance and an educational system of quality etc that guarantee not only right to life but also qualitative living, religious freedom, material comfort, dignity, work and intellectual capacity as, is currently being offered in some contemporary Muslim countries, such as Malaysia. Through the Islam *Hadhari* approach in Malaysia, the Islamic model of modernity is being used to inspire its people towards the good of humanity, progress and development, an approach that values substance and not form, sustainable progress based on Islamic values and not unbridled materialism and human capital development of just

⁵³ Ibrahim Olatunde Uthman, "Muslim Women and the Islamic State Between Political Activism and the Islamic Law: An Analysis of the *Jilbāb al- Mar'ah al-Muslimah fī al-Kitāb wa al-Sunnah* of Shaykh al- Albānī" *IKIM Journal of Islam and International Affairs*, (2006) vol. 2, no. 1 pp. 117-145.

⁵⁴ Ibrahim Olatunde Uthman, "Muslim Women in Nigeria between Postmodern Feminism and Religious Fanaticism: the case of the Islamic Law" in M. A. Folorunsho et al (eds.), *Revisioning Modernity in the Eyes of Religion*, (National Association for the Study of Religions and Education (NASRED) pp.60-70, and Uthman, "Muslim Women and the Islamic State," pp. 117-145.

⁵⁵ Ibrahim Olatunde Uthman, "Muslim Women and Domestic Violence in Nigeria: The position of the Shari'ah" in AbdulRazaq Kilani (ed.), *Beyond the Veil: Muslim Women in Sub Saharan Africa*, (Lagos: Global Da'wah Communications) pp.50-96.

⁵⁶ Uthman, "Muslim Women and Domestic Violence," pp. 73-74.

⁵⁷ Uthman, *Muslim Women of Nigeria and the feminist Discourse*, pp. 1-261).

⁵⁸ Theodore Gabriel and Rabiha Hannan (ed.), *Islam and the veil: Theoretical and regional contexts*, (London: Continuum International Publishing Group, 2011), pp. 1-33.

⁵⁹ *Ibid*, pp. 142-147.

natural resources alone. This will no doubt be of great benefit in resolving the crises of religious politics playing out in Nigeria. Consequently, the paper recommends the adoption of the Malaysian Islamic modernity model for use in Nigeria because Malaysia is today similar to Nigeria in composition as well as a modern state that has adequately conjoined modernity and Islam, especially as far as plural legal systems, democracy, the leadership roles of Muslim women and balancing Muslim/Christian relations for economic development projects are concerned.

Conflict of Interests

The author(s) have not declared any conflict of interests.

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Full Length Research Paper

Assessment of social and emotional care services for elders in Awira - Amba Community Elders' Care Center, Ethiopia

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The main purpose of this study was to assess social and emotional care services provided for elders in Awira-Amiba Community Elders' Care Center. Data were gathered through in-depth interview. The results revealed that some of the social needs of elders in the care were not met. That is, they did not adequately interact in the social networks with their children, grandchildren, and extended families. Besides, they did not get the opportunity to discuss, talk and share experience about their successes and failures. In spite of this, most elders were happy with their life in the center. However, most of their social needs were not met. For instance, they did not adequately interact in the social networks with their children, grandchildren and extended families. Besides, they did not get the opportunity to discuss, talk and share experience about their successes and failures. Therefore, elders in the center need to get access of involvement in the community activities. In addition, Psychologists, Social Workers and Health Care Workers should engage to meet emotional, social and health needs of elders in the center.

Key words: elders, care center, emotional needs, social needs

INTRODUCTION

Aging is the developmental period that begins in the sixties or seventies and lasts until death. It is a time of life review, retirement and adjustment to new social roles involving decreasing strength and health. Individuals continue to grow until they die. This new growth is motivated by the courage to face virtues, strengths, weaknesses and shortcomings (Santrock, 2006).

Aging entails not only a decrease in the ability to be active but also a trend toward increased dependence to sustain basic life functions. Changes in the human body

can make life more difficult. For some individuals aging is very frightening or depressing. Often that is why people enter long-term care communities (Santrock, 2001).

There are several myths about older adults which are generally not true. For example, there have been beliefs that old people are unhappy; few satisfactions in old age and psychological growth are completed during old age; old people are sick and disabled, to mention but few. However, many older adults experience good health and much joy and satisfaction in their achievements (Papalia

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et al., 2007).

Elders need to maintain interactions with their social networks throughout their lives. They prefer to maintain close ties with their children, grandchildren, and extended families. It is good to design ways of encouraging greater participation of elderly people in the life of the community so as to build healthy social and emotional development (Machizawa et al., 2010).

The developmental task of this stage is to accept one's life as meaningful. The older person who reaches ego integrity looks back with satisfaction, and has an acceptance of life and death. Death is seen as a part of life. If this stage is not adequately accomplished, the person is in a state of despair which is failure to accept the meaningfulness of one's life. When one is in despair, there are feelings of anger, resentment, depression, inadequacy, failure and fear of death (Schaia and Willised, 1996).

Psychological changes that old people face is role loss and role change. Because, as age increases, they are forced to drop roles they played in earlier roles. This causes despair and hopelessness. In addition, unless treated properly older people may experience feelings such as sadness, emptiness, depression and so on. But in most cases, old people do not receive counseling. Besides, they are not involved in work and social activities that may help to reduce stress. Therefore, their psychological needs have not been given adequate attention (Goel et al., 2003).

The social needs of older people revolve around opportunities for interaction in the community. They need to have access to recreation facilities where they could meet and interact with their age mates. In addition, older people should participate in the community life in the forms of debates, and discussions. In other words, they should be actively involved in local and national development programs. However, in most cases, old people are being denied of these opportunities. For instance, one study in Botswana shows that most old people did not get access to social networks in their community (Goel et al., 2003).

Religious institutions are one of the important places to meet both psychological and social needs of old people. Though religion and spirituality are similar, they are not identical concepts. Religion is often viewed as more institutionally based, more structured, and may be associated with organized, well-established beliefs. But, spirituality refers to the intangible and immaterial and not associated with organization. It can refer to feelings, thoughts, experiences, and behaviors related to the soul (Rockwell, 2008).

Religious participation is greater during old age than any other age group. The elderly often have distinct spiritual needs. Ascertaining their religious needs helps to render interventions like spiritual counseling or support groups, participation in religious activities, social contacts from members of a religious community (Rockwell, 2008).

Moreover, for the elderly, the religious community is the largest source of social support outside of the family, and involvement in religious organizations is the most common type of voluntary social activity. In addition, religion correlates with improved physical and mental health.

Having religion may help elders to develop positive and hopeful attitude and to get sense of meaning and purpose in life. Having hopeful and positive attitude about the future in turn helps to cope up with physical problems. Generally, religious beliefs and practices often foster development of community and broad social support networks (Machizawa et al., 2010).

METHODS AND MATERIALS

Study area

Awira - Amba community is found in south Gondar, Fogera woreda about 630 kilo meters away from Addis Ababa, the capital of Ethiopia. The community was established in 1957 and has been led by Zumira Nuru. The community has got much recognition from national and international institution for their unique life philosophy. The community is best known by its philosophical adherence to gender equality in all aspects of life.

According to Zumra Nuru, the total population of the community about 420. Of these, the number of elders in the care center was eight. In the community, there is a center for elders to serve individuals who are retired. In the center, there were also elders from neighboring kebeles to get shelter, food, and cloth services

Research design

In assessing social and emotional cares services for Elders in Awira-Amba community, qualitative method was employed. Because the main purpose of this study is was describing the existing psychosocial needs of elders in the community's Care Center.

Participants

There were only seven elders in Awira Amba Elders' Care Center. Of course, as care givers mentioned, the number of elders fluctuates from time to time. Since not all elders communicate properly, interview was conducted with three of them. Three elders were selected by the recommendation of the care giver. The care giver of the elders also participated in the study. There was only one female care giver who has been serving the elders for five years. One woman who was a member and a social activist of the community was also interviewed.

Instruments

Data were collected using semi structured interview. In-depth interview was conducted with three elders, one care giver and one community members. Since there rest four elders were very old-old, they could not properly understand the questions during interview, the researchers decided to limit their interview with the three who did not have problem of understanding and responding to questions. The interview lasts for about two hours on an average.

Analysis

The data were analyzed, described and narrated in words without numerical representations. After collecting field notes, coding operation was carried out. Similar contents were categorized into similar patterns or themes. Then after meanings were created and narrated.

RESULTS

Five out of seven elders in the center were men while the rest two were women. Coming to their age, two were young elders (60-69 years), again another two were in middle-aged elders (70-79 years), only one of them was old (80-89 years) and two of them were very old (90-99 years).

According to Birtukan Nibret, the social activist of the community, the Awira-Amba community had started giving care to elders before its permanent settlement at its present place. She added that though the service was not organized like the present one, elders were supported in fulfilling their basic needs (food, cloth, sheltering) and medical services when members migrated and settled in Bonga, South Nations and Nationalities Region. After returning back to their present place, the community has been serving elders in a center.

Currently, the Awira Amba Elders' Center has seven elders who had been selected based on their financial and health needs. Those elders who have serious health and economic problems in the community as well as in the neighboring communities are given the opportunity to be cared for in the center. Of the total seven elders, two of them were from neighboring communities. More specifically, Birtukan stated the criteria to select elders to join the center as follows,

...even though our philosophy is global, financial shortage has constrained us not to accept large number of elders who have been suffering from various financial and health problems. These factors have limited us to deliver service to only few elders. Had we had enough resources in our center, we would have welcomed all needy elders within and outside the community.

Moreover, the community assigned one care giver for the elders. Melkaminesh, a 48 years old woman, has been serving the elders for about 12 years. She described her responsibilities as follows;

I do have the role of preparing food for elders. I am happy to serve our elders. Besides, I look after my children. I have never complained for these duties at home and in the center. I do things based on plan. I do have time for my family as well as for elders. Hence, I have not faced difficulty to manage household chores and duties in the center.

The community did not have any institution or system which can pave the way to communicate with elders. For

instance, the community does not have institutionally based, structured, organized and a well-established religious institution which creates opportunity to contact with others. Consequently, most time of elders has been spent in the center. They hardly participate in the community life in the forms of debates and discussions. Other individuals rarely visit them. The community leaders as well as other members visit elders at their convenience. According to Melkaminesh, the caregiver, the community leaders and others visit elders when they have spare time. Besides, children are socialized to have habit of visiting elders. For instance, during data collection time, two young children were visiting the elders. These children said that they are being taught to visit elders. In addition, families and relatives of those elders who joined the center from neighboring communities seldom visit them.

One interviewee, Hussien Bogale whose age is 93, stated their social interaction as follows:

...we share experiences. Talk about what we had in our previous times- childhood and youth years like our deeds, failures, challenges, successes etc. our relatives sometimes visit us. There is good care. In my 10 years stay in the center, I have seen good communication and interaction in the center.

Another interviewee, Sofia Ahmed (89 years old woman) said the same thing as above. She narrated their social network of as:

...apart from my health status, I live in a better condition in this center. I communicate with others in the center. Previously, life was challenging. Members of the community visit us. We spend our time while talking, sharing about previous times, our problems and duties in childrearing and other household chores.

However, Asiya Ahmed (59 years old) who came from neighboring community said that she never communicated with her relatives since she joined the center. But she expressed existence of smooth communication and interaction among elders in the center.

Coming to emotions or feelings, all of the interviewed elders reported that they are happy in their life. For instance, Hussien Bogale, a 93 years old man expressed his feelings as;

Being member of this community enables one to learn about peace, ethics, morality, cooperation. There has never been conflict among members of the community. There is love. Since I joined the center, I have never felt being alone and sad.

This interviewee highlighted that he has never dreaded death but wishes to live long.

Similarly, Sofia Ahmed (89 years old woman) and Asiya

Ahmed (59 years old woman) both reported that they are very happy in their life in the care center of the community. Here, Asiya said that she fears death though she accepts that it is inevitable.

DISCUSSION

The elders in the Awira Amba elders' care center did not get the opportunity to participate in the community. They did not adequately participate in the community life in the forms of debates, and discussions. Hence, they were being denied of these opportunities. Similarly, one study in Botswana shows that most old people did not get access to social networks in their community (Goel et al., 2003). But, Rockwell (2008) stressed the role of religious institutions to meet both psychological and social needs of old people. On the contrary, the Awira Amba community did not have institutionally based religious institutions to create opportunity of interaction between elders and other community members.

Despite absence of professional counselors, clinicians, physicians and social workers in the center, all participants expressed that they are happy in their life. This could be due to their unique life philosophy which adheres to the logic of helping all human beings, irrespective of religion, ethnic group, sex and etc. The majority of them reported that they have never felt sadness or emptiness. Similarly, Goel et al. (2003) stated that in most cases, old people do not receive counseling. Besides, they are not involved in work and social activities that may help to reduce stress. So, it is not peculiar with the Awira Amba case.

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Conflict of Interests

The author(s) have not declared any conflict of interests.

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