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Ursula Hirschmann Annual Lecture on Gender and Europe

SEXULARISM

Joan W. Scott

EUROPEAN UNIVERSITY INSTITUTE, FLORENCE
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The **Ursula Hirshmann Annual Lecture Series on Gender and Europe** is the annual lecture of the Robert Schuman Centre for Advanced Studies. The series seeks to stimulate research and thinking which link ideas about Europe and the study of gender.

Named after Ursula Hirschmann, who created the group *Femmes pour l'Europe* in Brussels in 1975 as a space to reflect on, critique and contribute to the contemporary debate on the construction of Europe, the series is a reminder of this engagement. Ursula Hirschmann was born in Berlin in 1913, to a Jewish family, and when the Nazis seized power in Germany, she migrated first to France and then to Italy. In 1941 she played an important role in the creation and diffusion of Spinelli's *Ventotene Manifesto*. She married two anti-Fascists and Europeanists, Eugenio Colorni and Altiero Spinelli. Some of her autobiographical writings have been published as *Noi senza patria* (Bologna, Il Mulino, 1993).

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Abstract

This paper addresses the sharp oppositions often made these days between secularism and gender equality, on the one side, and religion (especially Islam) and the oppression of women, on the other.. It argues that we need a genealogy of secularism (in the way Talal Asad has called for it) to determine what the relationship has been historically between the separation of church and state and improvements in the status of women.

Keywords

secularism, gender equality, Islam, sexual difference

First, a word about the title

It began as a typographical error. Each time I wrote secularism, I hit an x instead of a c. It happened so many times that I thought I should try to figure out what was going on. It is true that the two keys are adjacent on the bottom left-hand side of my keyboard, but they require different fingers in the touch-typing method I was taught years ago. So I wondered, thinking of Freud, if this wasn't a message from the unconscious, a slip of the finger if not of the tongue. The mistake, if it was one, did convey something of what I was thinking about this large and unwieldy topic: that in recent invocations of the secular, the issues of sex and sexuality get entangled in the wrong way.

The most frequent assumption is that secularism encourages the free expression of sexuality and that it thereby ends the oppression of women because it removes transcendence as the foundation for social norms and treats people as autonomous individuals, agents capable of crafting their own destiny. In substituting imperfect human initiative for the unquestioned truth of divine will, we are told, secularism broke the hold of traditionalism and ushered in the (democratic) modern age. However varied may be the definitions of modernity, they typically include individualism, which in some accounts (feminists' among them) is equated with sexual liberation. History is remarkably absent from these accounts, except as teleology: the universal idea inevitably expands its applications and effects over time.

These days, secularism comes up frequently in discussions of Muslims, whose religion, it is said, holds on to values and ways of being at odds with modernity. In contemporary debates about Muslims—whether they can be integrated into the societies of Europe; whether their culture is fundamentally at odds with “ours;” whether their values are compatible with political democracy—secularism is usually the unquestioned standard of judgment. It is taken to be an idea, either timeless or evolving, that signifies a universal project of human emancipation specifically including women. Whether the reference is to Iranian theocracy, the punitive behaviour of the Taliban, or to “immigrant” populations in Europe, there is a particular focus on the plight of women in headscarves, veils, and burqas. So, for ideologues of French republicanism justifying a ban on Islamic headscarves in public schools, primordial values, or at least those inherited from the French Revolution, are what is at stake. Said the head of the commission recommending the ban, “France cannot allow Muslims to undermine its core values, which include a strict separation of religion and state, equality between the sexes and freedom for all.” (Cited in McGoldrick, 89) Similarly, a Swiss federal court, ruling against a teacher who wanted to wear the hijab to class, argued that “it is difficult to reconcile the wearing of a headscarf with the principle of gender equality—which is a fundamental value of our society enshrined in a specific provision of the Federal constitution.” (McGoldrick, 128, 206) Feminists in France and elsewhere have made similar arguments, epitomized perhaps by Elisabeth Badinter, who maintains that for women “the headscarf is a terrible symbol of submission,” associated with the “religious imperialism” that the secular state was designed to combat. (McGoldrick, 266) It is as if the arrival of secularism had solved the problem of sexual difference in history, bringing in its wake an end to what Tocqueville referred to as “the oldest of all inequalities, that between man and woman.” (Tocqueville, 129) Religious communities and societies are, from this perspective, relics of another age, and veiled women, their sexuality under wraps, are the sign of backwardness.

In this paper I call into question the simple oppositions—modern/traditional; secular/religious; sexually liberated/sexually oppressed; gender equality/patriarchal hierarchy; West/East—from three different perspectives. The first has to do with the history of secularization which, I argue, makes it clear that the equal status of women and men was not a primary concern for those who moved to separate church and state. Here, we might find in my typos, an unconscious association that takes the form of a metonymic slippage: from secularism to sexism. The second thing I interrogate is the notion of individual agency that so often informs discussions of the emancipatory effects of secularism. We could say that my unwitting substitution of an x for a c marks as a mistake the elision of the secular

and the sexually liberated—their assumed synonymity. And finally, I argue that, from a psychoanalytic perspective, secularism has not resolved the difficulties that sexual difference poses for social and political organization; it is, rather, one of the frames within which those difficulties are addressed and managed. It might be that the very trouble one has in pronouncing the title of this paper—sexularism—captures something of the persistent problem of trying to reconcile sexual difference and gender equality, even in a so-called secular age.

History

The French Revolution is one of the founding moments of modernity: a product of the Enlightenment, a political transformation of gigantic proportions that substituted the rule of reason (and so of law) for the superstitions of priests and the power of kings. Among the many processes launched by the elected representatives of the people was secularization. The mighty Roman Catholic church in its French incarnation was nationalized by the state; priests who swore allegiance to the Republic became its paid agents (the non-juring clergy were left to perform illicit Masses underground); and signs of religious devotion—statues of saints, crucifixes, and church bells—were replaced by allegorical embodiments of secular concepts (liberty, fraternity, equality, the social contract, philosophy, reason, virtue) in idealized classical forms. Even words of consolation were laicized in at least one cemetery: “Death is eternal sleep” denied all possibility of a heavenly after-life. The revolutionaries organized festivals as substitutes for religious pageants; artists, musicians, writers, actors, and playwrights were mobilized in a huge propaganda effort aimed at instilling allegiance to the new order of things.

Such was the Fête of Unity and Indivisibility, orchestrated by the painter Jacques-Louis David and the composer Gossec on August 10, 1793. Its five stations took citizens through what the art historian Madelyn Gutwirth describes as a “pseudo-masonic procession of initiation.” (Gutwirth, 275) The Fountain of Regeneration was at the first station, that of Nature. Gutwirth describes it on the basis of a print that can be found at the Bibliothèque Nationale.

A huge statue of an Egyptian Hathor, seated between her two mastiffs, was erected, from whose breasts—chastely covered by her crossed arms—streamed the milk (we recall it was merely water) of rebirth...[T]he immediate benefactors of her largesse [were] the distinguished legislators of the state, lined up before her, to make symbolic consumption of her bounty. (Gutwirth, 364)

Gutwirth provides an incisive psychoanalytic reading of this scene and of many other instances she cites that were marked by an abundance of breast imagery (especially, but not only, during the Revolution’s Jacobin phase).

The sheer sterile aridity of this derivative, trumped-up breast imagery, divorced from its real subtexts both of transcendence—the ties linking sex, birth, death, and eternity—and of the warmth of fleshly human affinities, mark it as a fetishistic phenomenon. In the midst of the Jacobins’ struggle to assert human equality, its men insisted to the last on the premise that signs of otherness can be exploited to express an ideal. A desperate insistence on the repetition of the forms of sexual dimorphism of other ages characterizes its major representations. The Revolution divorces the breast from its context; that is, from the women’s powers of intention, heart, and mind. The Revolutionaries’ preoccupation with the breast is the indicator of a gender split in the new republican mentality so deep as to defy repair. Women’s foreignness to republican culture was reified by its representation. Increasingly locked into repetitive verbal and visual structures, by the era of Thermidor the new French political culture had definitively thrown away all grounds for anything akin to parity between women and men, even in difference. (Gutwirth, 365)

Looking at several other representations, especially a popular image of Republican France Offering her Breasts to all Frenchmen, which she labels a “democratic pinup,” Gutwirth concludes that the “figuration of the breast” no longer serves as it once did—as a sign of universal charity—instead “it has been restored as an adjunct to male eroticism.” (Gutwirth, 365)

If Gutwirth cites what might be seen as the more benign (because abstract) representations of the feminine, Richard Cobb provides evidence from reports of the work on the ground of the “people’s armies.” He writes that the dechristianizing campaigners “at times came near to misogyny,” in their association of women with priests. To take a single instance of the many he offers, a commissioner was reported to have “thundered against fanaticism, and in particular against women, who were more easily seduced by it; he said that the Revolution had been made by men, and the women should not be allowed to make it backtrack...”(Cobb 450)¹

I have cited Gutwirth and Cobb because their material permits me to join the two themes I address in this paper: secularism and gender equality. I want to argue, contrary to so many contemporary claims, not only that there is no necessary connection between them, but also that the equality that secularism promises was always—still is—troubled by sexual difference. Those who make grand claims about the superiority of secularism to religion—as if the two categories were in eternal opposition rather than discursively interdependent—take an entirely rationalist view of the matter, telling a story of the linear evolution of modernity. From their perspective, there may be interruptions and distractions, but the secular ideal, synonymous with progress, emancipation, and freedom from the strictures of religiously-based traditionalism, inevitably prevails in the end. Such is the view propounded by the philosopher Charles Taylor in *A Secular Age*. Discussing “Locke’s egalitarian imaginary,” he notes that

[It was] at the outset profoundly out of synch with the way things in fact ran...Hierarchical complementarity was the principle on which people’s lives effectively operated—from kingdom...to family. We still have some lively sense of this disparity in the case of the family, because it is really only in our time that the older images of hierarchical complementarity between men and women are being comprehensively challenged. But this is a late stage in a ‘long march’ process....(Taylor, 167)

The evidence from the French Revolution could be used to substantiate this “long march” view of things. Indeed it has been argued that after a rocky start due to traces from the Old Regime, the notion of individual rights spread from groups of elite men to all members of society. The pace of progress was uneven but inevitable, even if it took centuries to come to fruition. I want to challenge this story and suggest instead that it is, instead, a feature of the discourse of secularism. I agree with Talal Asad who, disputing Taylor’s Hegelian teleology, characterizes the “long march” story as a myth of liberalism:

What has often been described as the political exclusion of women, the propertyless, colonial subjects in liberalism’s history can be re-described as the gradual extension of liberalism’s incomplete project of universal emancipation. (Asad, 59)

Calling for a critique of the idealized secular, Asad comments that “the secular is neither singular in origin nor stable in its historical identity, although it works through a series of particular oppositions,” (Asad, 25) among them the political and the religious, the public and the private. To this list I would add the opposition between reason and sex. In the idealized version of secularism, the consignment of the passions to a private sphere makes possible reasonable conversation and conduct in the realms of the public and the political.

In this idealized secularism, there is a link between religion and sex that needs further exploration, not because the religious and the erotic are one (though that may be something others want to discuss), but because secularization in the Christian lands of the West proceeds by defining religion as a matter of private conscience, just as (in the sense both of similarly to and at the same time as) it privatizes matters familial and sexual. When reason becomes the defining attribute of the citizen and when abstraction enables the interchangeability of one individual citizen for another, passion gets assigned

¹ This is not a new observation and it is based on years of second wave feminist scholarships—a scholarship whose insights and evidence seem all but forgotten in contemporary discussions that pit “the secular” (standing for only positive developments) against “the religious” (standing inevitably for women’s oppression).

not just to the marital bed (or the chambers of the courtesan), but to the sexualized body of the woman. So it is that domestic harmony and public disorder are figured in female form; the “angel in the house” and the unruly “pétroleuse” are two sides of the same coin. (Christ; Gullickson) Masculinity is confirmed in opposition to both of these representations: men are the public face of the family and the reasoning arbiters of the realm of the political. Their existence as sexual beings is at once secured in relation to women and displaced onto them. The public/private demarcation so crucial to the secular/religious divide rests on a vision of sexual difference that legitimizes the political and social inequality of women and men.

It is not simply that religion and sex are to private conscience what politics and citizenship are to public activity. They are intertwined categories because in the process of secularization in the West, women (the embodiment of sex) were (as in the French examples I began with) usually associated with religion and religious belief. Indeed, the “feminization of religion” was a phenomenon that drew anxious comment among American Protestants during the nineteenth century; the susceptibility of women to priestly influence was long the justification for not giving them the vote in the Catholic countries of Europe; and their role as the bearers and embodiments of “tradition” (which included customary religious practices) created dilemmas for leaders of revolutions of national liberation in the twentieth century. The assignment of women and religion to the private sphere was not—in the first articulations of the secular ideal—about the regulation by religion of female sexuality. Rather feminine religiosity was seen as a force that threatened to disrupt or undermine the rational pursuits that constitute politics; like feminine sexuality it was excessive, transgressive, and dangerous. So, to return for a minute to those French revolutionary armies, we have this vehement comment from a *représentant en mission* in the Gers: “And you, you bloody bitches, you are their whores [the priests’], particularly those who attend their bloody masses and listen to their mumbo-jumbo.” (Cobb, 450)

The danger of feminine sexuality was not taken as a religious phenomenon but as a natural one. Secularists removed God as the ultimate intelligent designer, and put “nature” in his place. Nature conceived not as an outside force, but as an essence that could be inferred from all living things, humans included. To act in accordance with nature was to fulfill one’s inherent capacities and, for humans, these were determined by sex. The major political theorists from the seventeenth century on assumed that human political actors were men. They did not cite religious explanations for women’s exclusion from active citizenship, instead they pointed to the qualities that followed from the incontestable biological difference of sex. Thomas Laqueur documented the ways in which 18th century medical writing informed political theory: “the truths of biology had replaced divinely ordained hierarchies or immemorial custom as the basis for the creation and distribution of power in relations between men and women.” (Laqueur, 193) Men were individuals, owning that property in the self that enabled them to conclude contracts—including the founding article of political society, the social contract. And men could be abstracted from their physical and social embodiment, that’s what the abstract individual was about. Women, in contrast, were dependent, a consequence of the dedication of their bodies to reproduction; they were not self-owning, thus not individuals. And there was no abstracting women from their sex. When the French revolutionaries who attempted to domesticate the Catholic church banished women from political meetings and active citizenship, it was on the grounds of biology:

The private functions for which women are destined by their very nature are related to the general order of society; social order results from the differences between man and woman. Each sex is called to the kind of occupation which is fitting for it; its action is circumscribed within this circle which it cannot break through, because nature, which has imposed these limits on man, commands imperiously and receives no law. (Levy, 215)

The point is that at the originary moments of secularism (in its democratic or republican forms) –but also well into its history–women were not considered men’s political equals.² The difference of sex was taken to be a legitimate ground for inequality. Carole Pateman put it succinctly, “Sexual difference is political difference; sexual difference is the difference between freedom and subjection.” (Pateman, 6) The United States constitution included an establishment clause in 1791, but women did not get the right to vote until 1920. The French Revolution subordinated church to state for a time; the law that enacted today’s *laïcité* was not passed until 1905; and women were enfranchised only in 1944. In Turkey, the Kemalist reforms (another version of secularism) were introduced in 1923 and they did include improvement in women’s access to education. Women were granted the vote in 1934, in an attempt to distinguish Turkey’s one-party rule from the Fascist states of Germany and Italy. The forced removal of headscarves taken to be the fulfilment of the promise of emancipation.

In all of these countries, although women are now voters, there are still only small proportions of them in legislative bodies–today women account for some 18% of deputies in the French National Assembly, about 16% in the US House of Representatives and 9% in Turkey’s parliament. Moreover even after enfranchisement, civil and family law remained on the books that placed women in a dependent, inferior position, despite their formal legal rights. In the United States, although there were statutes that recognized married women’s independent contractual rights, judges continued well into the 20th century to apply common law notions that defined marriage in terms of a wife’s domestic service to her husband.(Cott, 185-7) Similarly, in France, provisions of the civil and criminal code dating from the Napoleonic era, remained in effect until they were reformed in the period 1965-75. Until then, husbands controlled their wives’ wages, decided whether or not they could work for pay, and determined unilaterally where the family would live. Married women could not have individual bank accounts and their sexual transgressions were punished more severely than men’s. For example, women’s adultery warranted imprisonment, while men were subject to criminal action only if they introduced their mistresses into the family domicile. In Turkey, a personal status code (based on Switzerland’s) and a penal code (based on Italy’s) that was revised only in 2001, defined women as men’s property–among other things, rape was considered a violation of a male property-holder’s right. Deniz Kandiyoti remarks that the “double standard of sexuality and a primarily domestic definition of the female role” left Turkish women “emancipated but unliberated.” (Kandiyoti, 324) In all of these countries, the glass ceiling is everywhere evident even in a time of changing sexual norms–no more so than during these last months of financial turmoil as men in dark suits and ties gathered around tables in boardrooms and government offices to devise a fix for the latest crisis of capitalism.

If all of what I have described so far can still be accommodated by the “long march” story, other factors make it more difficult. The formal enfranchisement of women did not end their social subordination. Even when, after years of feminist agitation, women in these democracies won the right to vote, references to a biologically mandated sexual division of labor were used to place them in a socially subordinate relationship to men. In many countries, the enfranchisement of women was conceived as the extension of group, not individual rights. The formal rights of the citizen for women did not translate into social and economic equality; citizenship did not change the norms that established women as different. They might gain formal political equality, but substantively–in the family, in the marketplace, in the arena of politics itself–they were hardly equal. If, in recent years, there has been a sexual revolution–what Eric Fassin refers to as an extension of democratic logic to the realm of sex and sexuality–this has yet to translate into equality across the board. (Fassin 2006; 2008) Indeed, it is striking in France, that the very same politicians who in 1999 ridiculed feminist demands for a law granting equal access to elective office for women and men (“It’s a concert of vaginas,” one Senator commented), became great advocates of women’s equality when it came to talking about Muslims in 2003. (Bachelot and Fraisse, 12) It is precisely the gender (and other) discriminations

² It is interesting that in many discussions of “The secular subject,” the question of sexual difference is ignored. See, for example, Asad and Warner.

which remain in secular societies that are obscured when secularism and religion are categorically counterposed.

But I want to take the argument further and suggest that it is not at all clear that secularism is a sufficient historical explanation for the admittedly more open, flexible kinds of sexual relations that have gained acceptance in some countries of the West in recent years. When we begin to untangle the strands that are these days taken to be a whole package, we find a much more complex story than the one that ties secularization inevitably to sexual emancipation. There are a number of different histories that need to be written from this alternative perspective. They all aim at eliciting the changing meanings of the term “secularism” itself. One has to do with state formation in the West and the contest for power with religious institutions—the most literal aspect of the process of secularization. A second has to do with the dissemination of secular ideals elsewhere, what they were and how they became a template for modernity outside the West. A third has to do with sexuality, with changing representations of male and female, masculinity and femininity, and with the political and social histories of the relations between men and women. It wouldn’t hurt here to try to think psychoanalytically about these histories. A fourth would consider demography, the way concerns with rising or falling birth rates moved the rulers of nations to pursue policies directed at regulating marriages and defining what counted as a family. A fifth would take science, medicine and technology into account and ask how developments in these areas made possible changes in norms governing sex and sexuality. A sixth would look at economic development, bringing together the state, the market, and gender (especially the way theories of political economy envision and so implement sexual divisions of labor in the market and the family). These different strands, of course, intersect and influence one another, but not in the way the “long march” teleology imagines. Rather, the intersections are disparate, discontinuous and contingent; they don’t all fall into line at the same time and in the same way. That is why we need histories to illuminate and account for them; only then will a genealogy of secularism be possible. When it is, we will have exposed as of very recent origin the discourse that takes sexual emancipation to be the fruit of secularism. This discourse is located in our particular historical context, one in which the hyperbolic language of a “clash of civilizations” and a “crisis” of secularism has come to characterize what ought to be more nuanced discussions about the complex relationships within and between “Islam” and “the West.”

More history and a bit of psychoanalysis

In this paper I can’t begin to illustrate how the genealogy of secularism would look in practice, but I can offer some starting points for conceptualizing it.

i) The history of secularization in the Christian West is tied to the emergence of the nation-state and to the separation of politics from religion. Whether they aimed to place denominational struggles outside the realm of national and international politics, to deny political authority to ecclesiastical leaders, or to subordinate the power of churches to state control, the theorists of what we now call secularism addressed the relationship between the institutions of church and state with little reference to the relationships between women and men. A case in point is the French law of 1905, one of the exemplary laws of modern European secularism. The law never mentioned gender at all as it spelled out the boundaries of separation between church and state. Liberty of individual conscience is the first article of the law of separation; the second pertains to the republic’s refusal to recognize or underwrite any particular religion. There are rules prohibiting religious icons on public monuments; rules about remunerating the services of chaplains in schools, hospitals and prisons; attempts to define what constitutes a recognizable religion; and the creation of a “*police des cultes*” to enforce the provisions of the law. As the state brings religious institutions under its control, it often refers to the *Conseil d’Etat* for advisory judgments. (The *Conseil d’Etat* is the highest administrative court in France, whose task is to deal with the legality of actions taken by public bodies.) None of the judgments relating to the law of 1905 concern gender equality, while other rulings of the *Conseil* do refer to the status of women and to discrimination against them (it’s the different institutional contexts-- workplace, school,

university—that matter here). Until 1987, the assumption seems to be that the question of religion has little bearing on the “woman question.” Gender equality comes into focus in relation to laïcité for the first time in 1987 when, seeking to bring French practice into conformity with the European Convention’s prohibition of sex discrimination, the Conseil decides that Catholic women’s religious orders must be treated in the same way as those of men.(295) Even when offering its first opinion about the legitimacy of banning Islamic headscarves in schools in 1989, the Conseil did not raise the question of gender equality. Rather it framed its decision in terms of threats to public order and proselytizing in a public school. (In 1989 they found neither to be in evidence.) In 2004, on the eve of passage of the headscarf ban, a report by the Conseil noted that its previous decisions had been less influenced than they now would be by “questions linked to Islam and to the place and status of Muslim women in society.”(Conseil d’Etat, 341) The question of women’s equality as a feature of the separation of church and state was a new one for this body that had been offering guidance for nearly a century on the meanings of the law of 1905. It came up only in the context of heated debates about the place of North African immigrants in French society.

ii) In the process of Western secularization, the status of women became a concern of modernity in association with imperialist adventures. Colonial powers often justified their conquests in terms that made the treatment of women an index of “civilization.” Well before women won the vote in France, descriptions of life in North Africa stressed the superiority of French to Arab gender relations. Julia Clancy-Smith describes it this way: “In the imperial imagination, behind the high walls of the Arab household, women suffered oppression due to Islamic laws and customs. As the colonial gaze fixed progressively upon Muslim women between 1870 and 1900, Islam was moved by many French writers from the battlefield into the bedroom.”(Clancy-Smith,155) In Algeria, as early as the 1840’s, one way of distinguishing between what the French took to be the superior Kabyles (who were singled out to be aides to colonial administrators because they were taken to be more “French”) and the Arab population was the treatment of women. Paul Silverstein describes the construction of what he calls the “myth” of Kabyle superiority this way: “According to scholars, the Kabyles continued to hold their women in high respect; Kabyle women were masters of the household, went in public unveiled, and generally ‘have a greater liberty than Arab women;’ they count more in society.” (Silverstein, 52) And at the height of the Algerian war for independence (1954-62), the wives of French colonial administrators organized women’s associations aimed at freeing native women from the constraints of Islamic law. A ceremony in 1958 that involved the unveiling of Muslim women was meant to display the “civilizing mission” in action; France was not, as the nationalists claimed, an oppressor, but—in this scenario—a liberator. (Shepard, 186-92) The removal of the veil proved it. (One can see here the similarities to justifications offered by the Bush administration for the war in Afghanistan—as a mission of liberation from “Islam” for women there, even as it pushed an agenda that compromised hard won rights for women at home, often in the name of Christian religious truth.)

Algerian nationalists, many also committed to some form of modernity, found themselves caught between refusing the promise of colonial “emancipation” and offering their own form of it. FLN member Frantz Fanon commented: “the tenacity of the occupier in his enterprise to unveil the women, to make of them an ally in the work of cultural destruction, had the effect of strengthening traditional patterns of behaviour.” (Souffrant, 177) Fanon’s essay, “Algeria Unveiled,” struggling as it does with the need to insist on the integrity of a traditional Algerian culture against French attempts to absorb it, on the one hand, and on the desire to modernize that culture, on the other, reveals the ways in which the pressure of contingent historical forces shape political and social outcomes. (Fanon) If Fanon thought that participating in the revolution would somehow raise women to men’s level, independence did not, in fact, bring about an egalitarian sharing of political responsibilities between women and men. (Lazreg) And the confusion about how to nationalize secular modernity remained a key aspect of politics for several decades. Those familiar tropes of the danger of women’s religious attachments and the need to rein in their zeal (implicitly if not explicitly understood as sexual) were evident in forms specific to Algeria’s history. They took another turn during the civil war in the early 1990’s, when

resurgent Islamist forces insisted on women's religious practice (embodied in the veil) as a way of containing female sexuality and so of resisting Western materialism.

iii) Exporting secularism as a product of modernity did not only come under the aegis of colonial domination. In Iran, Afsaneh Najmabadi argues, influences from the West led, in the 19th century, to anxiety about sex and masculine sexuality. Well before the Shah's reforms in the 20th century, "the modernist project of female emancipation—centered on the desirability of heterosocialization, unveiling women and encouraging them to socialize with men, and transforming marriage from a sexual contract to a romantic one—was premised on (and productive of) the disavowal of male homoeroticism. It was also pushed for eradication of same-sex practices among males." (Najmabadi, 60) As in Turkey, emancipation did not guarantee liberation since the romantic marital contract still assumed a division of labor in which the home and its private functions was the woman's domain, the public world of politics, the man's.

Lest these patterns be associated solely with liberalism, the Russian Revolution offers another kind of example. After the Bolsheviks came to power women were granted complete civil, legal and electoral equality, yet they remained secondary figures in the Party and the government. There was greater economic opportunity than in the past, to be sure, but although women were encouraged to join the workforce, they were rarely found in top administrative or leadership positions. In iconic representations the secular, rational, and physically potent young male worker stood for the revolution and the future, while the religious, superstitious "baba"—the babushka wearing old woman—embodied its antithesis. Writing in 1978, historian Richard Stites reported that Alexandra Kollantai had complained in 1922 that "the Soviet state was run by men and women were to be found only in subordinate positions." "And so it has remained," he concluded, "for the most part until this day." (Stites, 327)

iv) These too-brief citations of very different histories contain a recurring theme: sexual difference, conceived as a natural distinction rooted in physical bodies, is the basis for representing the alternatives between past and future, religion and rationality, private and public. The irreconcilability of these options is underscored by linking them to women and men—a fundamental division that seems to admit of no ambiguity, even if the roles the sexes actually play don't fall so neatly into one category or another. To the extent that these representations assuage deeply rooted, even unconscious anxieties, they secure the plausibility of the secular. To the extent that they structure the meanings of secularism, they feed into its normative expectations; indeed they contribute to the production of gendered secular subjects. It may be in this area that the observations of psychoanalysis (which is, after all, a critical commentary on the rationalism of the secular) would be useful. Not as a predictive science, but as a way of reading beyond the literal, as a way of deciphering the metaphoric utterances of secularizers.

Psychoanalysis, of course, aims at uncovering the unconscious workings of individual psyches, but these are not forged independently of the conscious awareness of normative categories and their enforcement. Nor are the normative categories simply rational statements of desirable identification. They are historically varying attempts to eliminate the psychic confusion or anxiety that sexual difference generates (where do I come from? what do these bodies mean? how are the differences to be explained? what is to be done with sexual desire?) and that is often addressed by fantasy. (Laplanche and Pontalis) Normative categories try to bring individual fantasy in line with cultural myth and social organization—never entirely successfully. Gender, then, is the study of the relationship (around sexuality) between the normative and the psychic, the uncontrollable articulations that at once aim to collectivize fantasy and to use it for some political or social end such as nation-building, family structure, or secularization. The analysis of male dominance in its different secular forms—to take one example—might profit from a psychoanalytic approach—one which asked how links between social and psychic anxiety were being forged in the denigration or, for that matter, the exaltation of women's sexuality in relation to men's; in the boundaries established to maintain differences of sex; and in phantasmatic warnings about the consequences of altering or breaching those boundaries.

If we posit sexual difference as a source of psychic anxiety, the questions that follow are eminently historical because they ask how and in what contexts the anxiety is differently expressed and addressed. This assumes an interaction between changing (social, economic, political) circumstances and psychic life. The causality isn't unidirectional and that makes the interpretations all the more challenging. Are there unique ways in which secularism (we should really pluralize it—secularisms) addresses sexual difference?³ Does it matter if God or nature or culture is the foundation on which explanation rests? How? Are there particular approaches to sexuality that can be called “secular?” Are they necessarily linked to gender equality in its substantive as well as its formal implementation? What have secularists meant by equality? How has this changed over time? And what has equality signified in relation to psychic anxieties about the meanings of sexual difference? Thinking about sexual difference in this way, as an irritant to rational explanation, lets us take our distance from the story secularism has learned to tell about itself.

Agency

In definitions of secularism, the matter of equality is often linked to the autonomous agency of individuals, the preeminent subjects of secularism. They are depicted as freely choosing, immune to the pressures that traditional communities bring to bear on their members.

Thus, Riva Kastoryano defends the ban on Islamic headscarves in French public schools by invoking the need to protect women's autonomy from political/religious authorities. “Law alone cannot help to liberate the individual—especially when the individual is a woman—from community pressures that have become the common rule in concentrated areas like banlieues in France. Still, such a law is important for liberating Muslims from Islam as a political force that weighs on Muslim migrant communities wherever they are settled.” (Kastoryano, 12) Her assumption, a widely held French secularist one, is that communal pressures are always negative forces and that the only reason a woman would wear a headscarf is because she is forced to.

In fact, where there has been testimony from women in headscarves, their emphasis has been on choice, on their religiously-inspired individual agency. And in the more general debates about religion and secularism, historians have reminded those feminists who equate religion, patriarchy and the subordination of women, that the first wave of feminism drew on deeply held religious principles for its arguments. Indeed, it was white Protestant women who staffed the temperance, abolition, peace, and purity movements, gaining a space in public life as voices of Christian morality. (Sands, 315) And their arguments rested on biblical passages and on their interpretations of theological texts. Second wave feminism often forgets this fact in its anti-religious, secular emphasis. The historical insight to be gained here is not a teleological one—feminism did not evolve from religious to secular—but a contextual one: what distinguished the eighteenth and nineteenth century movements from the late twentieth century ones?

One of the interesting things about recent scholarship on religion has been its critical examination of the nature of religious agency, some of it in the light of theoretical work on the constitution of subjects. The writings of historian of religion Phyllis Mack on Quaker women in the 18th century, and of anthropologist Saba Mahmood on women in pietistic Islamic sects in late 20th century Egypt call into question the secular, liberal concept of agency as “the free exercise of self-willed behavior,” the

³ In an unpublished article (2009) Mayanthi Fernando argues that French Muslim girls in *hijab* face an impossible situation. (“Reconfiguring Freedom: Muslim Piety and the Limits of Secular Public Discourse and Law.”) Their religious commitments are realized by wearing the *hijab*, they cannot be privatized as the state requires. Yet this is a freely chosen religious obligation. Since French secularism cannot accept the idea of free choice as a choice to submit, they are treated either as dishonest or victims of communal pressure

expression of a previously existing self. (Mack 434) Mack argues that, in order to understand the extraordinary actions undertaken by Quaker women, “we need a conception of agency in which autonomy is less important than self-transcendence and in which the energy to act in the world is generated and sustained by a prior act of personal surrender.” (Mack, 439) Similarly, Mahmood suggests that “agentival capacity is entailed not only in resistance to norms, but in the multiple ways one inhabits those norms.” (Mahmood, 15) She reminds us of Foucault’s definition of subjectivation: “The very processes and conditions that secure a subject’s subordination are also the means by which she becomes a self-conscious identity and agent.” (Mahmood, 17) Foucault analyzed liberal subjects in these terms; Mack and Mahmood suggest it applies also to religious subjects, and this leads them to a strong critique of the insistence on individual autonomy in some secular feminist emancipatory discourse.

Mack explores the Christian paradox of freedom in servitude to God. She writes that Quaker women “defined themselves as instruments of divine authority,” who found in self-transcendence the “freedom to do what [was] right.” (Mack, 439) “The contradiction between the ideal of self-transcendence and the cultivation of a competent self was resolved by turning the energies of the individual outward, in charitable impulses toward others.” (Mack, 454) Mahmood maintains that the pietistic Islamic women she studied did not see their religious practice as a means of expressing an established identity, but of enacting a virtuous life, one that aspired to fulfill the ethical standards of the “historically contingent discursive traditions in which they [were] located.” (Mahmood, 32)

These traditions, according to Mahmood, were not throwbacks to the past, but “modern,” and they need to be understood as such. “The relation between Islamism and liberal secularity,” she writes, “is one of proximity and coimbrication rather than of simple opposition or... accommodation; it therefore needs to be analyzed in terms of the historically shifting, ambiguous, and unpredictable encounters that this proximity has generated.” (Mahmood, 25) Similarly, Mack refuses to position her Quakers against the secular Enlightenment; rather she says that there was “a new kind of psychic energy; a spiritual agency in which liberal notions of free will and human rights were joined to religious notions of individual perfectability, group discipline, and self-transcendence, and in which energy was focused not on the individual’s interior state but on the condition of other deprived groups.” (Mack, 445)

Whether addressing themselves to the needs of others, or personally meeting a set of ethical requirements, these religious women act as individuals, making choices, albeit within a set of normative constraints. Neither Mack nor Mahmood denies that gender inequality is a feature of these religious movements; indeed Mahmood acknowledges her own initial repugnance for the “practices of the mosque movement...that seemed to circumscribe women’s subordinate status within Egyptian society.” (Mahmood, 37) But she goes on to insist on the importance of understanding not only what is involved in the social conservatism of piety movements, but also the sources of our own secular feminist desire to condemn them as instances of forced subordination or false consciousness before we understand what they are about. “By tracing...the multiple modalities of agency that informed the practices of the mosque participants, I hope to redress the profound inability within current feminist political thought to envision valuable forms of human flourishing outside the bounds of a liberal progressive imaginary.” (Mahmood, 155)

In the heat of the headscarf controversies, there has been less attention paid to the voices of women who wear them than to the critics who condemn them as “a sexist sign.” (NYTimes 9-30-08) Since they take the sign to have only one meaning, the critics see no need to ask women why they wear head coverings; moreover any answer that disputes their interpretation is dismissed as false consciousness. There’s a kind of reverse fundamentalism at play here, with secularists insisting on their perception of it as the truth of the veil. “I am a feminist and I am allergic to the headscarf,” a French teacher tells a Muslim student as she orders her to remove her hijab. (Chouder, 30) When the girl replies that she has chosen to wear it against the wishes of her parents, the teacher tells her that “in removing your headscarf, you will return to normality.” “What does that mean?” the girl asks. “What is normal in a

class where students are allowed to wear dreadlocks? That is apparently normal, but not my headscarf.”(Chouder, 42)

This kind of outspoken challenge is an indication of a certain agency: a strong assertion of the right to have one’s religion recognized as an integral aspect of a self—even if that self has been given over to, or realized through, submission to God. The theme of choice is evident in the various testimonies offered by young women in headscarves. Here are a few from France. “It’s my choice, after all, if I don’t want to show off my body.”(Chouder, 127) “I wear the veil to submit to God—and I am totally responsible for my submission—but that also means I submit myself to no one else, even my parents....I give my self to God and this God promises to protect and defend me. So those who want to try to tell me what to do, to hell with them.”(Chouder, 288) And from Turkey, the NY Times recently recounted the story of Havva Yilmaz who, against the wishes of her parents, dropped out of school rather than remove the headscarf she had chosen to wear at age 16. “Before I decided to cover, I knew who I was not,” she explained. “After I covered, I finally knew who I was.” (New York Times, 10-14-08)

As was the case with Mack’s Quakers, the defense of their right to religious expression has led many of these women to public activism, but not the kind usually associated with Islamist radicals who seek to impose their way of doing things on everyone else. Neither is there an endorsement of state-mandated covering for women as in Saudi Arabia or Iran. Rather, the campaigns protest the forms of discrimination the women experience in their countries—a discrimination that takes the headscarf as its object, but is also about ethnic, social, and economic difference. The point is not to force everyone to do as they do, but to be recognized as legitimate members of a national community. In Turkey, Yilmaz led a movement to end the ban on headscarves in universities. “How can I be part of country that does not accept me?” she asked. Although an attempted revision of the law by the Prime Minister was overruled by the Constitutional Court in June, 2008, she and her friends have vowed to continue: “If we work together, we can fight it.” (New York Times, 10-14-08) The Collectif des féministes pour l’égalité (CFPE), founded in France in 2004, affirmed the right to wear or not to wear a headscarf; dedicated itself to the fight against sexist discrimination; and refused any single model of emancipation. (Chouder, 310-11) “We fight against the obligatory veil and against obligatory unveiling, for the right to have our heads uncovered or covered; it is the same fight: the fight for freedom of choice and, more precisely, for the right of each woman to dispose of her body as she wishes.” (Chouder, 327) These are recognizable liberal democratic values—freedom of choice and women’s control of their bodies—and they indicate the kind of blending that Mahmood refers to. Said one of the members of the CFPE, “I am a French woman of western culture and the Muslim religion.” 3(Chouder, 238)

The message here is clearly mixed; discourses of religious devotion and ethical deportment combine with assertions of modernist notions of individual rights and pluralist democracy. They are as susceptible to change as any other discourses. Although the fight is about religious expression in public places, the neutrality of the state is assumed. Indeed, bans on headscarves are taken to be a violation of state neutrality and of the citizen’s freedom of religious conscience. There is no tolerance either for the argument that the state must protect women from religious conservatives who would force them to veil. These young women (and most of them are young) consider that to be a form of paternalism in contradiction to principled commitments to equality; it is as objectionable in its way as state regulations that would mandate wearing the veil.

The argument against state paternalism was offered in 2005 in a case before the Grand Chamber of the Council of Europe (*Sahin v. Turkey*) in an eloquent dissent by one of the judges, Françoise Tulkens of Belgium. The majority upheld the Turkish court’s ruling that the ban on headscarves in universities was consistent with the state’s secular values and with the equality before the law of women and men. Judge Tulkens disagreed, pointing out that no connection between the ban and sexual equality had been demonstrated by the majority.

The applicant, a young adult university student, said—and there is nothing to suggest that she was not telling the truth—that she wore the headscarf of her own free will. In this connection, I fail to see

how the principle of sexual equality can justify prohibiting a woman from following a practice which in the absence of proof to the contrary, she must be taken to have freely adopted. Equality and non-discrimination are subjective rights which must remain under the control of those who are entitled to benefit from them. 'Paternalism' of this sort runs counter to the case law of the Court, which has developed a real right to personal autonomy. Finally, if wearing the headscarf really was contrary to the principle of the equality of men and women in any event, the State would have a positive obligation to prohibit it in all places, whether public or private. (European Court of Human Rights, 15)

It is precisely in defense of a certain vision of individual agency that Judge Tulkens and others I have cited protest state bans on headscarves. But it is a vision that—implicitly in Tulkens dissent, explicitly in the comments of young women in hijab—acknowledges a distinction between self-governance and autonomy, a distinction that Talal Asad associates with the Islamic "umma." "The sharia system of practical reason morally binding on each faithful individual, exists independently of him or her. At the same time, every Muslim has the psychological ability to discover its rules and to conform to them." (Asad, 197) Submission, then, in this view of things, is—paradoxically—a choice freely made. That is the point of this ironic question from a woman protesting the French ban. "If my veil is a 'symbol of oppression,' must I then conclude that I'm oppressing myself?"(Chouder, 53)

Many of the women defending their right to wear a headscarf admit that not all covered women freely choose it. But that is no different, they insist, from women who feel pressured by boy friends or husbands to conform to the dictates of Western fashion, or—to take an extreme example—from prostitutes forced by their pimps to wear mini-skirts and heavy make-up. There are a range of explanations for any woman's choice of clothing; so why insist on only one meaning for the veil?

Agency, then, is not the innate property of an abstract individual, but the attribute of subjects who are defined by—subjected to—discourses which bring them into being as at once subordinate and capable of action. It follows that religious belief does not in itself deny agency; rather, it creates particular forms of agency whose meanings and history are not transparently signaled by the wearing of a veil. If one of those meanings has to do with the idea that women are subordinate to men, comments a Muslim woman, this is not a problem confined to Islam. "Male domination is so widespread, why is it more likely when a woman wears a veil? It's not an issue of the veil or of Islam, it's the relationship between men and women that's a relationship of domination." (Chouder, 217) From this perspective, Islam is but a variant on Tocqueville's "oldest of all inequalities," and secularism is not the antithesis of religion but rather provides a different framework within which to address the problem that sexual difference seems to pose for us all.

Conclusion

I have not been arguing that there is no difference between secular and religious societies in their treatment of women. Of course there are differences, differences that matter for the kinds of possibilities open to women (and men) in the course of their lives. I do insist, however, that the differences are not always as sharp as contemporary debates suggest, and that the sharpness of the distinction works to obscure the continuing problems evident in secular societies by attributing all that is negative to religion. (And, by assuming that, unlike secularism, religion is not affected by changing historical circumstances.) One of the big problems for secularism obscured in this way is the idea of equality itself. Or, to put it more precisely, the idea of the relationship between equality and difference. What is the measure of equality in the face of difference? How reconcile the very different forms of equality—political, substantive, subjective—and the fact that one does not necessarily guarantee the other? This is a problem that liberal secularism has struggled with in the course of its long history, and not only in reference to women and men. One effort at resolution—the one we are now witnessing in dramatic form in relation to Islam—is the displacement of the problem onto unacceptable other societies with other kinds of social organization. It is this displacement that I have called into question in this paper, insisting instead on a more nuanced and complex historical approach

to the two supposedly antithetical concepts: the religious and the secular. Such an approach not only offers greater insight on both sides of the divide, but calls into question the divide itself, revealing its conceptual interdependence and the political work that does. This then opens the way to thinking differently not only about others and about ourselves, but to the nature of the relationship between us—the one that exists and the alternative one we may want to construct.

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