

Performative Contradictions of Women's Rights and Religious Freedoms: Dissonance Across Space and Time

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ABSTRACT

This piece deliberates on Rola El-Husseini's contribution to contemporary debates on double standards and dissonance at the intersection of women's rights and religious freedom in the Global North by highlighting similar performative contradictions of the past. In exercising thinking through current dilemmas with Mark Twain's commentary on non-dyadic marriages in the Ottoman Empire and the United States, this article suggests that across time and space, whoever the manufactured "other" may be, the processes and mechanisms of inclusion and exclusion generally favor the interests of those who hold and seek to maintain the greatest martial, economic, and political power.

KEYWORDS

gender, religious freedom, women's rights, non-dyadic marriages, moral entrepreneurs, intersectionality

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INTRODUCTION

Rola El-Husseini's "Double Standards and Dissonance: Women's Rights and the Freedom of Religion in the Global North" takes us to the intersection of women's rights and religious freedom to persuasively argue that the "Global North" is not genuinely devoted to either. This doesn't surprise historians of the Middle East, especially since the conversation isn't about the "Global North," *per se*, but where its imagined spaces overlap with those associated with a more value-laden signifier, namely, "the West," as flagged throughout El-Husseini's contribution. In other words, the genealogy of the "hypocrisy" El-Husseini skillfully elaborates on is marred by encroachment, exploitation, and extraction, all of which continue to this day. I had intended to build on the commentary on how women's rights and religious freedom are (ab)used in contemporary politics, international relations, and the mainstream media by illustrating their history, focusing on discourses surrounding Muslim women. I hesitated on account of two issues that kept me from writing. First, there are too many examples. Second, we already know. Deep down, we know, even if we pretend not to. Then I thought, Mark Twain – hear me out.

WHAT'S TWAIN GOT TO DO WITH IT?

A Twain travelogue is not what first comes to mind when discussing double standards shaping women's rights and the freedom of religion. *Our Moslem Sisters: A Cry of Need from Lands of Darkness Interpreted by Those Who Heard It* could have been a more obvious choice. There is much to unpack in this missionary work's title alone, let alone the actual body of the text, which is revealing of circumstances that gave "Christian womanhood" unique opportunities to elevate itself by traveling to lands with imperial home state interests to save women who were "buried alive and yet live[d] on" because they were veiled (VAN SOMMER-ZWEMER 1907: 5–6). The hypocrisy is stark. These saviors – missionary women abroad – had little rights of their own and the veil was/is not uniquely Islamic, as the text suggests (IBID.: 5). Veiling is a transtemporal, transregional, and transcultural sartorial custom we've been familiar with since the *Epic of Gilgamesh* and have seen much of, for example, in countless depictions of the Virgin Mary in "Western" art (at times adorned with pseudo-kufic elements subtly reminding us of less dichotomized pasts) and Franciscan Sisters' attires. Local variations include

bonneting, i.e., *čepení nevěsty* in Czechia.¹ Still, I felt compelled to exercise thinking it through with *The Innocents*.

The Innocents Abroad or the New Pilgrim's Progress; Being Some Account of the Steamship Quaker City's Pleasure Excursion to Europe and the Holy Land; with Descriptions of Countries, Nations, Incidents and Adventures, as They Appeared to the Author is just that, and it was published by Twain in 1869. Some read it as a parody of the Christian allegory *Pilgrim's Progress* nestled in the title, which was widely circulating and building an imperial legacy in British colonies and American territories at the time.² Twain claims in his preface that he aimed to present Europe and the Holy Land to his readers as they would have seen and interpreted them with their own eyes, not how they “ought to look at objects of interest beyond the sea – other books do that” (TWIN 1869: V). One presumes these “other books” provided some material for Edward Said’s *Orientalism*. Still, *The Innocents* is full of tropes, essentialist stereotypes, and a condescending air of supremacy. The scholarship animating debates on Twain and the history of race and racism in the US is also useful here; he both challenges and reinforces prejudices. Nevertheless, his text can still converse with El-Husseini’s, as it also brings us to the intersection of women’s rights and the freedom of religion.

NON-DYADIC MARRIAGES, “WE DO NOT MIND IT SO MUCH IN SALT LAKE”

Twain comments on non-dyadic marriages while in Ottoman Istanbul. Marital multiplicity also rests at the intersection of the freedom of religion and women’s rights, especially because it is mostly practiced as polygyny. Outsiders’ fascination with it and the veil meant that these were staples of nineteenth-century travelogues on the “Orient,” though polygamy was rare. Less than 3% of married Istanbulite men were in such unions by the nineteenth century (BEHAR 1991; SEE ALSO DUBEN – BEHAR 1991). Twain paints it differently: “They say the Sultan has eight hundred wives. [...] It makes our cheeks burn with shame to see such a thing permitted here in Turkey. We do not mind it so much in Salt Lake, however” (TWIN 1869: 368). What “they said” about Sultan Abdulaziz’s (r. 1861–1876) harem was even less convincing than the affair “they said” he had with Napoleon III’s wife, but that’s neither here nor there. Twain is not after accuracy. He wants to foreground his compatriots’ double standards – they judged polygamy more severely in Muslim-majority lands

than in North America. Whether he advocates stronger condemnation of the Salt Lake variety or less of the other is open to interpretation. Either way, we accept that ethnocultural prejudices are at the root of the imbalance. Point taken. Where do we go from here? Back to the text.

Twain does not court audience engagement with polygamy in each US state and territory. New York's Oneida community is unmentioned. He only alludes to the doctrine of plural marriages of the Church of Jesus Christ of Latter-day Saints *in* Salt Lake. With this, he sarcastically calls hypocrisy on a women's rights issue (the defense of women factors large in anti-polygamous discourse) and lets readers interpret racism as the cause (since colonialism and imperialism racialized religion). Though accurate, to an extent, the statement is also misleading. The "we" did "mind" the Church of Jesus Christ of Latter-day Saints' polygyny, just not "so much" in Salt Lake as elsewhere, like in New York, Ohio, Missouri, and Illinois, and in the postbellum South, especially Tennessee, Alabama, Georgia, Mississippi, Kentucky, and the Carolinas, i.e. the seven states where members of the church were subjected to the most violence (MASON 2011: 129). The geography is vast, and not without reason.

Joseph Smith founded the church in New York in 1830, a long way from Salt Lake. Its followers kept migrating, precisely because they were "minded." Smith was choked, stripped, tarred, and feathered by a mob in Ohio in 1832; he was killed in Illinois in 1844 (IBID.: 153). Hate crimes affected the whole community: poisoned farm animals, choked wells, homes burned to heaps of ash (IBID.: 142); children were among the "butchered" Mormons (St. Louis Republican 1838). Violence always caught up "*wherever the Mormons went[...] local residents saw them initially as a curiosity, then as a nuisance, and then as a threat that needed to be removed, by force if necessary*" (IBID.). "Force" in Missouri was an executive extermination order preceding the Western Exodus (MASON 2011: 153), the two-thousand-kilometer-long journey of many who fled persecution on the "Mormon Trail" to Utah, then a part of Mexico and beyond US jurisdiction. Nor was Twain their kind publicist.

Twain's *Roughing It* (1871) shares unflattering impressions of Salt Lake, which the author visited after Utah became a territory (1850) but before it achieved statehood (1896). The city is described as "*the capital of the only absolute monarchy in America,*" (TWAINE 1913: 92) and the Mormon Bible, as

“chloroform in print” (IBID.: 110). On polygamy, Twain claims to have changed his mind about the “great reform” after seeing Mormon women: *“the man that marries one of them has done an act of Christian charity[...] the man that marries sixty of them has done a deed of open-handed generosity so sublime that the nations should stand uncovered in his presence and worship in silence”* (IBID.: 101). The misogyny is footnoted; readers are referred to the appendix, where Mormons are described as *“ignorant, simple, of an inferior order of intellect”* (IBID.: 308). That being said, there is also mention of other injustices:

“[...] let it be remembered that for forty years these creatures have been driven, driven, driven, relentlessly! and mobbed, beaten, and shot down; cursed, despised, expatriated; banished to a remote desert whither they journeyed gaunt with famine and disease with their lamentations and marking the long way with the graves of their dead – and all because they were simply trying to live and worship God in the way which they believed with all their hearts and souls to be the true one. Let all these things be borne in mind, and then it will not be hard to account for the deathless hatred which the Mormons bear our people and our government” (IBID.).

This contextualizes what Twain follows with, in condemnatory terms, which is the violence they perpetrated at the Mountain Meadows Massacre of 1857 (IBID.: 310–314). Suffice to say, they were minded, just not *“so much in Salt Lake”* (TWIN 1869: 368).

MORAL ENTREPRENEURS AND THE (BY) PRODUCTION OF A SHADOW SOCIETY

The rhetoric conveying why Latter-day Saints were unwelcome reveals imagined conflicts where honor and American-ness are assumed to be at odds with polygamy (MASON 2011: 5), sometimes called “American ‘Barbarism’” (SEE, F.E., PHIPPS 2009). Outrage was also expressed on women’s behalf. Moral entrepreneurs waxed barbarism as a threat to the re-/production of ideal citizens, i.e. perpetuators of the socio-economic structure (of inequality). An alternative to the heterodyadic family that is the modern nation’s microcosm was portrayed as dangerous. The message was deployed in a manner quite reminiscent of colonialist discourse: *“The children of said marriages are generally growing up as wild animals. [...] It drags men down to the level of the beast. Woman is placed in the same social position. She is looked upon as*

a drudge and a slave, fit only to perform the hardest work and to gratify the slavish passions of those to whom she believes herself married" (JSTOR 1875). Though compared to Islam, some were more generous with their very own local "superstition" and saw polygamy as "*an excrescence of Mormonism*" (JSTOR 1881) – its extraction could even deliver a "*frugal, temperate, industrious, and, incredible as it might seem, in one sense, a chaste people*" (IBID.). It was convincing that "[t]he religion is simply a pious fraud, while the institution of polygamy is a crime. The Government has nothing to do with the former; it has everything to do with the latter" (IBID.). So it legislated.

The anti-polygamy laws enacted in the process of Utah's incorporation into the US culminated in predicating statehood on banning polygamy, which the Church of Latter-day Saints accepted and backed "*with the threat of excommunication for those who continued its practice or advocacy*" in 1890 (DAVIS 2010: 1969). Legislation also clamped down on wealth and economic independence, and, by extension, political power. The Morrill Anti-Bigamy (1862) and Edmunds-Tucker Acts (1887) achieved the Church of Latter-day Saints' disincorporation, forbade any church from having property over \$50,000, confiscated accordingly, and raised the penalty for practicing polygamy – both in dollars and in years of incarceration (MASON 2011: 92). Fiscal losses were significant, as shared by the press: "*The suit was brought about in the Supreme Court of Utah, under the act of Congress of February 10th, 1887[...] a Receiver was appointed for the church corporation, succeeding in collecting over \$1,000,000 worth of property, real and personal, The[sic] decree now entered is a complete triumph for the Government*" (JSTOR 1888). In other words, the law seemed to deliver more financial gains (for the state and federal government) and restraints (on the Latter-day Saints) than protection for women and children. The law didn't eradicate polygamy so much as it created a "shadow society."

Marital multiplicity was a felony offense in all US states until 2020. As explained by Senator Deidre Henderson, who sponsored its decriminalization in Utah, "*the fear of government prosecution has created an environment that enables abuse*" (SMARDON 2020).³ As the law was under deliberation, Shirlee Draper, a former member of the Fundamentalist Church of Jesus Christ of Latter-day Saints, also elaborated on how fear of law enforcement made women like her feel trapped. It took her six years to escape: "*I had no way to get help. Everywhere I went, I was visually identifiable as a felon,*

and I was greeted with hostility” (IBID.). The law criminalized a community and a practice that, in and of itself, cannot unequivocally be linked to the subjugation of women and minors while protecting predators because it turned victims of sexual violence, incest, and child and spousal abuse into outlaws who faced social and legal repercussions for coming forward.⁴ Accordingly, the reasons that justified the criminalization, i.e. protecting vulnerable women, also justified the decriminalization. By this point, the financial and political potential of the church was curbed and checked into alignment with the mainstream political apparatus that reinforces existing power relations. It is plausible that it wasn't ever about protecting women.

BACK AT THE INTERSECTION: DISTINGUISHING LIBERATION FROM OPPRESSION

At the intersection where hypocrisy, double standards, and dissonance abound, so, too, do inconsistencies. We may ask, for the sake of this exercise, what *is* consistent? Hasn't it always been that choice and consent better distinguish liberation from oppression than laws dictating what women (and the marginalized, more broadly) can and cannot do, and what can be done *to* them – even if consent is still constrained by internalized values that reinforce structural inequalities disadvantageous for them, regardless of their non-/dyadic marriage patterns, race, or creed, in this patriarchal, and exploitatively capitalist, world system? Isn't it obvious by now that criminalizing those designated as victims on account of culture doesn't ensure their protection but increases their vulnerability? This rings as true today as when Twain asked for equal condemnation of polygamists resisting obedience to norms determined by those holding the greatest martial, political, and economic power, locally and globally – those with long-term investments in the mechanisms of inclusion and exclusion. Such power shows its teeth via legalities, for example, also on the veil.

El-Husseini's contribution reminds us of inconsistencies at the intersection of women's rights and freedom of religion. Reflecting on this through *The Innocents* pushes us to probe further. Why is it so, to what end, and for whose benefit? The premise of protection (of honor, identity, and those vulnerable) that framed, for over a century, the discourse of federal legislative action taken against non-dyadic marriages in the US was eventually delegitimized because the laws harmed the most vulnerable within a harshly

otherized non-dominant community. Crucially, and contrary to what one may assume from a cursory glance, one could argue it was *not* for nothing and that the score is not nil-nil. The process of delegitimization in and of itself ensured that a socioeconomically cohesive group was denied political viability on the national stage *until* it was mainstreamed (with legal and fiscal pressure) into conformity with the existing power structure. This may indeed be another consistency between then and now. It seems inevitable that the possibility of liberty, equality, solidarity, and justice for victims of gender-based violence existing alongside legislation on what women may conceal or reveal for public consumption on the canvas of their own bodies will no longer convince enough of a margin on election day in any hemisphere. Women may then be “given” choice and protection. In the meantime, the creative enterprise of manufacturing new internal and external others from reshuffled marginal identity registers to fuel politics of division over non-issues to maintain the interests of those with the greatest martial, political, and economic power, locally and globally – those with long-term investments in the mechanisms of inclusion and exclusion – will already be underway.

ENDNOTES

- 1 Multimedia artist and AAU lecturer Alena Foustková engages with Czech bonneting in her exhibit on aspects of women's trauma, “Ženy si musí zakrýt hlavu, protože nejsou obrazem božím/Women must cover their heads, because they are not the image of God.” Museum Kampa, 2 December 2023 – 28 January 2024.
- 2 For a couple of studies on its circulation, see Hofmeyr (2023) and Williams and Clift (2023).
- 3 Beyond the stigma, those in legally unprotected non-heterodyadic marriages also face many legal hurdles, such as not having legitimacy and legal recognition, as well as property, inheritance, custody, and hospital visitation rights, to name a few.
- 4 That it is hard to claim polygamy is bad for women, in general, is also supported by the rejection of the dyadic norm by some radical feminists and black nationalists for very different reasons: “*The latter sees polygamy as the patriarchy's savior, the former as its death knell*” (see Davis 1973). For a recent case that combines some of these crimes, see Fonseca (2022).

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NOTE

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