Muslim women should have the opportunity to define on their own premises what freedom is for them, even when the definition deviates from our own definition of freedom[1]

– Bushra Ishaq in *Hvem snakker for oss?* (*Who speaks on our behalf?*)

Introduction[2]

This statement by Bushra Ishaq, a long time Norwegian media debater, is an appeal to listen to Muslim women in defining secular and feminist values like freedom and equality. According to Ishaq Muslim women have alternative definitions of freedom that should be recognized. And she is not alone in claiming this. Like one young Muslim woman, Sheima Ali, said about the demand that Muslim girls must be liberated from religious suppression: [It makes her] "boil with frustration. What am I supposed to be liberated from? My freedom lies in practicing my religion the way I want" (Ali 2016). On the other hand, some researchers claim that many Muslims "rarely anchor their arguments in explicitly "religious" discourse and/or references" (Bangstad 2013, 361), and that Muslim women *do not* necessarily aim to define alternative, non-secular, notions of freedom (Døving 2012). On the contrary, they have embraced a secular definition of freedom and with it an understanding of the notion "secular" as non-religious.

These seemingly opposing views among Muslim women addresses at least two questions. What notions of freedom, equality and secularity do Muslims in Norway have? And what are the conditions under which different views on these topics could be expressed? In this article, I will try to discuss the latter. *As I see it, the various views all relate to a shared problem of finding a place in a social and discursive hierarchy. Thus, my claim is that hierarchy is a notion that could be used to shed light on some of the paradoxes and tensions that emerge when themes such as freedom, feminism, secular society and hijab are discussed.*

However, in introducing hierarchy as an analytical tool we are facing two obstacles: First, since hierarchy does not fit with the egalitarian values in modern society (egalitarianism equals non-hierarchical) hierarchies are concealed. Secondly, there seems to be a

theoretical deficit in the understanding of hierarchy where "hierarchy" is used to explain for instance how certain Muslim voices are excluded from the public sphere (Bangstad 2013). Hierarchy is in the latter understanding taken as an order that *excludes* differences. But following the French anthropologist Louis Dumont's hierarchy is something that primarily *includes* differences into a larger order (Dumont 1971). *In the article I will try to show how Dumont's work is relevant for a better theoretical understanding of the notion itself as well as for analyzing concrete discussion in the public sphere.*

"Secular extremism", "secular feminism" or... "secular hierarchy"?

Key notions like "secular", "feminism", "freedom", and "equality" are at the core of the debates on religion in the Norwegian context. However, what do they mean, and who can decide what they mean? Are all citizens "free" and "equal" to decide what "secular" and "feminism" means? Are religious and non-religious citizen equal in the interpretation of values like freedom and equality? Or, are these values embedded in a hierarchical frame of interpretation where non-religious citizens are at the top? These are central questions when religion, and in particular Islam, in the public sphere is discussed. However, they remain often unarticulated due to an insufficient theoretical frame. Furthermore, many of the participants in the Norwegian public debate on religion in the public sphere and secular society attest to the problem with the power to define these key notions.

One prominent Muslim voice in the Norwegian public debate is Mohammad Usman Rana who in 2008 wrote the article "The secular extremism" in *Aftenposten*. Here he expressed his view on secularism in opposition to what he sees as the Norwegian mainstream version of secularism. What is interesting to us here is both his own view of secularism and the mainstream one. He considers the former moderate, which lays emphasis on both democracy and pluralism, and the latter as "extreme":

Modern Norwegian society is to an increasingly extent hallmarked by a secular bias. In order for pluralism to be maintained, the degradation of people of faith must cease [...] The challenge for the new Norway is to find an identity of faith- should Norway be a moderate secular nation who attend to religious freedom, or should society be secularly extreme,

where the state and the political correctness is dominating and defines what Norwegian citizens shall believe in? […] The counterpart is the secular model in France and the radical version of the French model in Turkey. Public expression of religion in these countries [France and Turkey] are attempted to be obliterated, so that secularism and atheism can achieve a particular position in society" […] In the public discourse in the modern Norway it is an accelerating tendency that religious people who wants to have God at the center of their life are marginalized and characterized as brainwashed and narrow sighted fundamentalists (Rana 2008)[3].

I do not think Rana's use of the adjective "extreme" helps us to understand what secularity means. Having said that, I think his points really make sense within a hierarchical context. How so? His concern is that Norway will be a society where "secularism and atheism" will "achieve a particular position in society". Rana here seems immediately to confuse a political principle of separating the public and the private (secularism) with a life stance (atheism). However, as I will try to show throughout the text, from a hierarchical perspective these two are linked and in fact underlines the ambiguous meaning of the term "secular". As far as I see it what Ranas "confusion" reveals is that the notion "secular" implicitly entails that atheism is the "gold standard" for citizens in a secular society. In other words, secular society is not a neutral society were all citizens are equal but a society where the citizens are subordinated according to a set of values and statuses. Inspired by the works of Louis Dumont (1971) I will try to show there is an ideal of the secular citizen, which is the "gold standard" from which all other secularity can be measured, as being either religiously ignorant, atheists or anti-religious. This is in line with what researchers such as Marianne Gullestad has shown to be a discrepancy between formal equality and social or practical inequality (Gullestad 2002). Religious people are not formally subordinated, but practically subordinated in a "secular hierarchy".

Another important Muslim voice is the already mentioned debater and researcher Bushra Isahaq. In her book *Hvem snakker for oss*? *Muslimer i dagens Norge-hvem er de og hva mener de?* (Who speaks on our behalf? Muslims in present day Norway-who are they and what do they think?) (Ishaq 2017) Ishaq discusses among other things Muslim relations to secular and democratic values and Muslim women's understanding of their own equality. Reflecting upon the question whether Islam is to blame for suppressing women she argues from examples in both history and the present that Muslim women utilize theological

arguments in promoting ideals of freedom (Ibid, 161). She seems to reproduce a view that "secular feminism", with a certain interpretation of "freedom", stands in opposition to alternative (plural, Muslim, religious?) feminism, with an alternative interpretation of "freedom":

Secular feminism seems to consist in that western definitions of freedom is the only one valid. This exclusiveness to define gives western actors an alleged right to speak and act on the behalf of Muslim women- without listening to the wishes these women themselves express. Within such an understanding to find alternatives to western definitions to freedom is either wrong or a threat to western values (Ibid, 180).

Ishaq's points, about the existence of strong female Muslim voices, can be found elsewhere. And I will return to other examples of Muslim women arguing in a similar way in the public debate in Norway later. For now, what is interesting as far as I am concerned is that in addressing the problem of definition Ishaq is confronted with a paradoxical link between equality and hierarchy becomes visible. On the one hand, all women are free and equal. But on the other hand, some women (secular feminists) are freer and more equal than others. A "Muslim feminist" is not the equal to "secular feminist", but subordinate to the latter. In other words, to hold up freedom and equality as values implicates a hierarchization of how these values can be interpreted. And if this is true, then this is not equality at all, but hierarchy.

Ishaq seems to claim that the "alternative" notion of freedom can be drawn from Muslim traditions and sources. We can interpret this in at least two ways: either can "freedom" be both religious and secular (two paths to the same destination), or religion can be a source for the secular value "freedom" (secularity and religion can be understood as linked). Either way Muslim women use religious reasons in their perception of "freedom". The question is then if such "alternative" notions of freedom could fit within the same discourse: If we want to take equality for all seriously, then Muslim women should have the opportunity to define on their own premises what freedom is for them, even when the definition deviates from our own definition of freedom and entails something we do not like (Ibid, 182).

This is extremely paradoxical: on the one hand she appeals to equality, and I would also add freedom. On the other hand, she challenges the premises for this equality (and freedom).

And yet it is understandable and even inevitable if we take hierarchy into account: In order to establish oneself as a serious participant in the discourse on freedom one must express a subordinate stance in relation to the primary value, equality. By referring to "equality for all" as a norm Ishaq appeals to what Dumont calls a "paramount value". She thus complies, as far as I see it, with what Louis Dumont in *Essais sur l'individualisme* calls modern ideology (Dumont 1983). This modern ideology is hallmarked by two important things: it is an *individualist* ideology constituted by equality and freedom as core values (Dumont names it "egalitarian individualism"), and secondly it is a concealed hierarchy. And since this hierarchy is not recognized by Ishaq the argument ends in paradoxes. What seems impossible in her proposal is to have a definition of freedom which "deviates from our own definition of freedom". Following Dumont, the values "freedom" and "equality" cannot be given a plural meaning unless the alternative definitions are subordinated to the hegemonic interpretation. And this would in its turn mean that the plural definition of freedom is not equal. This is the invisible hierarchy that she tries to break with and which ends up reproducing the paradoxes in "egalitarian individualism". As far as I see it, alternative definitions of freedom can only be possible within this hierarchical structure through subordinating the alternatives to the hegemonic one.

In claiming the equality to define freedom on Muslim women's own premises she is perhaps not that far from the findings of researcher Cora Alexa Døving. Analyzing Norwegian debates on hijab in 2004 and 2009 Døving's conclusion is that Muslim women uses secular arguments for hijab. So, contrary to Ishaq, she claims that her informants have a secular notion of equality and freedom and that they do not draw on Muslim sources like the Quran or Hadith. According to Døving Muslim women subscribe directly to a secular discourse. As far as she sees it "the hijab represents for them women's liberation, independency, identity, freedom of expression and freedom of religion as well as a sign of religious belonging" (Døving 2012, 42) and that the hijab "directly connotes to secular, universal values" (Ibid, 43). Similar questions have been discussed in other studies as well (Barli 2009, Heggertveit 2017). The question is whether we should interpret such expressions as secular and feminist, as alternative secularity and feminist, or not secular and feminist at all.

So, does Døving's findings contradict what Bushra Ishaq claims? Immediately they seem to draw completely opposite conclusions about what kind of traditions and values Muslim women appeal to. Alternatively, they perhaps refer to two opposite and competing

discourses within the Muslim community. Another approach would be to say that both the Muslim women who draw on a Muslim interpretation of freedom and those who draw on secular values like human rights both are forced to relate to the same hierarchy of values. And in the Norwegian society there seems to be a non-religious interpretation of secularity freedom, and feminism that has a hold over all the other interpretations. The problem is that hierarchy in modern ideologies is concealed and is believed to be non-existing.

Even though this article discusses these questions in a Norwegian context, they are of course relevant outside Norway. One prominent scholar who has highlighted the problematic connection between secularism, liberalism and feminism facing Islam and the use of hijab on the international scene is anthropologist Saba Mahmood. In her work she has critically explored what she calls "normative secularity", "secular liberalism" and "secular feminism". As an anthropologist she sets out to investigate how "normative secularity" is less of a political doctrine and more a way of (trans)forming religious subjectivity that can suit western liberal political regimes. She writes in the article *Secularism, Hermeneutics and Empire: The politics of Islamic Reformation* that: "One might go as far as to say that the political solution secularism offers consist not so much in "avoiding religious strife" but in making sure those religious life-forms that are deemed incompatible with a secular-political ethos are made provisional, if not extinct" (Mahmood 2006, 328). What Mahmood teach us is that being a citizen within western society depends on a certain kind of subjectivity which "is compatible with the rationality and exercise of liberal political rule" (Ibid, 344). This rationality, I would add, is governed through complying to a hierarchy of values. Integration into this (liberal) rationality depends on this.

In focusing on the production of subjectivity her approach seems more inspired by the likes of Foucault than Dumont. What relates Mahmood's observations to the topic here is the close relation between liberal values and secularity in western societies. Mahmood has been criticized for being unclear on the nature of this connection since secularism does not necessarily depend on liberalism (Bangstad 2009, 80). However, in bringing in hierarchy as an analytical term I think it becomes clearer how they are linked.

Hierarchy and recognition of difference

In order to discuss the idea of a concealed hierarchy further I want to discuss some of the thoughts of the French anthropologist Louis Dumont. He has pointed out how "modern ideology" (Dumont 1983) – hallmarked by its rejection of hierarchies in favor of egalitarian individualism- has eclipsed our perception of social hierarchies in modern societies. The idea is that we do not perceive hierarchies because we ideologically got rid of them in the processes of modernization. But since we do not believe in them, it thus becomes difficult to both localize and understand them. According to Dumont, philosophers and sociologists alike are reluctantly uttering "hierarchy":

Even sociologists and philosophers seem to speak of "hierarchy" reluctantly and with averted eyes, in the sense of residual or inevitable inequalities of aptitude and function, or of the chain of command which is presupposed by any artificial organization of multiple activities, briefly "power hierarchy". However, that is not hierarchy proper, nor the deepest root of what is so called (Dumont 1998,19).

It seems to me that Dumont highlights two problems in one: firstly, we modern are blind to hierarchies because we think we have substituted hierarchy with equality. We believe only in the *value* of equality between human beings. But we also believe that we have *in practice successfully substituted* hierarchy with equality. Secondly, we confuse or equal *hierarchy* with a *chain of commands*. This stems from an inadequate understanding of what hierarchy is. Let us investigate the former problem before returning to the latter.

Whereas hierarchy seemingly belongs to the non-modern world of the past, modern secular society is based on the slogan from the French revolution of "freedom, equality and brotherhood". But if hierarchies still exist, why do we fail to perceive them? A key for unlocking the question is Dumont's analytical distinction between *thinking and ideas* on the one hand, and on *acting and values* on the other. In *Homo hierarchicus* Dumont praises Talcott Parsons for showing the link between action and values. Actions are directed towards certain ends which themselves are subject to evaluations. These evaluations have the consequence that they differentiate various "entities in a rank order" (Ibid) and integrate them within the same system of common values. According to Dumont Parsons teaches us that the human being does not only think, it acts. It has not only ideas but values. Hence: "To adopt a value is to introduce hierarchy, and a certain consensus of values, a certain hierarchy of ideas, things and people, is indispensable to social life" (Ibid, 20).

As far as I understand this Dumont's point is that we remain blind to hierarchies because we do not see that social life regulated through action and values necessarily creates hierarchy. Our understanding and perception are mostly operating on the level of thinking and ideas, i.e. on an ideological level. But the organization of social life does not (always) correspond with the ideological scheme. Egalitarian societies are also hierarchical, but in a more implicit way than explicitly hierarchical societies.

Dumont highlights the distinction between thinking and acting, or between ideas and values. How does this distinction translate to the context of a Norwegian secular hierarchy and debates in the public sphere? After all, Dumont is talking about a distinction between thinking and acting. But are not the debates on topics such as secularity, freedom, and hijab on the level of thinking and ideas? How are social life, values and action relevant here? Even though Dumont's distinction is analytically fruitful since it renders hierarchy visible, this does not mean that our thoughts and ideas are unmarked by social life and the values that creates hierarchies. Furthermore, the public sphere were values, thoughts and ideas are discussed could itself perhaps be regarded as influenced or even a part of social life. This takes us to a question I will discuss later of whether neutral institutions are possible.

The effect of Dumont's anthropological research is to show that every society is upheld by a hierarchical order organized through certain and specific values. In western modern societies the central values are linked to the individual, its freedom and equality. In other words, even though modern ideology is based on equality, equality as the principal value of modern society creates the basis for a "new" hierarchy.

But before coming back to the value of equality, what exactly does Dumont mean by hierarchy? As we saw earlier, it is not to be confused with a chain of command. Dumont introduces in *Homo hierarchicus* his own understanding of hierarchy which is pivotal for our argument. Hierarchy is a relation that can be called "encompassment of the contrary". Hierarchy is not a simple system of relations where a person, status, group, or gender is of less worth than another person, status, group, or gender. Hierarchy has to do with a whole (constituted by values) where all the parts have a place. Or, differently put, this whole can encompass and integrate parts into this whole or order. As the political scientist Dag Erik Berg writes, Dumont's basic principle was that hierarchy is a universal phenomenon, but that modern ideology was also "systematically unconscious about hierarchy due to its

adoption of equality as a paramount value" (Berg 2011, 34). This egalitarian principle was decisive for the "modern denial of hierarchy" (Ibid, 35).

The Norwegian sociologist Randi Gressgård has discussed similar issues- regarding Muslim utterances on homosexuality in the public sphere as well as discussing challenges with multicultural dialogue (Gressgård and Jacobsen 2008, Gressgård 2010)- in the light of Dumont's thinking. Having already announced a discussion of Dumont's interpretation of equality we can follow Gressgård's Dumont-inspired reflection on this topic. Underpinning it all is a paradox: "I endeavor to show that the paradox of (in)equality- the fact that the ideal of equality leads to a subordination of those who are not identified with the whole- issues from a non-modern hierarchical structure" (Gressgård 2010, 40-42). This point seems in line with the discussion of arguments for hijab in the public sphere. But whereas Gressgård discusses the question by highlighting an ethnocentric fallacy where "others" become subordinated, what is at stake in the case where Muslims take part in the public debate and use secular arguments and appeal to secular values is what we could call "self-subordination". By this, I mean that in taking part in the public debate we accept a subordination to the discourse and its values, which limits the degree to how much we can express deviating points of view. How to make of that? When "others" (religious muslims) argue on "our" (secular) premises we could read that as assimilation, we can read it as sensible, as ethnocentric or with suspicion.

Furthermore, if we take up the question of which kinds of voices we can recognize in the public sphere and which kinds of voices we can recognize as equal to our own (are muslim women arguing for hijab equally feminist to non-religious secular feminists?) we can read from Gressgård that: "recognition can only be hierarchical, because the act of recognizing means placing value on, or integrating into, a whole" (Gressgård 2010, 50). Or as Dumont himself writes in the article *On value*: "If the advocates of difference claim for it both equality and recognition, they claim the impossible" (Dumont 2013, 312). We are here back to Dumonts "encompassment of the contrary", which I think is central to our discussion of the public sphere and secular society. In order for an argument to be understood, recognized and separated from another argument it must be stripped of its singular and private character and placed within a whole which makes it accessible to everyone within.

A similar question is discussed in Vincent Descombes commentary to Louis Dumont

(Descombes 2013, 232-233). He asks the question if it is possible to recognize the equality of another human being as yourself and at the same time recognize the other as other, i.e. different from me. His conclusion is that we must choose between either recognizing the other as equal to myself (egalitarian recognition) or recognizing the other as subordinate to myself (hierarchical recognition). The reason why it is impossible to combine *equality* and *difference* is that equality is the "paramount" value that institutes a hierarchy. Other values (for example the value of being different, or having alternative interpretations of equality and freedom) can be expressed, but only as subordinate to this paramount value. As far as I see it, Dumont and Descombes are both right. Furthermore, this choice between egalitarian recognition and hierarchical recognition seems to me to reflect the two possibilities for Muslim women in the Norwegian context. As a Muslim woman you can acquire recognition either *as equal* to secular/non-Muslim/non- religious women, or you can acquire recognition *as different*. In the first case you will be, at least to a certain degree, recognized as an equal citizen and contributor in the public sphere. In the second case, you will be allowed to express yourself and your difference, but you will not be recognized as an equal.

Neutrality, liberalism and secularity

The case of Norwegian Muslim views on secularity, freedom and feminism is, however, neither the only example where non-religious citizens are in a privileged position, nor am I the only one to highlight this. A similar case was presented by professor of law Joseph. H. H. Weilers in his intervention in the *Lautsi v. Italy* case regarding the removal of religious symbols from the public sphere. A chamber of the European Court of Human Rights held that the displaying in Italian public schools of the crucifix was a violation of the European Convention of human rights (Weiler 2010b). Weiler argued before the Court that "neutrality" within the meaning of secularism puts non-religious citizens in a position of privilege and does not promote equality for all. In his intervention Weiler stressed what he saw as two conceptual errors expressed in the premises for the Grand Chambers decision of removing crucifixes from Italian classrooms. The second of these concerned what he saw as "the conflation, pragmatic and conceptual, between secularism, laïcité, and secularity" (Weiler 2010a, 4). The error consists, for Weiler, in conflating laïcité with neutrality: "When one prohibits all religious dress in school, rather than allowing all religious dress, is one not

making some kind of statement on religious belief?" (Weiler 2010b).

Even though Weiler's points are basically directed at legal issues, they show on a more general level that it is harder to deal with a plurality (of values) than we think. The reason for this seems to be precisely what Weiler highlights: the neutral ground supposed to support the discussion of values and opinions within plural society is not so neutral after all, but rather expresses a perspective assumed to be neutral. However, if we do not take hierarchy into account, I do not think the problems addressed by Weiler can be fully comprehended. Differently put, Weiler fails to see that neutrality has a "double nature": "Neutrality" is both the whole frame supporting a plurality of views on religion and one specific view of religion at the same time. Weiler sees the latter but cannot see the former as long as he does not take hierarchy into account.

A similar observation is made by John Rawls in the expanded edition of *Political liberalism* (2005). The work as a whole aims to shed light on how «reasonable pluralism» can support a constitutional democratic society. In a free society, citizens will have disparate worldviews, and yet there can be only one law. More importantly for us is his distinction between «public reason» and «secular reason». Whereas the idea of «public reason» in Rawls previous monumental work *A theory of justice* (1971) was given by a so called comprehensive liberal doctrine, «public reason» in *Political liberalism* is a way of reasoning about political values shared by free and equal citizens (Rawls 2005, 490). Rawls modifies his own position substantially compared to *A theory of justice*. Firstly, he takes pluralism into account. Secondly, Rawls makes a distinction between «political liberalism» and «comprehensive liberalism». The difference being that «political liberalism» does not include an overal theory of value. This is what makes it possible to make yet another distinction between «public reason» on the one hand and «secular reason» and values on the other:

We must distinguish public reason from what is sometimes referred to as secular reason and secular values. These are not the same as public reason. For I define secular reason as reasoning in terms of comprehensive nonreligious doctrines. Such doctrines and values are much too broad to serve the purposes of public reason. Political values are not moral doctrines, however available or accessible these may be to our reason and common sense reflection. Moral doctrines are on a level with religion and first philosophy. By contrast,

liberal political principles and values, although intrinsically moral values, are specified by liberal politcal conceptions of justice and fall under the category of the political (Ibid, 452).

Rawls inclusion of *pluralism* and his emphasis on «political liberalism»/ «public reason»- as opposed to moral doctrines and reasonable «comprehensible doctrines» establised by both secular and religious reason- takes him one step away from a (previously?) biased conception of both rationality and liberalism. For instance, in distancing himself from «Enlightenment liberalism»'s attack on orthodox Christianity he shows that he has another kind of liberalism in mind (Ibid, 486). Furthermore, in distinguishing between political and moral values he distances himself from a liberalism *à la* John Stuart Mill where the individual is at the center for liberal philosohy:

Whatever we may think of autonomy as a purely moral value [Mills individualism], it fails to satisfy, given reasonable pluralism, the constraint of reciprocity, as many citizens, for example, those holding certain religious doctrines, may reject it. Thus moral autonomy is not a political value, whereas political autonomy is (Ibid,456)

The «constraint of reciprocity» which also is linked to the «duty of civility» involves two element: On the one hand, the ability to explain to others how principles and policies one advocate on fundamentalt questions can be supported by the political values of public reason. Or as Leif Wenar puts it: «Citizens must reasonably believe that all citizens can reasonably accept the enforcement of a particular set of basic laws» (Wenar 2017). On the other hand, citizens must also show willingness to listen to others and a fairmindedness in deciding when accomodations to other peoples views should be made (Rawls 2005, 217).

So, how does all this relate to the claim put forward in this article that all citizens are not equal in their equality? One answer would be that Rawls view of «secular reason» as connected to a doctrine and not as the gold standard of (political) reason is compatible with this claim. In stressing that those with a secular worldview do not have a priviledged access to public reason Rawls has, as I see it, (perhaps unintentionally) revealed an intrinsic hierarchy of reason (with non-religious doctrines and secular reason at the top in this hierarchy). The same counts for his view on more classical liberalism that lays emphasis for instance on individualism. Differently put, Rawls is critical to those who claim that liberalism and individualism are identical (one version of such a «comprehensive liberalism»

would be Mill) since they cannot cope with pluralism. A liberalism coping with pluralism must be political, and not comprehensive.

Rawls claim that "secular reason" and "public reason" are not the same, and his distinction between "comprehensive" and "political" liberalism, seems to me not only to be reasonable. Even though hierarchy is probably not something Rawls himself would consider as part of his argument, it allows us to better understand why we confuse them and might give "secular reason" and "comprehensive" liberalism a privileged position.

Having said that, even though Rawls insist that his liberalism does not include an overall theory of value (Gaus et al. 2018) does not the idea of finding a common ground that gives no position a privileged position (given "reasonable pluralism" through the "constraint of reciprocity") itself indicate "pluralism" and "reciprocity" as values? If so, then we have located the principles for a hierarchy. If pluralism is to be taken into account this plurality must be handled in such a way that it does not fragment society. After all, what is at stake is the value of a constitutional democracy and a political conception of justice. Now, Rawls would perhaps say that values like "freedom" and "equality" are ideas and values *generated from* the public political culture and *not preconditions* for the public political culture. But then what constituted the public political culture in the first place? Rawls has certainly addressed some interesting difficulties in liberal theory, but it seems to me very difficult to keep a political concept of liberalism completely separated from a comprehensive one and not including any kind of overall theory of value.

Dilemmas and paradoxes in the debates on hijab

At the end of the article, I want to look at some examples from Norwegian debates on hijab as well as the academic reflections on the debates from the last fifteen years. The questions I want to focus on are the same as we have already seen articulated by Muslim debaters and social scientists: What notions of secularity are at play? Are the arguments for hijab in the public discourse genuinely secular? Are the arguments for hijab in the public discourse expressions of feminism or undermining it? Are the arguments for hijab in the public discourse expressions of freedom or undermining it? Are the the arguments for hijab in the

public discourse expressions of equality or undermining it?

A very interesting article written by the social scientist Tordis Borchgrevink discusses the hijab debates in the mid-2000s with the French ban of religious artefacts in schools from 2004 as context. Her concern is basically the normative question in the liberal dilemma of how liberal one should and could be before the foundation of liberalism itself is undermined. Applied to the hijab case the problem is how to interpret the persistent use of liberal rights like equality and freedom of expression to claim the right to practice a religious-cultural tradition which (according to some) at the same time expresses the undermining of the same rights. She writes that:

The legal predicament illustrates perfectly the inherent dilemma of liberalism: How is liberal society to deal with illiberal practices without undermining its own principles? When these two systems of law, religious and secular, appear mutually exclusive, and both intervention and nonintervention in people's religious belief appear self-defeating in terms of western norms the situation seems paralyzing. But within the framework of the present discussion one is led to ask whether this rather massive claim to wear hijab in secular contexts contributes to a lessening or a reinforcement of the pressure on liberal norms (Borchgrevink 2007, 114).

Even though liberalism has not been the major focus in the article, the theme is linked to some of the aforementioned key notions. The "liberal dilemma" resembles the dilemma of how much equality it is possible to recognize in another person's point of view, before the principle of equality itself is at jeopardy. From what we have seen in Dumont's critical assessment of egalitarian individualism, I think that a part of the "solution" to the liberal dilemma would be to admit that liberalism is hierarchical. The dilemma is apparent as long as it is understood from an ideological perspective. From the ideological perspective liberal values like liberty and equality are non-hierarchical in themselves. But in Dumont's take liberal values, like all other values, tend to create the basis for hierarchical orders. In other words, we must shift from an ideological perspective to that of values and social practice. We are in a different position to analyze hierarchy when hierarchy no longer means a mere chain of authority but a relational order or whole that integrates and relates different statues and positions within that whole.

When looking into the perspective of the Muslim debaters themselves we can observe that this question of feminism and liberty is a pressing one for Muslim women[4]. But, as Saba Mahmood points out, it is also an academic pitfall:

It is widely assumed that the veil is a symbol whose variable meanings inhere either in the woman's intentions or in the context of its adornment. Whether it is those who hail it as a symbol of their religious or cultural identity or those who spurn it as a symbol of women's oppression (as do many feminists)[…] Such is the fate that must befall the veil in a secular imaginary: it can only symbolize the world of authority and tradition that already stands in a false relation to history and requisite progress; its proper meaning is decided by a prior verdict, namely that this tradition (often glossed as literalist) must be destroyed in order for reason, culture, and the free spirit to grasp the true meaning of religion (Mahmood 2006, 343-344).

Something similar can be seen in the Norwegian context. If we have in mind Sheima Ali's quote seen in the introduction, the question here is whether wearing the hijab is a sign of suppression or liberty – And accordingly if wearing hijab is compatible with feminism. As another young muslim woman states in an interview with the Norwegian newspaper *Aftenposten*: "Feminism is about social, political and economic equality. That is why it does not matter what one wears, as long as we can be united on these values" (Lereng 2016).

Here enters another question of the relation between different feminist voices or different feminist groups in the public sphere. Going back to Tordis Borchgrevink, she asks if European Muslim women are defying the very laws restricting their rights, or if the head-scarf is advertising their obedience to their own subordination (Borchgrevink 2007). Her perspective on the paradox can be related to what another Muslim debater, Amina H. Bile, writes in *Aftenposten*. She claims that Muslim women in fact have been abandoned by western feminists. This highlights the paradox from another angle: "This is the paradox: we criticize countries which with their restriction and sanction limits women, and still we maintain our own regulations…We can discuss what feminism means on an individual level, but one thing I think we can all agree on is that the freedom to choose what one wants to wear or not" (Bile 2016).[5]

It is neither entirely clear whom the critique is directed at, nor if she draws on secular

values or not. But, as Bangstad has pointed out there are strong indications of the existence of a hierarchy governed by among others the editors of the major newspapers who prefer liberal and/or non-religious Muslim voices (Bangstad 2013). What is interesting is that there seems to be some kind of internal hierarchy among feminists and an internal secular hierarchy that the Muslim women are battling with. And, when western feminist does not support Muslim women then this stands out as a paradox: the freedom we criticize other countries for violating, is violated by ourselves when it comes to Muslim women. But this is not a paradox if we understand freedom as a hierarchical value. If freedom is a hierarchical value, then freedom has a fixed meaning that is not negotiable. We are here back to the problem Ishaq is facing when she demands recognition for alternative definitions of freedom.

There seems to be a double paradox here: 1) Muslim women who use secular language of equality and liberty in order to express subordination. 2) Equality and liberty are (anti-hierarchical) values that creates a hierarchy among the citizens. It seems to me that the paradox is not just underlying the role and arguments of Muslim Women as Borchgrevink has in mind, it is a paradox underlying the secular order and in the values of the secular order itself. As far as I can see Borchgervink and Bile here are describing two sides of the same coin (or of the same paradox). However, we seem to lack a theoretical frame that can render this paradox visible without claiming to solve it. The problem is that we do not seem to understand that equality and liberty are practiced within a hierarchy of values. So secular western feminists do not understand (or admit) that their interpretation of freedom, equality and feminism is creating the "paramount value" (Dumont 1971). Therefore, any other version of secular non-religious feminism will always be an inferior feminism.

What Dumont does is to deconstruct the foundation of modern ideology which is the value of egalitarianism: Since values are the basis for the construction of hierarchical orders, egalitarianism becomes the paramount value in an egalitarianist hierarchy. Thus, the paradox is that equality is linked to its opposite, i.e. hierarchy. In other words, the value regulating the public sphere would in that case be equality. The dilemma from the perspective of the Muslim women arguing for hijab would then be to consider how much is lost in being encompassed by the values of the secular public sphere, and how much could be achieved by doing it. As far as I see it Dumont reveals a paradox that resembles that of the so-called liberal dilemma. As Borchgrevink writes: "The puzzle is this: The object of

theologically founded discrimination, i.e. the victim herself, demands her unrestricted right to demonstrate religious obedience in precisely those institutions which represent the entrance ticket to social and economic participation" (Borchgrevink 2007, 115).

What the author here expresses is well put, but to me it appears less of a puzzle if we do not see it through the eyes of modern ideology. Ideologically, liberalisms' recognition of the equality and thus uniqueness and difference of every human being is a recognition of equality, but not of difference. If this difference is to be recognized it must be placed in a hierarchy. When Borchrevink says that it is a puzzle that the "institutions", which secure equality in social and economic participation, are also used to demand the "unrestricted right to demonstrate religious obedience"; She, as far as I see it, expresses unknowingly a hierarchical value. In this hierarchy the egalitarian "non-subordinate" woman and the Muslim "subordinate" woman are not equal in their equality. But since equality is not regarded as a hierarchical value, the subordinate and the non-subordinate woman are placed at the same level. Since hierarchy breaks with our ethical ideology and standard, we cannot admit that there are some who are more equal than others.

As far as I can see the academic research on arguments for hijab in the public sphere do not seem to be focusing on the process of how these voices are integrated and received in the public sphere. Whereas the voices of Muslim men in these questions can be more easily discared by egalitarianist feminism, it seems more difficult to exclude Muslim female voices who draw on secular values. On the other hand, non-religious feminism finds it difficult to accept this version of secular feminism.

Here we again touch upon the supposed confusion, discussed above in relation to Rana, between secularity as a (non-religious) world view and as a political principle. Are those feminists having a non-religious world-view purer in their secularism – and is it a purer secular feminism than those professing a religious world-view ? The Muslim feminist voices and the secular feminist voices are different (religious vs. non-religious), but also unified (universal equality). From the perspective of the secular feminism the "solution" is thus to not exclude these voices but englobe them into a hierachy. From the perpective of Muslim feminism the solution is to be englobed.

I think, however, that Borchgrevink's paradox could be given an interpretation, if not a

solution, in the light of Dumonts notion of hierarchy. If hierarchy is established through what he calls paramount values, then any expression of deviant/ alternative values or points of view must be evaluated in relation to the paramount one(s). Briefly put, even though religious citizens and their opinions and values could be integrated into secular society and public discourse, secular citizens and non-religious values are "purer". Or to draw on Dumont's account for the relation between sexes: man has a "double nature". On the one hand *man* represents a part of humanity which is different from but equal to women, who represents another part of humanity. But on the other hand, *man* also represents the whole humanity (mankind) (Dumont 1971). In a similar manner, I would claim that we could analyze the relation between secular and religious citizens on two levels: they are parts or members of the same society, but non-religious citizens also represent the secular society as a whole.

Conclusion

In this text I have tried to show how Norwegian Muslims taking part in the Norwegian discussion on topics like secularity, freedom, feminism and hijab reveal a concealed hierarchy. This hierarchy is revealed partly because there seems to be a tension between the various Muslim voices themselves. These tensions concern aims and approaches to obtain these aims. But they all concern a question of being recognized as equal and/or different. By taking Louis Dumont's concept of hierarchy into account I think it is possible to discern both some obstacles and some strategies to cope with these obstacles when it comes to how Muslim views on secularity, freedom, feminism and hijab can be recognized. Following Dumont and his interpreters like Descombes and Gressgård it is not possible to recognize equality and difference at the same time.

On the level of Muslim debaters, I think that we have discerned two possible approaches to this question. On one hand we have those, represented by Ishaq, who want to be recognized for their different points of view on these notions and themes. On the other hand, we have those Muslims who claim they have embraced a traditionally "western" version of these themes and notions. It seems to me like these Muslim women want to be recognized as equals to the western, European, non-religious, feminist, Norwegian woman. The question is

whether the latter Muslims can obtain this status, or whether they too will be subordinate to the non-religious feminist making the "feminist hierarchy" a hierarchy with different levels.

On a research level it seems difficult to grasp both that hierarchy is a reality in western modern societies and/or that hierarchy is something more than just a value scale. I do not necessarily disagree with what the researchers say. I have rather tried to say something that has not been sufficiently discussed by interpreting the researchers own analysis and conclusions in the light of Dumont's thoughts on hierarchy.

References

Ali S. A. (2017)." Hør meg når jeg skriker.", *Aftenposten*, January 1, 2017. Retrieved 13th February 2020 from: https://www.aftenposten.no/meninger/sid/i/qempw/Hor-meg-nar-jeg-skriker-Min-hijab_-min-frihet–Sheima-Ali-18

Bangstad S. (2009). *Sekularismens ansikter*. Oslo: Universitetsforlaget.

Bangstad S. (2013). "Inclusion and exclusion in the mediated public sphere: the case of Norway and its Muslims." *Social Anthropology*, 21, no. 3: 356-370.

Barli A.-H. (2009). *Hijab in norsk offentlighet- en diskursanalyse*. Master diss., University of Oslo.

Berg D. E. (2011). *Dalits and the constitutional state*. PhD diss. University of Bergen.

Berger P. (1967). *The secular canopy* New York: Penguin.

Bile A. H. (2017). Vestlige feminister svikter muslimer, *Aftenposten,* November 24, 2017. Retrieved 13th February 2020 from: https://www.aftenposten.no/meninger/sid/i/1w2zX/Vestlige-feminister-svikter-muslimer–Amina-H-Bile

Borchgrevink T. (2007).” Whither Hijab? Religious freedom and the liberal dilemma”. *Res Cogitans*, 2, no. 4: 110-129.

Descombes V. (2013). Les embarras de l’identité Paris: NRF.

Dumont L. (1971). *Homo hierarchicus. Essai sur le système des castes*. Paris : Gallimard.

Dumont L. (1983). *Essais sur l’individualisme. Une perspective anthropologique sur l’idéologie moderne*. Paris : Gallimard.

Dumont L. (1998). *Homo Hierarchicus. The Caste System and Its Implications*. Oxford University Press.

Dumont L. (2013). « On value » in *Hau : Journal of Ethnographic Theory* 3 (1) : 287-315.

Døving C. A. (2012). «Religionens omveier-det sekulære argument i hijabdebattene» i Bangstad, Leirvik, Plesner (red.) Sekularisme-med norske briller, Oslo: UNIPUB.

Furseth I. ed. (2015). *Religionens tilbakekomst i offentligheten*. Oslo: Universitetsforlaget.

Gaus, G., Courtland, S. D. and Schmidtz, D., "Liberalism", *The Stanford Encyclopedia of Philosophy* (Spring 2018 Edition), Edward N. Zalta (ed.), Downloaded at: https://plato.stanford.edu/archives/spr2018/entries/liberalism/

Gressgård R. and Jacobsen C. M. (2008). "Krevende toleranse: Islam og homoseksualitet." *Tidsskrift for kjønnsforskning*, 2: 22-39.

Gressgård R. (2010). *Multicultural dialogue*. London: Berghan.

Gullestad M. (2002). "Invinsible fences: egalitarianism, nationalism and racism", *Royal anthropological institute* 8: 45-63.

Habermas J. (2004). «Religion in der Öffentlichkeit» in *Zwischen Naturalismus und Religion*. Suhrkamp.

Habermas, J. (2006). "Religion in the Public Sphere". I: European Journal of Philosophy, 14, 1: 1-25. Retrieved 13th February 2020 from: http://onlinelibrary.wiley.com/doi/10.1111/j.1468-0378.2006.00241.x/pdf

Heggertveit I. (2017). *«Skamløse jenter»-Diskursanalyse av kvinneperspektivet i mediedebatten om muslimske kvinner*. Master diss. Volda university college.

Ishaq B. (2017). *Hvem snakker for oss? Muslimer i dagens Norge-hvem er de og hva mener*

de? Oslo: Cappelen Damm.

Lereng A. (2016). "Dra tilbake der dere kommer fra!" *Aftenposten*, November 24, 2017. Retrieved 13th February 2020 from: https://www.aftenposten.no/meninger/sid/i/nrA8o/Dra-tilbake-dit-dere-kommer-fra-Tre-hijab-debattanter-svarer-pa-kommentarene-under-innleggene-sine

Mahmood S. (2006). «Secularism, Hermeneutics and Empire: The politics of Islamic Reformation», *Public Culture* 18 (2), pp.323-347.

Rawls J. (2005). «The idea of public reason revisited» in *Political liberalism*. New York: Columbia University Press.

Weiler J.H.H. (2010a). *ORAL SUBMISSION BY PROFESSOR JHH WEILER ON BEHALF OF AREMENIA, BULGARIA, CYPRUS, GREECE, LITHUANIA, MALTA, THE RUSSIAN FEDERATION AND SAN MARINO – THIRD PARTY INTERVENING STATES IN THE LAUTSI CASE BEFORE THE GRAND CHAMBER OF THE EUROPEAN COURT OF HUMAN RIGHTS*. Retrieved 13th February 2020 from: https://7676076fde29cb34e26d-759f611b127203e9f2a0021aa1b7da05.ssl.cf2.rackcdn.com/eclj/weiler_lautsi_third_parties_submission_by_jhh_weiler.pdf

Weiler J.H.H. (2010b). EJIL Editorial Vol 21:1- Lautsi: Crucifix in the Classroom Redux. Retrieved 13th February 2020 from: https://www.ejiltalk.org/lautsi-crucifix-in-the-classroom-redux/

Wenar, Leif, "John Rawls", *The Stanford Encyclopedia of Philosophy* (Spring 2017 Edition), Edward N. Zalta (ed.), Retrieved 13th February 2020 from: <https://plato.stanford.edu/archives/spr2017/entries/rawls/>.

Endnotes

[1] (Ishaq 2017, 182). All quotes from Ishaq's book are translated by me.

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[3] Translated by me.

[4] I have drawn much on the master thesis of Ida Heggertveit regarding this material (Heggertveit 2017).

[5] Translated by me.