



musawah

For Equality in the Muslim Family

Musawah Vision

Issue 17: June 2015

An update on Musawah issues and activities



Picture: Boy praying at Sitara Mosque, Old Dhaka/Patrick Donovan, Flickr

I. Muslim Family Law News & Beyond

- Bahrain:** Government tells women to stay away from mosques
- Indonesia:** No more domestic workers for the Middle East
- Malaysia:** Women's groups insist marital rape be made a crime
- Morocco:** Plans to reform abortion law underway
- Nigeria:** Violence Against Persons (Prohibition) Bill (2013) signed into law; result of 14 year process of activism
- Pakistan:** Rise in national awareness on pro-woman laws
- Pakistan:** Woman, 42, disguises as a man to provide for her family
- Sudan:** Recent amendments to law on rape and sexual harassment not real change, say activists
- Turkey:** Women, ethnic minorities enter Parliament in major victory for inclusiveness

Care2
Aquila Style
Rakyat Post
KV Info
Voices4Change

Dawn
Dawn
openDemocracy

Al Jazeera

II. Knowledge Building

Musawah Founding Member, Ziba Mir-Hosseini, Named Winner of 2015 Martin E. Marty Award

The Martin E. Marty Award granted by the [American Academy of Religion's](#) (AAR) Committee on the Public Understanding of Religion recognises extraordinary contributions by individuals whose work enriches scholarly discourse as well as enhances the understanding of religion beyond the academy. Ziba Mir-Hosseini is to receive the award in a ceremony held at AAR's Annual Meeting in Atlanta in November 2015. Past recipients of the award include Elizabeth Schüssler Fiorenza, pioneer of feminist biblical interpretation and theology, and John L. Esposito, founding director of the Center for Muslim-Christian Understanding.



Ziba was instrumental in the forming of Musawah as a member of its initial Planning Committee (2007), now [International Advisory Group](#) (IAG). As a current member of the Musawah IAG and Convenor of the Musawah Knowledge Building Working Group, Ziba has led the conceptualisation of the [Musawah Knowledge Building Initiative on *Qiwamah and Wilayah*](#), which has included both scholars and activists as core contributors to the process of building knowledge.

- ❖ To read the announcement by Musawah, click [here](#).
- ❖ To read the announcement by the American Academy of Religion, click [here](#).
- ❖ To access Ziba's body of work, visit her website [here](#).

Musawah Knowledge Building: Offering A Way Forward from Within Muslim Legal Tradition

Online, independent knowledge portal openDemocracy recently invited members of the Musawah Knowledge Building Working Group to write about the key components of Musawah's knowledge building work. The ensuing articles, excerpted below, expound on Musawah's latest theoretical compilation [Men in Charge?](#) and the multi-year, multi-country Musawah-led project which accentuates the friction between Muslim women's lived experiences and the laws that govern them.

Men in Charge? Rethinking Authority in Muslim Legal Tradition

By Ziba Mir-Hosseini

The new book *Men in Charge?* shows that the assumption that God gave men authority over women is a theological fiction that became a legal fiction, whose main function now is to sustain gender inequality.



Muslim legal tradition does not treat men and women equally. The assumption at the root of this unequal treatment is that men are, and should be, in charge of women. This assumption is encapsulated in two legal concepts that place women under male guardianship. These are *qiwamah*, which denotes a husband's authority over his wife; and *wilayah*, which denotes the right and duty of male family members to exercise guardianship over female members.

These concepts, as constructed by classical jurists and reflected in current laws and practices, have played and continue to play a central role in institutionalising, justifying and sustaining gender inequality in Muslim contexts. Behind these laws and practices lies an ancient idea: Men are strong, they protect and provide; women are weak, they obey and must be protected.

- ❖ To read the complete article, click [here](#).
- ❖ For more information on *Men in Charge?*, chapter summaries, and contributor biographies, click [here](#)
- ❖ To purchase the book, visit [Oneworld](#), [Amazon](#) or [Book Depository](#).

Global Life Stories: Capturing Muslim Women's Lived Realities

By Mulki Al-Sharmani and Jana Rumminger

The striking disconnect between the juristic and legal constructions of gender roles in Muslim legal tradition and the lived realities of many Muslim women is revealed in Musawah's [the Global Life Stories Project](#).

Siti Ruqoyyah's father ran a pesantren (Islamic boarding school) in east Java, Indonesia. She became well versed in Qur'anic recitation and the religious knowledge that her father was imparting to the students. At the age of nine, Siti Ruqoyyah was engaged to be married to the son of a religious scholar who also ran a pesantren. She did not know the meaning of engagement, marriage, husband or in-laws because she was so young.

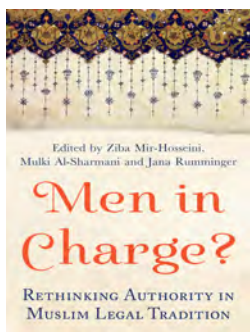
After her father's death when she was thirteen, she was sent to live with her uncle. Soon after, the family held a religious marriage ceremony (nikah siri) for her and her fiancé, though the two lived separately for another year. They were married in a religious court. When she asked why she must be married, her mother replied, 'Your father passed away when he was building a pesantren. And you are a woman, so there is no way you can lead the pesantren. Therefore you should get married so that your husband can take over the pesantren.' Her age was increased on the marriage certificate to sixteen; her husband was twenty-five at the time.

Thus begins the life story of Siti Ruqoyyah, a forty-three-year-old Indonesian woman whose experiences and the gender-based abuse she suffered in her two marriages

sparked in her an interest in seeking gender-sensitive religious knowledge, and imparting this kind of knowledge to other women and their families in Indonesia.

- ❖ To read the complete article [here](#).
- ❖ To keep abreast of new and upcoming activities from the Musawah Knowledge Building Initiative, click [here](#).

Musawah Invites Reviews of *Men in Charge?*



The Musawah Secretariat would like to invite those who have read our latest publication *Men in Charge? Rethinking Authority in Muslim Legal Tradition* (Oneworld, 2015) to submit their reviews to the editors of this newsletter. We welcome all kinds of reviews, including critical in-depth pieces or brief write-ups, that can be published in the forthcoming issues of *Musawah Vision* as well as on the Musawah website. We'll give you a shout out on social media too. Additionally, readers may also submit their reviews directly to Amazon, Amazon (UK) and Goodreads.

- ❖ Write to Meghana Bahar, the Musawah Communications Officer, and let us know what you think about the book: meghana@musawah.org.
- ❖ To check out a review by Isabel Lopez Ruiz, an MA student at Durham University, UK for LSE Review of Books, click [here](#).
- ❖ To read a brief write-up on the book by the Association of Women's Rights in Development (AWID), click [here](#).

Vacancy: Knowledge Building Programme Officer

Musawah is currently seeking a Knowledge Building Programme Officer to coordinate the activities of the Musawah Knowledge Building Working Group.

The successful candidate will help develop the final outputs from the Knowledge Building Initiative on *Qiwamah* and *Wilayah*, and will coordinate the next phase of Musawah's knowledge building activities focusing on building egalitarian jurisprudence on Muslim marriage. This is a unique opportunity to work with scholars and activists in an empowering, democratic process of producing and sharing knowledge related to women's rights in Islam. *Closing date of applications is 31 July 2015.*

- ❖ Read the full [announcement](#) for the job description, responsibilities and how to apply.

II. International Advocacy

Musawah Statement on UN International Day of Families

Musawah welcomes the United Nations' recognition of the importance of gender equality and children's rights in contemporary families as the focus of the [2015 UN International Day of Families](#). We are pleased that this year's theme, 'Men in Charge? Gender Equality and Children's Rights in Contemporary Families', was inspired by Musawah's latest

publication, *Men in Charge? Rethinking Authority in Muslim Legal Tradition* (Oneworld 2015).

Musawah asserts that in the twenty-first century, there cannot be justice without equality. Many provisions in Muslim family laws, as defined by classical jurists and as reproduced in modern legal codes, are neither tenable in contemporary circumstances nor defensible on Islamic grounds. Not only do they fail to fulfill the *Shari'ah* requirements of justice, they are being used to deny women rights and dignified choices in life. These elements lie at the root of marital disharmony and the breakdown of the family.

❖ To read the complete statement, click [here](#).

Calling All Activists Engaging at 62nd UN CEDAW Session

Musawah is seeking to connect with activists from Lebanon, UAE and Uzbekistan who are engaged in the shadow reporting process for the [62nd UN CEDAW Session](#) in Geneva in October 2015. Musawah's international advocacy work supports activists to strengthen their arguments critically examining the status of marriage and family relations, as encapsulated largely in Articles 2, 9, 15, and 16 of the CEDAW Convention.

❖ Please contact Natasha Dar, the Musawah International Advocacy Officer, natasha@musawah.org, before 1 September 2015.

III. Building Our Movement

Musawah Advocate Updates

Prosecutor Appeals the Acquittal of Azza Soliman

On 23 May 2015, Egyptian woman human rights defender Azza Soliman, founder of the Center for Women's Legal Assistance (CEWLA) and Musawah Advocate, was acquitted on charges of 'breach of security and public order'. This followed her testimony on violent state repression that led to the killing of fellow woman human rights defender Shaimaa El Sabbagh. The Qasr al Nile Prosecution appealed the acquittal and the appeal was heard on 13 June 2015. A decision to either confirm the acquittal or approve the appeal and change the verdict will be heard on 4 July 2015. More information [here](#).



- ❖ Read [this urgent appeal](#) by the International Federation of Human Rights (FIDH) on the continued judicial harassment of Azza.
- ❖ To follow the latest updates from CEWLA on Facebook, click [here](#).

GAMCOTRAP Raises Awareness on *Qiwamah* and *Wilayah*

Three hundred women and men participated in a series of workshops to help raise awareness on the lived realities of women in several townships of the Lower River region

in the Gambia. As part of its work for the Musawah Global Life Stories Project, **GAMCOTRAP** conducted a study on 13 women leaders across the country, the findings of which were shared with participants of the workshops in a bid to raise awareness on *qiwamah* and *wilayah* and how these twin legal concepts sanctioning male authority affect women's lives. Working alongside the women's rights activists were male religious leaders who acknowledged that most abuses of women's rights are derived from culture and not religion. GAMCOTRAP has collated the 13 life stories and research findings into a book as well as a documentary.

- ❖ For more information on the above, click [here](#).
- ❖ To follow GAMCOTRAP on Facebook, click [here](#).

Canadian Council of Muslim Women Combat Violence against Women

The **Canadian Council of Muslim Women's** (CCMW) project, 'Violence against Women: Health and Justice for Canadian Muslim Women' aims to tackle violence against women and girls (VAW) through the development of knowledge building resources and community workshops. The project explores the four most common forms of violence against women: femicide, forced marriage, female genital mutilation and cutting (FGM/FGC), and violence in the family.

CCMW hosted three 'Train the Trainer' sessions in Toronto, Ottawa and Edmonton. Pamela Cross led 72 dynamic women from across the country in further building their knowledge and understanding of violence against women, femicide, forced marriage and FGM/FGC as well as community engagement. Participants learned how to mobilise their communities to discuss and address violence against women.



Trainers then returned to their local communities where they helped organise workshops with community partners and members. Twenty-two workshops were delivered across Canada, with over 600 individuals from a diversity of backgrounds participating in the sessions, which were held at local community centres, Islamic centres, schools and mosques.

- ❖ Check out [this fact sheet](#) on femicide by CCMW that describes the term, lays out its prevalence in the Canadian Muslim community, as well as ideas for moving forward.
- ❖ To follow CCMW on Facebook, click [here](#).

Sisters in Islam Engage with Religious and Legal Actors in Malaysia

Musawah Advocates **Sisters in Islam** (SIS) organised a public forum inviting three public intellectuals to speak on the 'Rise of Islamism and Democracy'. The panelists **Wan Ji Wan Ahmad**, a progressive scholar, **Wan Ahmad Fayhsal**, a conservative scholar and **Firdaus Husni**, a constitutional and human rights lawyer, engaged in an informative debate on the rise of Islamism in Malaysia and the extent to which this is affecting the systems and practices of democracy and legislation in the country.

Representing a diversity of opinions, panelists succeeded in generating critical conversations among the audience. The agenda to introduce *hudud* in the State of Kelantan by the Pan-Islamic Party (PAS) was examined in relation to the Malaysian Constitution, and how it would be legally impracticable in terms of its implementation, considering constitutional guarantees of equality and justice.

- ❖ For a sharp analysis of the impact of *hudud* as law in Kelantan, check out [this article](#) in the Malaysian Insider.
- ❖ To follow SIS on Facebook, click [here](#).

Bharatiya Muslim Mahila Andolan File Public Interest Litigation on Arbitrary Denial of Women's Access to Haji Ali Dargah



The [Bharatiya Muslim Mahila Andolan](#) (BMMA) filed a public interest litigation in the Bombay High Court seeking justice for the arbitrary denial of women's access to the Haji Ali Dargah shrine in Bombay, meted out by the public trust that manages the shrine. The plea, filed on 30 May 2015, demanded an end to gender discrimination in a religious place, a violation of fundamental rights guaranteed by the Constitution of India.

The women petitioners are objecting to the infringement of the personal freedom and fundamental right of all women (and especially Muslim women) to enter the inner sanctum of the Haji Ali Dargah, which was previously unfettered. Gender discrimination is common practice in many places of worship across multi-religious India. The women petitioners have been visiting the Haji Ali Dargah all throughout their childhood and youth. Upon visiting the shrine in 2011, they were denied entry. 'Women are not allowed', they were told.

- ❖ [This article](#) features dynamic duo Zakia Soman and Noorjehan Safia Niaz, co-founders of BMMA.
- ❖ To follow the latest updates from BMMA, check out their [Facebook page](#).

Musawah Website in Arabic

The Musawah Communications Working Group is seeking volunteer translators to help with translating the current [website](#) into Arabic. The move to develop Arabic web pages is an outcome of the Musawah Communications and Outreach Strategy, which sees the translation project as crucial towards building the movement in the Middle East and North Africa region.

- ❖ Please contact Meghana Bahar, the Musawah Communications Officer, if you would like to support us on this exciting new venture: meghana@musawah.org.

Musawah in the News

- ❖ Associate Professor Sa'diyya Shaikh, contributor to *Men in Charge?*, has won the 2015 University of Cape Town Book Award for *Sufi Narratives of Intimacy: Ibn 'Arabi, Gender and Sexuality*, reports [UCT Press](#):



“Her book combines feminism and Sufism in such a unique way that critics have labeled it ‘ground-breaking’ and ‘pioneering’. It represents a dialogue between the social and spiritual concerns of 21st century Muslims on the one hand and the rich legacy of a compelling Muslim thinker – Muhyi al-Din ibn al-‘Arabi – on the other.”

- ❖ [BBC Asian Network](#) reported on the workshops held across England by Musawah Advocates in the UK, [Muslim Women’s Network](#), in a bid to empower women on forced marriage:

“It is still a huge problem, it is entrenched in culture,” said Faeza Vaid, MWNUK executive director. “We all need to be unified to say it [forced marriage] is against the law, human rights and an injustice.”

- ❖ Journalist Kimberly Adams featured Musawah Advocates Omaima Abou-Bakr and Marwa Sharafeldin in her report for [Public Radio International](#) on their work in reforming patriarchal interpretations of Islam:

“I think that Islamic feminism is actually going to be the entry point for this whole renewal of Islamic discourse... So it will be up to the Muslim women themselves who are not willing to let go of their religion, but at the same time, are not willing to accept being treated as second class citizens because of a certain version of religion.”

- ❖ [Woman’s Hour by BBC Radio 4](#) featured Ziba Mir-Hosseini on a brief segment entitled ‘Re-interpreting the Quran: Could there be a feminist reading of the sacred text?’:

“We must make a distinction between *Shari’ah*, which in Muslim belief is the perfect law, is the way to justice, and also the interpretation of *Shari’ah*. The source is Muslim legal tradition, jurisprudence. Yes, women have been there and as part of the tradition but we must not forget that by the time that schools of jurisprudence, which is known as *fiqh*, emerged, women’s voices were silenced. Their interests were not reflected in the law.”

- ❖ In this [Guardian](#) interview by Homa Khaleeli, Musawah Advocate Amina Wadud argues that male interpretations of Islam have led to laws that discriminate against women and these need to be challenged:

“When we are talking about laws, we are into talking about who is interpreting the laws, and what judicial methods they use... The prophet made radical reforms but [Muslims] didn’t keep pace with that. If you start with that and no one else on the planet has it, you should be ahead of anyone else on the planet with regards to gender. But instead we let patriarchy to take over.”

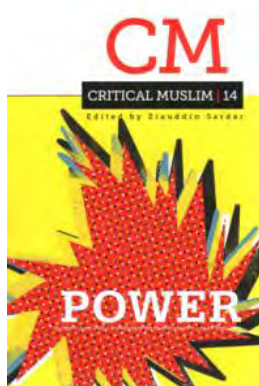


Resources

- ❖ The [2015 Thematic Report](#) of the UN Working Group on Discrimination against Women in Law and Practice submitted to the Human Rights Council (HRC) at its 29th Session in Geneva examines discrimination against women and girls in cultural and family life:

“The cultural construction of gender determines the role of women and girls within the family, including in marriage. After analysing the impact of culture and religion on the enjoyment of equal rights by women and girls in society and the family, the Working Group redefines family by incorporating a gender perspective. In reaffirming equality between the sexes and family diversity, it is necessary to apply the principle of women’s right to equality in all forms of family law, in secular family law systems, State-enforced religious family law systems and plural systems. After recalling the obligation of States to combat discrimination against women in cultural and family life, the Working Group makes several recommendations, drawing on good practices, for the establishment of true equality between the sexes in cultural and family life.”

- ❖ In [issue 14](#) of the Muslim Institute’s *Critical Muslim*, contributors discuss the different nuances to power, its complexities and mysteries:



“Ziauddin Sardar and Merryl Wyn Davies attempt to locate the sources of power. Barnaby Rogerson deconstructs the [dreams of Caliphate](#). Malise Ruthven highlights Islam's problems with the nation state. Kecia Ali revisits Prophet Muhammad's marriage to Khadija, Jeremy Henzell-Thomas explores the power of education, Rahel Fischbach and Rachel Friedman have an enlightening engagement in Rabat, Mohamed Bakari struggles with power struggles in Turkey, Nazry Bahrawi is concerned with the emergence of racialism in Malaysia and Indonesia, Sejad Mekic unties the complex governing structures in Bosnia-Herzegovina, Hussain Ahmed comes face-to-face with [military power in Pakistan](#), Najah Kadhim is exasperated with the Salafi puritans, Hassan Mahamdallie is unimpressed by tribal power, Abdelwahab El-Affendi suggests that Islamists live in a time warp, and Boyd Tonkin traces the history of the [power of the Word](#).”

- ❖ The **Women's Mosque of America** seeks to uplift the Muslim community by empowering women and girls through more direct access to Islamic scholarship and leadership opportunities. Click on the video to watch the inaugural *khutbah* by Edina Lekovic:



- ❖ UN Women's *Progress of the World's Women 2015-2016* comes 20 years after the **Beijing Conference**, and strongly focuses on women's economic and social rights:



“As the international community is poised to agree on a new set of the Sustainable Development Goals (SDGs), it is time to take stock, to acknowledge the progress that has been made, but also to focus on where we need to redouble our efforts, to achieve substantive equality and the realization of human rights for all women and girls.

It is clear: the global economy is not working for women. This report offers a new economic agenda, one firmly rooted in the human rights framework, and brings rights – the right of all women to a good job, with equal pay and safe working conditions; the right to an adequate pension; the right to healthcare, and water and sanitation – into economic policymaking.”

- ❖ In its 134-page report *Marry Before Your House is Swept Away: Child Marriage in Bangladesh* based on over a hundred interviews, Human Rights Watch documents the factors driving child marriage in Bangladesh and its impact. Click on the video to watch a short overview of the situation in Bangladesh:



Contact Us

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