



musawah
For Equality in the Muslim Family

Musawah Vision

Issue 18: September 2015

An update on Musawah issues and activities

I. Muslim Family Law News & Beyond

Egypt	Violence against women taking on new shapes and forms	Prospect
India	Muslim women opposed to unilateral divorce	Indian Express
Malaysia	<i>Hudud</i> and the struggle for Malaysia's constitutional soul	Constitution Net
Morocco	Are religion and human rights opposing forces?	Open Democracy
Pakistan	Laws being amended on forced marriage	The Nation
Palestine	First woman licensed to perform marriages	The Nation
South Africa	Landmark decision on right to paid maintenance	IOL
UK	The UK's <i>Sharia</i> Courts	Full Fact

II. Capacity Building

Musawah I-nGEJ Middle East & North Africa

Musawah will host its sixth 'Islam & Gender Equality and Justice Course' (I-nGEJ, pronounced 'I engage') in Rabat, Morocco from 29 November to 4 December 2015. The Regional Course is designed specifically for activists and leaders in the MENA region.

The open call for applications closed on 6 October; all applicants should have heard back from the Secretariat on 22 October.



Participants of Musawah I-nGEJ South Asia Regional Course

The 25 selected participants are women and men who work on gender and human rights in the MENA region, and who commit to apply the knowledge gained in diverse, creative, and strategic ways to improve the rights of women in Muslim contexts.

The Musawah I-nGEJ Course delivers a customised curriculum for building the capacity of Muslim women's rights activists and others who are engaged in issues of equality and justice for women. It aims to build knowledge and skills in understanding the Qur'an, hadith and *fiqh* from a rights perspective, encourages understanding the diversity and differences of opinion in the production of Islamic knowledge, and facilitates collective strategising towards change.

The Course Team will conduct sessions on the Qur'an, *Tawhid*, Women's Ways of Knowing, Hadith, *Fiqh*, Contemporary Feminist Voices, and the Construction of Gender in Islamic Thought. Musawah hopes that the Course will represent an important achievement in terms of outreach and movement building in the MENA region.

- ❖ If your organisation or network is interested in hosting a national- or regional-level course, please contact Natasha Dar, Capacity Building Officer: ingej@musawah.org.
- ❖ More information about the Musawah I-nGEJ Course can be found [here](#).
- ❖ For photographs from I-nGEJ South Asia Course, click [here](#).

III. International Advocacy

Musawah International Consultation with UN Experts

'This was a very useful consultation. It furthered my critical thinking about alternative interpretations of Qur'anic verses. With the gains acquired, I will continue to engage in dialogue, especially with State parties who invoke Islam in justifying their reservations to the Convention. I will also definitely share my experiences and knowledge gained with friends and family.' ~ CEDAW Committee expert



Over the course of two days in September 2015, Musawah convened 30 international human rights experts in Rabat, Morocco, for the 'International Consultation to Uphold and Advance the Rights of Women Living in Muslim Contexts: Strengthening the Human Rights System and NGO Engagement'.

Participants discussed challenges within the international human rights system, the United Nations (UN) and the Organisation of Islamic Cooperation (OIC) in order to advance the rights of women living in Muslim contexts in the face of politicisation of religion, growing conservatism, extremism and intolerance, and entrenched patriarchy.

Participants also examined the adverse impact of rising religious conservatism on the work of both institutions and NGO engagement with the system; mapped and analysed the challenges and arguments used by governments and non-state actors to roll back women's rights; and discussed existing and new strategies to address these developments. Participants worked with Musawah facilitators to group strategies under four key areas: knowledge production; inclusive dialogue; women's empowerment; and effective human rights promotion and protection for women, including state accountability.

Experts included members of the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW Committee) and UN Working Group on Discrimination against Women in Law and Practice; senior officials from OHCHR, UNFPA, UN Women, and the OIC Secretariat; and activists and scholars. Key points of dialogue included the need for players within the UN human rights system to build a coherent and coordinated voice and strategic ways of engaging with both religion and religious actors. Likewise, participants discussed the need to coordinate a strategic and coherent civil society response, including through the building of partnerships with UN platforms to counter growing conservatism and regression on rights language.

Musawah is pleased that participants plan to utilise new ideas, tactics, and frameworks discussed and generated during the Consultation in their own work and strategies, including building upon partnerships forged at the meeting. The Secretariat will maintain contact with all participants in furthering Musawah's own strategic advocacy goals, and hopes to refer to the discussion in drafting its 2016-2020 International Advocacy strategic plan.

Musawah at 61st UN CEDAW Session

At the 61st UN CEDAW Session in Geneva in July 2015, Musawah challenged the ways the Government of the Gambia uses religion to justify discrimination and non-compliance with its treaty obligations. Strategic interventions included submission of the [twelfth Musawah Thematic Report](#) on Muslim Family Law and delivery of the [ninth Musawah Oral Statement](#). Musawah further supported and complemented the advocacy efforts of the [Gambia Committee on Traditional Practices Affecting the Health of Women and Children \(GAMCOTRAP\)](#) and other national-level NGOs representing civil society in the Gambia.

Musawah and the other NGOs provided the CEDAW Committee with comprehensive pictures of marriage and family relations on the ground that counteract Government claims and discourses; alternative arguments within Muslim legal theory that challenge discriminatory arguments used by the Government; and recommendations for reform based on examples of 'good practices' in Muslim contexts. Musawah's research, analysis, and recommendations take a critical look at the status of marriage and family relations as encapsulated in Article 16 of the CEDAW Convention.

In growing recognition of Musawah's research and advocacy, the CEDAW Committee's Constructive Engagement session and its final Concluding Observations to the Government reflect Musawah's critical research and arguments. In its dialogue with the Gambian delegation, CEDAW experts noted that, *'There is ample scope to look at the Shari'ah in a more flexible and non-discriminatory way, for Islam is a religion of justice... There is no contradiction between Islam and giving equal rights to women... It is incumbent upon the Government to facilitate broader interpretation of cultural norms [regarding polygamy]*. Likewise, in its Concluding Observations, the Committee *'recommends that the State party*

[...] undertake a study on the good practices of other countries with Muslim populations which have non-discriminatory personal status laws in line with the Convention.'

- ❖ To read the complete Musawah Thematic Report on the Gambia, click [here](#).
- ❖ To read the Musawah Oral Statement on the Gambia, click [here](#).

Calling All Activists Engaging at 63rd and 64th UN CEDAW Sessions

Musawah is seeking to connect with activists from Tanzania, France, Myanmar, Philippines and Turkey who are engaged in the shadow reporting process for the 63rd and 64th CEDAW Sessions in Geneva in February and July 2016.

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 20 November 2015.

IV. Building Our Movement

Musawah Advocate Updates

Indonesia: Calling for an end to discrimination in bylaws

Women's rights activists in Indonesia are speaking up on local councils' failure to adequately consult with the public in the formulation of bylaws.

Many of the bylaws that have been passed regionally have limited women's mobility and the right to work.



Musawah Advocate Nani Zulminarni, director of the [Association of Women-Headed Households \(PEKKA\)](#), has been campaigning for stronger and more just laws that will protect the rights of women who are heads of households.

At a recent press conference that coincided with Indonesia's 70th year of independence, Nani together with her fellow activists criticised bylaws that regulate women's privacy and called for the formulation of bylaws with more focus on access to basic needs such as health, education, food, clean water and shelter.

- ❖ To follow the latest updates from PEKKA on Twitter, check out [@pekkaindonesia](#).

V. The Musawah Secretariat

Meeting of Musawah International Advisory Group 2015 in Morocco



Eight members of the International Advisory Group (IAG), Musawah's highest decision-making body, and eight members of the Secretariat met from 8-12 September 2015 in Rabat, Morocco. They discussed the progress made by the Musawah Working Groups thus far, as well as planned activities and goals for each Programme area. One of the main topics of discussion was the transition of the Musawah Secretariat to Rabat from Kuala Lumpur.

Clockwise bottom R-L: Shaista Gohir, Rozana Isa, Marwa Sharafeldin, Adila Aziz, Nani Zulminarni, Jana Rumminger, Houda Zekri, Meghana Bahar, Zainah Anwar, Omaira Abou Bakr, Djingarey Maiga, Ziba Mir-Hosseini, Sarah Marsso, Mulki Al Sharmani, Asma'u Joda, Natasha Dar

The IAG appointed a transition team to identify ways IAG members and Musawah Advocates could support the transition process and help build the movement in the Middle East and North Africa region. The meeting programme included breakout sessions into thematic groupings where the transition of the Secretariat was further delved into, with discussions centred on resource mobilisation including fundraising, the transfer of staff responsibilities, the hiring of new staff, the retention of institutional memory, and the continuity of the Secretariat's vibrant office culture.

Staff Updates: A Warm Welcome to Our New Colleagues!

Sarah Marsso: Programme Officer – Knowledge Building

Sarah comes to Musawah after some years in the field of international development. Sarah is a graduate of Sciences-Po Strasbourg in International Relations and European Studies. Her Master's degree in development cooperation in the Middle East & North Africa region gave her a breadth of expertise in development studies in the Arab world.

Sarah's most recent position as Project Manager in the North-South Economic and Cultural Development Agency (ADEC-NS) in Toulouse allowed her to organise important economic meetings and multi-sectoral missions with some key players of the region.



In her role as an assistant with the MENA Desk of Reporters Without Borders, Sarah was in charge of following up NGO activities by investigating, collecting and updating data and records on systematic violations of the freedom of information.

Sarah is fond of poetry. Mahmoud Darwich, Khalil Gibran and Mawlana Rumi are her mentors. Old books that wait in libraries are her best friends, the ones who understand and never go. When she was a young girl, she wanted to be a boy. Boys can play around, climb trees, and get dirty. So she invented an imaginary alter ego - Ilyess. Sarah was a shy and respectful girl but Ilyess could run around the mosque and fight with other children!

Houda Zekri: Global Coordinator – Musawah Secretariat



Houda is a jurist and expert in gender and international cooperation. She has been working as a Programme Manager at KVINFO, the Danish Center for Research and Information on Gender, Equality and Diversity, in their Rabat, Morocco, office for the last five years. Previously she worked as a gender consultant for the ADL project 'Strengthening and Modernizing the Justice Administration in Morocco' (AECID-Spanish Cooperation).

She has solid experience in teaching languages (French, Spanish and Arabic) in Montreal, and also as an immigration counselor in Canada and Spain.

She publishes regularly on family laws, women's rights, gender-based violence and Islamic legal institutions. She has been a visiting scholar at institutions such as the Institute of Lausanne for Comparative Law (2005) and The Hague Academy of International Law (1999).

Houda loves music and science fiction movies. She is very involved in process of reform occurring in the Moroccan educational system, especially regarding the integration of special needs children.

Our Interns Speak!

Zehra Eviz (from Turkey): MA Iranian Studies – University of Tehran, Iran

This summer I interned at Musawah for three months. I learnt a lot about how to do research for shadow reports as well as impact reports, and got accustomed to the way NGOs work both in the international sphere and on the ground. Beyond being informed about international conventions and gaining familiarity in the discourse of NGOs, I began to see the importance of women's mobilisation and the strategic importance of academic support to help strengthen arguments and raise public awareness. I discovered the use and function of law as a source for defending Muslim women's rights, the importance of questioning and challenging structures, including cultural and religious codes through which women are discriminated against, and the role of NGOs as a control mechanism for ensuring the rights of women.



What made my experience at Musawah unique is the confidence I gained as a Muslim woman to ask for my rights without hesitation. I was in an inclusive space that celebrated

the diversity of our Muslim backgrounds. I was able to strengthen my faith. It became quite clear to me that the problems that I have faced as a Muslim woman have deep roots in culture and politics. I realised how my beliefs are personal and how problems that I faced as a woman regarding my belief or my Muslim identity/background are socio-political. This gives me a sense of a peace as well as it gives me the motivation and confidence to make progress for Muslim women. Thank you, Musawah!

Libera Chiara D'Acunto (from Italy): MA Middle Eastern Studies – ASERI, Catholic University of the Sacred Heart, Milan, Italy



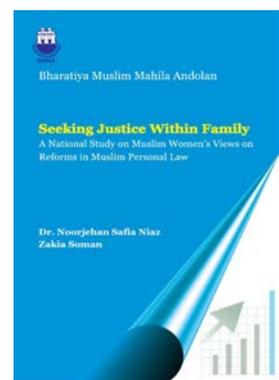
My three-month experience interning with Musawah at Sisters in Islam in Kuala Lumpur was with a team of tough and clever women who demonstrate that critically engaging with Islam is possible, and that Muslim women must question why discrimination against them still occurs today, in the 21st century. It is beautiful and reassuring that Muslim women can realise their rights inside the family without abandoning their faith. Everyone should support Musawah's work and be engaged with it, including non-Muslims, to ensure that violations are not justified in the name of religion.

I have a bad news for everyone out there thinking that Muslim women need to be saved. This is not really the case! There is so much to learn from these incredibly strong and fearless women. Interning with Musawah made me a stronger person, improved my critical thinking, and further opened my mind. I will continue to support them forever. Good luck Musawah with your transition to Morocco!

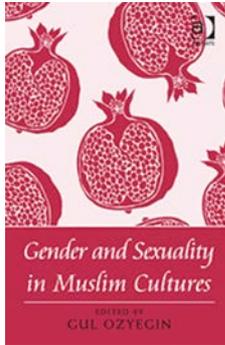
VI. Resources

- ❖ The latest publication by India's leading Muslim feminists Bharatiya Muslim Mahila Andolan (BMMA), *Seeking Justice Within Family – A National Study on Muslim Women's Views on Reforms in Muslim Personal Law*, was inspired by the countless numbers of women who approached BMMA for legal aid:

“The absence of a comprehensive codified personal law often results in the Muslim woman suffering in matters of divorce, alimony, polygamy, custody of children, property, etc. The Shariat as practiced currently in different parts of the country is subject to multiple interpretations and misinterpretations, which more often than not are unfair to women. Often the injunctions of the Holy Quran are violated in the name of Shariat; widespread incidence of triple talaq is the commonest example.”



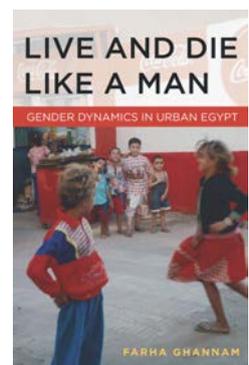
- ❖ Contributors of *Gender and Sexuality in Muslim Cultures* take on the intersections of gender, sexuality, and the body in their explorations of Muslim cultures:



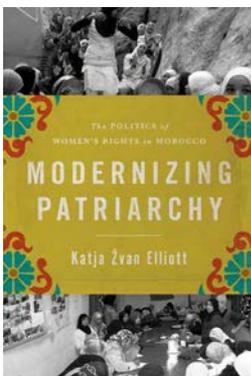
“How does studying gender and sexuality expand and enrich our understanding of Muslim-majority countries, historically and at present? How does the embodiment of ‘Muslim’ identity get reconfigured in the context of twenty-first century globalism? What analytical questions are raised about ‘Islam’ when its diverse meanings and multifaceted expressions are closely examined? What roles do gender and sexuality play in the construction of cultural, religious, nationalistic, communal, and militaristic identities? How have global dynamics, such as the intensification and spread of neoliberal ideologies and policies, affected changing dynamics of gender and sexuality in specific locales?”

- ❖ *Live and Die Like a Man* traces the mass production and maintenance of ‘manhood’ and reopens the discourse on reconstructing masculinities under changing socio-economic and political conditions in Egypt and the Middle East:

“Against the backdrop of individual experiences, Ghannam develops the concept of masculine trajectories to account for the various paths men take to embody social norms. In showing how men work to realise a ‘male ideal’, she counters the prevalent dehumanizing stereotypes of Middle Eastern men all too frequently reproduced in media reports, and opens new spaces for rethinking patriarchal structures and their constraining effects on both men and women.”



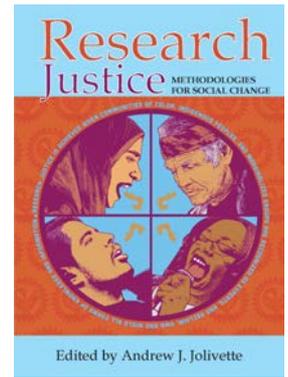
- ❖ The ethnographic study *Modernizing Patriarchy: The Politics of Women’s Rights in Morocco* is a call to a dignified life for Moroccan Muslim women, exposing the failings of a legal system by highlighting the lived realities of women in Oued al-Ouliya:



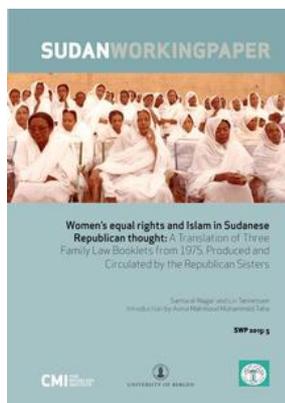
“Morocco is hailed by academics, international NGO workers, and the media as a trailblazer in women’s rights and legal reforms. The country is considered a model for other countries in the Middle East and North African region, but has Morocco made as much progress as experts and government officials claim? “

- ❖ Like the set of Islamic ethics and feminist research principles that guide Musawah’s *Global Life Stories Project*, *Research Justice: Methodologies for Social Change* seeks to challenge traditional approaches in conducting social science research by foretelling a radical approach to socially just, community-centered research:

“Challenging traditional models for conducting social science research within marginalized populations, it examines the relationships and intersections between research, knowledge construction, and political power/legitimacy in society. Presenting a new and highly innovative concept of Collective Ceremonial Research Responsiveness, it envisions equal political power and legitimacy for different forms of knowledge including the cultural, spiritual and experiential. The book examines how the co-existence of these various forms of knowledge can lead to greater equality in public policies and laws that rely on data and research to produce social change.”



- ❖ This working paper *Women’s Equal Rights and Islam in Sudanese Republican Thought* consists of three translated booklets written by the Sudanese Republican Sisters in honour of International Women’s Day 1975:



“In 1975, when Republicans circulated these booklets, Sudan’s women’s movement was more busy advocating equal pay for equal work than demanding equal rights within the private sphere of the family. The mobilization for equality in the family during the 1970s was left solely to the Republican Brothers and Sisters. In fact, in 1975 these groups made a plea to the feminist movement to address the stark gender inequalities within Sudanese family law. The booklets translated in this publication were used by the Republican Sisters during the 1970s to share a feminist interpretation of Islam and to contribute to the transformation of Muslim women in Sudan. The booklets were used as educational material for mobilizing women to resist gender inequality and injustice in the name of Sharia.”

CONTACT US

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