



# musawah

For Equality in the Muslim Family

## Musawah Vision

Issue 11: December 2012

*An update on Musawah issues and activities*

### I. Muslim Family Law News

- Bahrain:** A proposed new law would standardise procedures and end decades of suffering by Shi'ite women in alimony, custody and divorce cases. - [AWID](#)
- Egypt:** Egyptians vote on a draft constitution that challenges concepts of human rights and freedom and seeks to establish a religious state. - [Egypt Source](#)
- India:** A draft codified Muslim Personal Law calls for repeal of oral, unilateral *talaq* and more rights to women. - [Indian Express](#)
- Jordan:** In 2010, 26 percent of registered marriages and 15.4 percent of registered cases of divorce were for women 15-19 years old. - [7iber.com](#)
- Libya:** Despite electoral gains, women in Libya may be excluded from the constitutional drafting panel. - [The Daily Beast](#)
- Palestine:** A new divorce legislation passed in the West Bank gives women more rights in divorce cases. - [Huffington Post](#)
- Tunisia:** National dialogues about the draft constitution continue with controversy surrounding the use of 'complementarity' in Article 28 dealing with family matters. - [Al Jazeera](#)
- Turkey:** The Family and Social Policies Minister Fatma Şahin called for fighting against violence against women, referring to it as 'a habit of the age of Jahiliyyah.' - [Hurriyet Daily](#)

## II. Building Our Knowledge

### Global Life Stories Project



The Global Life Stories Project, part of the Musawah Knowledge Building Initiative on the concepts of *qiwamah* and *wilayah*, has concluded a mid-term review workshop in Kuala Lumpur, Malaysia. The workshop brought together participants from 15 countries, including the authors working on the conceptual studies on *qiwamah* and *wilayah* in the initiative, as well as the members of 11, out of the 12, national teams undertaking the Global Life Stories Project. The participants, comprised of Musawah Advocates from Bangladesh, Canada, Egypt, Gambia, Indonesia, Iran, Jordan, Malaysia, Morocco, Nigeria, Norway, the Philippines, Sri Lanka, UK, and USA, reviewed progress made so far and planned the next phases of the project leading up to the Musawah Global Meeting in 2014.

For an overview and background information about the project, click [here](#).

### Resources

#### Human Rights Watch Report on Bangladesh

*'Will I Get My Dues ... Before I Die?' Harm to Women from Bangladesh's Discriminatory Laws on Marriage, Separation, and Divorce.* By Aruna Kashyap, the Women's Rights Division, Human Rights Watch. September 2012.

This report is based on interviews with 255 people in 2011, including 120 women who have experienced the shortcomings of Bangladesh's personal laws, as well as lawyers, experts, government officials, and former judges. It

finds that these laws discriminate against women during marriage, separation, and divorce, and exacerbate women's economic inequality.

For the full report, click [here](#). For an article summarising the report, click [here](#).

For a short video based on the report, click [here](#).

### **India: Women's *Jamaat* Breaks through Male Domination**

In Southern India, family disputes are settled by *jamaats* – all-male bodies that apply Shariah law to cases without allowing women to be present, even to defend themselves. Recognising this fundamental inequity, a group of women in 2004 established a women's *jamaat*, which soon became a network of 12,000 members spread over 12 districts. Despite enormous resistance, they have been able to settle more than 8,000 cases, ranging from divorce to wife beating to brutal murders and more.

Award-winning filmmaker Deepa Dhanraj follows several cases, shining a light on how the women's *jamaat* has acquired power through both communal education and the leaders' persistent, tenacious and compassionate investigation of the crimes. Above all, the women's *jamaat* exists to hold their male counterparts and local police to account, and to reform a profoundly corrupt system, which allows men to take refuge in the most extreme interpretation of the Qur'an to justify violence towards women.

For a segment of the film *Invoking Justice*, click [here](#).

### **The Islamist Ascension and Women**

Musawah Advocate, Hatoon Al-Fassi, writes in the Saudi newspaper *Alriyadh* about the recent changes in the political scenes in different Arab countries that have had revolutions or have prevented them through top-down changes, and how these changes affect women. In trying to make sense of the regressive changes happening for women in many Arab countries post revolutions, she asks:

Why does the arrival of Islamists to the National Assembly mean, for example, that women get out of it and lose all their seats? Why this state of alert against women? Why did the speech 'Proclamation of Emancipation' begin with allowing the previously forbidden polygamy? Was this the message of liberation and bright future of the Libyan women? Is this the ambition of revolution and revolutionaries?

For the full original article in Arabic, click [here](#).

For the English translation by Musawah Visionary Jihad Mahmoud click [here](#).

### **Feminist Voices in Islam: Promise and Potential**

In her article in openDemocracy on 19 November 2012, Musawah International Advisory Group member Ziba Mir-Hosseini challenges the perceived incompatibility between Islam and feminism and the binary opposition of the secular and religious. Crediting two important turning points, Mir-Hosseini argues that debates have started

bridging the gap between Islam and feminism by looking at the realities on the ground:

They have had to acknowledge that gross injustices have been carried out in name of both Islam and feminism; that we need to separate ideals from practices; that we must not compare the ideals of Islam with Western practices, nor the ideals of feminism with Muslim practices; that there is a concord between the feminist search for justice and the Islamic principle of a just world and justice for all.

For the full article, click [here](#).

For a video of a presentation based on the article, click [here](#).

Also, read Mir-Hosseini's [review](#) of Kecia Ali's book *Marriage and Slavery in Early Islam* (Cambridge, Mass.: Harvard University Press, 2010), which was published in the *Journal of American Oriental Society* 132.2 (2012).

### III. Building Our Movement

#### Musawah Advocate Updates

##### Malaysia

Sisters in Islam (SIS) held a panel forum on 'Equality in the Muslim Marriage: Challenges and Possibilities' on 7 December 2012. The forum explored the challenges and possibilities towards achieving equality in the Muslim marriage with a focus on rethinking the twin concepts of *qiwamah* and *wilayah* (traditionally understood to sanction male dominance over women) and by examining the transformation of the Islamic family law in Malaysia. The forum provided an opportunity to take a closer look at the lived reality on the ground through the life stories of Muslim women in Malaysia. The panel included speakers Dr. Ziba Mir-Hosseini, social anthropologist and founding member of Musawah, Dr. Maznah Mohamad, Associate Professor at the National University of Singapore, and Ratna Osman, Executive Director of Sisters in Islam. Read snippets from the forum via @musawah [here](#).

##### Mexico

Musawah's new Advocate in Latin America, Nasreen Amina (Vanessa Rivera de la Fuente), engaged in several forums and speaking events where she presented the Musawah Key Messages and Framework for Action. As a participant in the Summit of Women Activists organised by Yahoo Business and Human Rights Program to discuss and share experiences on rights, equality, new technologies and social change, she represented Latin Muslim women converts among 200 participants. She also gave a lecture-workshop on the work of Musawah to a group of activists from the city of Puebla dedicated to promoting equality in the family and in gender relations between men and women in that city. She has also been invited to develop a larger program in 2013 on education in women's rights and promoting gender equity and respectful relationships in

the family, integrating Musawah's vision, and addressing the growing Muslim community in Mexico as well in Latin America in general.

## Musawah in the News

### The Power of Association

In her article on 'The power of association: reflecting on women's collective action as a force for social change' published by [UK Feminista](#), Naila Kabeer, Professor of Development Studies at the School of Oriental and African Studies in London, mentions Musawah, the Life Stories Project, and Musawah's panel at the AWID forum. She says:

MUSAWAH plans to use the life histories of ordinary men and women in 11 countries across the world to show the disconnect between Islamic law and the everyday lives of men and women and to use new forms of feminist knowledge to engage with classic jurist interpretation of Muslim family law. The ultimate aim is to reconstitute Muslim family law along more egalitarian lines.

For the full article, click [here](#).

### Moving the Conversation Forward on Muslim Women's Rights

Sheherazade Jafari, a Ph.D. candidate at the American University conducting her research on women's rights advocacy across religious and secular differences in Malaysia, writes in her article for the [Common Ground News Service](#)'s series on religion, globalisation and peacebuilding:

Musawah works with both religious and secular actors to integrate Islamic teachings, universal human rights and national constitutional guarantees of equality with women and men's lived realities. They are forging bridges across the so-called religious-secular divide, demonstrating the many shared goals and room for collaboration among Muslim, non-Muslim, religious and secular human rights advocates.

For the full article, click [here](#).

## IV. International Advocacy

### Speaking Events by Zainah Anwar

Musawah Director, Zainah Anwar took part in the Social Entrepreneurs in Residence at Stanford (SEERS) fellowship program at the Center on Democracy, Development, and the Rule of Law (CDDRL) at Stanford University for Fall 2012. As part of the program, she gave several talks at Stanford University and the larger community highlighting the work of Musawah. She also spoke on Musawah's research project on CEDAW and Muslim Family

Laws at the Stanford Law School International Public Interest Lawyering Symposium: Advancing Gender Equality through Human Rights.

Zainah also gave a talk, 'What Islam, Whose Islam: Creating a Public International Voice of Muslim Women Demanding Equality and Justice in Islam', at the Alwaleed Bin Talal Center for Muslim-Christian Understanding (ACMCU) at Georgetown University on 19 November 2012. The briefing highlighted how Muslim women activists today are at the forefront in challenging the use of Islam to justify continued discrimination against women and violations of fundamental liberties.

The Global Women's Leadership Initiative (GWLI) of the Wilson Center for International Scholars hosted a [roundtable discussion](#) with Zainah, moderated by GWLI Director Rangita de Silva de Alwis. From a public policy perspective, Zainah highlighted the importance of bringing the discussion of religion and fighting discrimination against women into the public sphere. 'Moving the discussion from the private to the public sphere creates a culture of public debate on matters of religion, which is indispensable for securing rights.'

## Contact Us

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#### **VI. Young Women's Caucus**

Facebook page: [YWC](#)

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