



**musawah**  
For Equality in the Muslim Family

# Musawah Vision

Issue 16: March 2015

*An update on Musawah issues and activities*

## I. Muslim Family Law News

<b>Algeria:</b>	Law passes criminalising domestic violence	<a href="#">Ara.TV</a>
<b>Egypt:</b>	Egypt honours mother who dressed as man for 43 years to provide for her family	<a href="#">Al Arabiya</a>
<b>India:</b>	Supreme court denies man right to have more than one wife	<a href="#">Indian Express</a>
<b>India:</b>	Women's group seeks removal of anomalies in Muslim Personal Law	<a href="#">Hindustan Times</a>
<b>Iran:</b>	Draft bills will reduce women to 'baby-making machines'	<a href="#">Al Jazeera</a>
<b>Myanmar:</b>	Controversial interfaith family planning draft law given green light by President	<a href="#">Radio Free Asia</a>
<b>Pakistan:</b>	Law on anti-woman customs termed ineffective	<a href="#">Dawn</a>
<b>Uganda:</b>	Muslims renew demand for <i>Qadhi</i> Courts	<a href="#">All Africa</a>

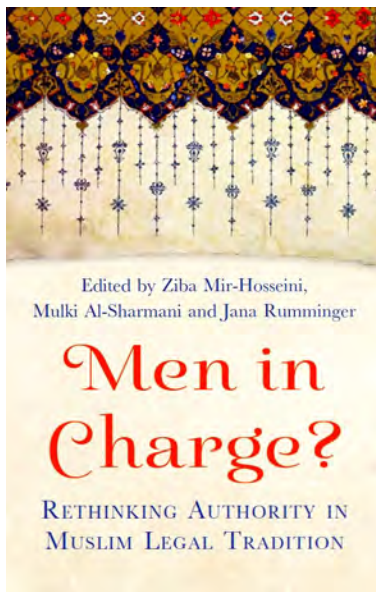
## II. Knowledge Building

### **New Publication: *Men in Charge? Rethinking Authority in Muslim Legal Tradition* (Oneworld, January 2015)**

Musawah's latest publication is the first output of the [Musawah Knowledge Building Initiative on \*Qiwamah\* and \*Wilayah\*](#). It presents exciting new feminist research from within Muslim legal tradition, challenging discrimination and the assumption of male authority. The book critically engages with two concepts in Muslim legal tradition: *qiwamah*, which generally denotes a husband's authority over his wife, and *wilayah*, which refers to the right and duty of male family members to exercise guardianship over their female members.

Over many centuries, these two concepts have become core elements of Muslim societal value systems and discourses that shape gender roles, rights and identities. It is precisely because of the multidimensional roles and impact of *qiwamah* and *wilayah* in the lives of

Muslim women and men that the two concepts, as they are commonly understood and applied today, pose great challenges to the achievement of gender justice for Muslim women.



The book includes chapters on 'Muslim Legal Tradition and the Challenge of Gender Equality', 'The Interpretive Legacy of *Qiwamah* as an Exegetical Construct', '*Qiwamah* and *Wilayah* as Legal Postulates in Muslim Family Laws', 'Understanding *Qiwamah* and *Wilayah* through Life Stories', amongst others (click [here](#) for the full table of contents and chapter summaries).

Musawah's research presents the fact that there is a clear disconnect between reality and the family laws and practices that govern the lives of Muslim women and men. This is the impetus that has led Muslim feminists the world over to call for reform of discriminatory laws and declare that such laws are not 'God's laws', but human, and therefore fallible and open to change.

### **Men in Charge? A Seminar (London, 7 March 2015)**

*"For many of us, it is an article of faith that Islam is just and God is just. If justice is intrinsic to Islam, as our leaders tell the world, then how could injustice and discrimination result from the codification and implementation of laws and policies made in the name of Islam?"*

- Excerpt from welcome address made by Zainah Anwar, Musawah Director

Musawah, together with [the Centre for Islamic and Middle Eastern Law](#) at the School of Oriental and African Studies, University of London, and [the Study of Religions Unit](#) at the Faculty of Theology, University of Helsinki co-organised a seminar to a fully packed hall at SOAS, London on 7 March 2015 to launch the new publication *Men in Charge? Rethinking Authority in Muslim Legal Tradition*.



The seminar featured panel discussions with the book's [contributors](#), who traced how male dominance came to be inherent in Muslim legal tradition, how it is produced and sustained

in contemporary times, and how the tradition can be reformed in order to promote gender equality and justice.

Panellists stressed on how the notion of justice is contextual and changes over time. The importance of grounding Muslim family laws on the lived realities of women and men in order that justice is served was emphasised through the presentation of Musawah's work, and particularly through [the Global Life Stories Project](#).

*Men in Charge?* bridges the gap between Islam and feminism by introducing gender as a new category of thought. By mapping out the absence of women's voices in the tradition, the authors successfully demonstrated the necessity and possibility of reform in the Muslim world to a very engaged audience.

- ❖ To view an excerpt of Zainah Anwar's welcome speech, click [here](#).
- ❖ To view the tweets from this seminar by Musawah and its followers, check the hashtag: [#MenInCharge](#).
- ❖ For more information on *Men in Charge?*, chapter summaries, and contributor biographies, click [here](#).
- ❖ To purchase the book, visit [Oneworld](#), [Amazon](#) or [Book Depository](#).
- ❖ For a concise read as to why *qiwamah* and *wilayah* are still the basis of gender relations in the imagination of modern-day jurists, see the article '[Decoding the DNA of Patriarchy](#)' by Ziba Mir-Hosseini and Zainah Anwar.
- ❖ To view the entire album from the London seminar, click [here](#).

## **Building Knowledge on Equality in Marriage: Workshop on Next Steps**

Musawah hosted a workshop for a diverse group of academics, researchers, and activists on 8 March 2015 at SOAS, University of London, to explore potential avenues of collaboration, and to brainstorm ideas for Musawah's next phase of research on marriage equality.

Participants discussed ideas, concepts, plans and strategies for building an egalitarian jurisprudence on Muslim marriage, which included pursuing research projects related to equality for women in Muslim marriage contracts and in families in their multiple forms. The workshop also served as a space to critically reflect on the text of the forthcoming *Musawah Viewpoint Document on Qiwamah and Wilayah*, the second output from this current research project.

- ❖ To keep abreast of new and upcoming activities from the Musawah Knowledge Building Initiative, click [here](#).
- ❖ To read more on the work of Musawah Advocates, Canadian Council for Muslim Women, on marriage contracts, which includes a resource kit, click [here](#).
- ❖ To access a model Muslim marriage contract as crafted by the Muslim Institute, UK, click [here](#).

### III. Capacity Building

#### I-nGEJ Horn of Africa

*“I feel angry. I am angry for the wasted time I had to endure. I was lost in an area where people decided for me. I was not able to see myself in Qur’an and Hadith but now I am very comfortable in that and I want to share my new experience with others.”*

– I-nGEJ Horn of Africa Regional Course participant

The Musawah Islam & Gender Justice and Equality Course (I-nGEJ, pronounced ‘engage’) was hosted by Musawah Advocates, the Strategic Initiative for Women in Horn of Africa (SIHA), in Kampala, Uganda from 28 January to 1 February 2015.



The Regional Course was the first activity Musawah conducted in sub-Saharan Africa, and represents an important achievement in terms of outreach and movement building. The 21 participants from Ethiopia, Somalia, Somaliland, Sudan and Uganda included women’s rights activists, NGO and government representatives, media, arts and education professionals.

The Musawah Course Team, who consisted of Amina Wadud, Zahia Jouirou, Zainah Anwar, Marwa Sharafeldin, and Lamyia Badri, conducted sessions on the Qur’an, *Tawhid*, Women’s Ways of Knowing, Hadith, *Fiqh*, Contemporary Feminist Voices, and the Construction of Gender in Islamic Thought.

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 living in Muslim contexts. It aims to build knowledge and skills in understanding the Qur’an, hadith and *fiqh* from a rights perspective. It encourages understanding the diversity and differences of opinion in the production of Islamic knowledge, and to collectively strategise towards change.

❖ To read the write-up on this Course by Musawah Advocates SIHA, click [here](#).

## I-nGEJ South Asia

*“This course has strengthened my conviction that Islam does not go against women. I was reflecting all these days whether I had the courage to stand for my conviction, and I’m sharing with you all that I did not have it all the time, when my mother passed away, why I did not stand up, a woman who had an education. I had prepared something about my mother to say, but my brother said it wouldn’t be socially proper for [me] to read because there are mullahs there, and I argued with him, what would be wrong? I tried to argue but I gave in because I didn’t want to make a big deal about it, so my brother read what I had prepared. I kept quiet. In retrospect, I shouldn’t have. This course has given me the courage to talk to him.”*

– I-nGEJ South Asia Regional Course participant

Musawah Advocates in Sri Lanka, Muslim Women’s Research and Action Forum (MWRAF), hosted the Musawah I-nGEJ South Asia Regional Course in Kandy, Sri Lanka from 23 to 26 December 2014. The 22 participants included representatives from local- and national-level NGOs, media professionals, government representatives and scholars from Bangladesh, India, Kashmir, Pakistan, and Sri Lanka.



The Musawah Course Team consisted of Ziba Mir-Hosseini, Khalid Masud, Zainah Anwar, Amina Wadud, and Marwa Sharafeldin, who conducted sessions on the Qur’an, *Tawhid*, Women’s Ways of Knowing, Hadith, and *Fiqh*.

- ❖ For more information on the Musawah I-nGEJ Course, click [here](#).
- ❖ For more pictures from the I-nGEJ South Asia Regional Course, click [here](#).
- ❖ If your organisation or network is interested in hosting a national- or regional-level course, please contact Natasha Dar, the Musawah Capacity Building Officer: [natasha@musawah.org](mailto:natasha@musawah.org).

## IV. International Advocacy

### Musawah at CSW59 (New York, 13 & 14 March 2015)

Musawah organised two sessions at the 59<sup>th</sup> Commission on the Status of Women, presenting its work for the first time ever at the annual UN session in New York, which this year focused on the [Beijing Declaration and Platform for Action](#) and its challenges and achievements. Both events attracted standing room audiences.

#### Side Event: Recognising Common Ground - Islam and Women's Human Rights

The Government of the Republic of Indonesia, [Komnas Perempuan](#), [UN Women-Arab States Regional Office](#), [UNFPA](#), [OIC](#), and [SIDA](#) co-sponsored this event, which was held on 13 March 2015, for a standing room-only audience of more than 130 participants.

The speakers for this event were Zainah Anwar, Marwa Sharafeldin, Ziba Mir-Hosseini, and Siti Ruhaini Dzuhayatin (OIC Independent Permanent Human Rights Commission). Azza Karam (Senior Advisor, Culture – UNFPA) provided welcome remarks, and Mohammad Naciri (Regional Director, UN Women-Arab States) moderated.

The panel examined how the dialogue between women's human rights and Islamic discourses has evolved since the adoption of CEDAW in 1979 and the Beijing Declaration and Platform for Action in 1985. It outlined the opportunities that are now available for reconciling human rights and Muslim legal tradition.

Panellists highlighted new feminist knowledge and new forms of activism in the Muslim world, advocating the possibility and necessity for equality and justice within an Islamic framework. They also discussed socio-political contexts that have led to the growth of a vibrant new movement that engages with Islam from a rights perspective, as well as the prospects for forging an overlapping consensus between Muslim legal tradition and international human rights.

#### Parallel Event: Men in Charge? Rethinking Authority in Muslim Legal Tradition

*“Taking gender as a category of thought into the tradition is new and it is ground-breaking, and we are at the start of this.”*

- Ziba Mir-Hosseini, editor, *Men in Charge?*



Zainah Anwar, Ziba Mir-Hosseini, Marwa Sharafeldin, a contributor to *Men in Charge?*, and Nani Zulminarni, a Musawah Advocate and member of the Indonesia country team of the Musawah Global Life Stories Project, introduced the new publication at this panel event held on 14 March 2015 in New York.

The panellists challenged the assumption of male authority and gender discrimination by sharing insights from scholarship in the publication, and documentation of women's life stories. They further explored the possibility and necessity of rethinking these concepts from a rights perspective, in line with Muslim legal tradition and human rights principles.

## Calling Activists Engaging at 61<sup>st</sup> UN CEDAW Session

Musawah is seeking to connect with activists from the Gambia and Senegal who are engaged in the shadow reporting process for the 61<sup>st</sup> UN CEDAW Session in Geneva this July. 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](mailto:natasha@musawah.org), before 30 May 2015.

## Musawah at the 59<sup>th</sup> and 60<sup>th</sup> UN CEDAW Sessions

Musawah issued Oral Statements and Thematic Reports on Article 16 on Marriage and Family Relations and provided support to activists from the Maldives and Brunei in their engagement with the CEDAW Committee during the CEDAW Sessions in February 2015 and October 2014 respectively.

### Delivery of Joint Oral Statement on Maldives with Hope for Women

This is the first time Musawah delivered a joint [oral statement](#) with a national-level NGO, [Hope for Women](#). The six-minute statement links key discriminatory laws and practices as defined by local- and national-level NGOs, with the structural roots of inequality in Muslim family laws.

### Submission of Thematic Report on Muslim Family Law in the Maldives



This [report](#) examines Maldivian laws and practices that enforce *de jure* (direct) and *de facto* (indirect) discrimination against women in relation to domestic violence and marital

rape, early and forced marriage, polygamy, and access to divorce. Musawah's research, analysis and recommendations highlight critical concerns and gaps in the State party report and in their reply to the list of issues, provide alternative arguments within Islamic legal theory that challenge the ways the State party uses religion to justify discrimination, and suggest reform based on good practices in the Muslim world.

This particular report also pulls from Musawah's engagement with Maldivian civil society and UN agencies during its two recent I-nGEJ Courses in the country (November 2013 and June 2014).

❖ To read a news report on the submission of a new gender equality bill in the Maldives, click [here](#).

### **Delivery of Oral Statement on Brunei**

Musawah prepared a statement that complemented and reinforced the key concerns of national-level activists. The Musawah [oral statement](#) highlights how key areas of the Syariah Penal Code Order (2013) discriminate against women in law and practice, and challenges the State party's defense of the Code as an obligation of the Islamic faith.

### **Submission of Thematic Report on Article 16 for Brunei**

This [report](#) is based on field research carried out in Brunei in October 2014 when Musawah researchers interviewed over 20 women of their first-hand experiences of gender discrimination in marriage and family relations. The report examines Bruneian laws and practices that enforce *de jure* and *de facto* discrimination against women in relation to the Syariah Penal Code Order (2013), equal rights and responsibilities in marriage (gender stereotypes), violence against women (female circumcision and marital rape), right to confer nationality to children, male guardianship, early and forced marriage, polygamy, access to divorce, custody and guardianship of children, and inheritance.

Through this report, Musawah argues for reform of discriminatory law and practice, according to the provisions of the CEDAW Convention, by providing sociological research and analysis through the lived realities of women and families, by focusing on a variety of theories and methods within Islamic jurisprudence, and by drawing the CEDAW Committee's attention to the classical Muslim marriage contract which was patterned by classical Muslim jurists on the contract of sale.

- ❖ To read a report by Amnesty International on the impact of the regressive amendments to the Penal Code, click [here](#).
- ❖ To read past Musawah Thematic Reports and Oral Statements, click [here](#).
- ❖ To keep abreast of new and upcoming activities from the Musawah International Advocacy Programme, click [here](#).



## V. Building Our Movement

### 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](mailto:meghana@musawah.org).

### 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](mailto:meghana@musawah.org).

### Musawah Advocate in Egypt Charged

- ❖ Musawah Advocate and Egyptian woman human rights defender, Azza Soliman, was charged for breach of public order following her testimony as a witness to the killing of Egyptian woman human rights defender Shaimaa El Sabbagh at the hands of government military forces. Women's NGO Nazra for Feminist Studies ([Press Release](#), 23 March 2015):



“...finds it extremely flabbergasting that the Egyptian Prosecution Office is directing charges at witnesses to the concerned incident, especially that these charges include demonstrating without permit and breach of security and public order, when for instance, Mrs. Soliman's testimony clearly outlines that she was not participating in the concerned protest. Nazra for Feminist Studies demands an immediate quashing of charges directed at witnesses.”

## Engaging with Influential Religious Actors in Egypt

Musawah Advocate and Professor of Literature at Cairo University, Dr Oaima Abou-Bakr, a co-founder of [Women and Memory Forum](#), was one of the main resource persons at a series of trainings for mosque imams and preachers organised by the Noon Center for Women and Family Issues, an initiative of Egyptian NGO, [MADA Foundation for Arts and Creative Education](#). For the past three years, MADA Foundation has been organising a series of training workshops for mosque imams and preachers on how to incorporate a gender-sensitive perspective into their work as influential religious actors. The latest group of imams and preachers completed their training on 2 March 2015.

❖ To read a more in-depth write-up on 'Sheikh Academy', click [here](#).

## Sisters in Islam Hosts Public Forum 'Domestic Violence and the Islamic Tradition'



Musawah Advocates in Malaysia, Sisters in Islam (SIS), organised a public forum on domestic violence and Islamic legal tradition that featured Musawah Advocates Dr Ayesha S Chaudhry and Dr Rumeen Ahmed, on 13 December 2014.

Dr Chaudhry traced the intellectual history of domestic violence in Islam, acknowledging that it is progressive scholars and reformists that call out wife battery, even symbolically, as being unethical, whilst traditionalists would use a patriarchal lens to justify it where disagreeing would be tantamount to questioning God's law. Neo-traditionalists, by contrast, believe that it is ethical to hit one's wife in a restrictive and symbolic manner.

Dr Ahmed emphasized how laws need to change to reflect contemporary values such as human dignity, justice and equality. He stressed the importance of an internal process of reforming laws, and that Muslim legal scholars need to represent the voices of Muslims.

- ❖ To read the tweets from the forum, look up the hashtag: [#VAWIslam](#).
- ❖ To access the SIS website for resources, click [here](#).
- ❖ For more information on this forum, contact Azareena Aziz, the SIS Public Education Officer: [azareena@sistersinislam.org.my](mailto:azareena@sistersinislam.org.my).

## Musawah in the News

- ❖ Journalist, Carla Power, writes about Musawah and *Men in Charge?* in the TIME (online, 21 March 2015) article '[Muslim Women Are Fighting to Redefine Islam as a Religion of Equality](#)', highlighting that:

“Islamic feminists point out that there is a difference between Islamic jurisprudence—a man-made legal scaffolding developed for the specific conditions of medieval Muslim life—and the divine law itself, which is eternal, unchanging and calls for justice. It’s not the Quran they question, but how particular interpretations of it have hardened into truth.”

- ❖ Writer Farouk A Peru, in his article ‘[Men in Charge? Not Today](#)’ (The Malaysian Insider, 17 March 2015), strongly commended Musawah’s work and the *Men in Charge?* Seminar in London:

“I do feel Musawah poses a tremendous challenge to the hegemony, to the patriarchal, misogynistic conservative, traditional Islam. Musawah will take us a long way along the path of Islamic reform and that is what matters.”

- ❖ Musawah Advocates in the UK, Muslim Women’s Network, were featured in the Guardian (online, 20 January 2015) for their work in highlighting sexual abuse in British Muslim communities. The [article](#) by journalist Homa Khaleeli quotes MWNUK Chair, Shaista Gohir:

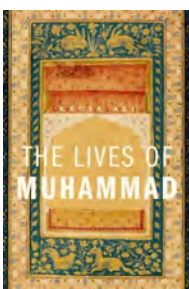
“Growing up, I heard tons of stories about abuse... Women would retell these experiences as though it happened to someone else, but never admit it was about them.”

- ❖ University of Virginia Professor Rachel Rinaldo mentions Musawah in the [article](#) ‘Pious and Critical: Muslim Women Activists and the Question of Agency’:

“In the last decade, a small but influential global movement of Muslim women’s rights activists (sometimes called Muslim feminism) has emerged. While there have long been advocates for women’s rights in Muslim societies, this newer movement emphasizes the compatibility between Islam and feminism. Such activists often use contextual interpretation as a method to discover a basis for equality and rights in Islamic religious texts, emphasizing the importance of understanding religious texts with reference to their social and historical context. The transnational network [Musawah](#), which advocates for equality in Muslim family law, and the British organization [Maslaha](#) are examples of such activism.”

## Resources

- ❖ Writer Michael Muhammad Knight reviews Boston University Professor Kecia Ali’s *The Lives of Muhammad* in an [article](#) for TruthDig:



“The modern telling of Muhammad’s biography appears in Ali’s work as a collaboration between Muslims and non-Muslims, revivalists and reformists, sympathetic outsiders and antagonistic critics who drew not only from a more or less stable outline of Muhammad’s life, but also from worldwide notions of great men and from certain controversies. The latter include Muhammad’s military adventures, his relationships to other religious communities and his sex life. Via modern printing and mass dissemination of literature, Muslim and non-Muslim authors read and responded to one another’s works.”

- ❖ Emeritus Professor at SOAS, University of London, Deniz Kandiyoti, argues for a politics of coalition and not 'feminist phobia' in an [article](#) for openDemocracy:

“...despite evidence of grass-roots mobilization in pursuit of a broad range of rights, including women’s rights to freedom from violence and to public participation, at the level of academic, political and popular discourse, feminism was being increasingly discredited and dismissed as either irrelevant or passé or, even worse, as the handmaiden of imperialism and of overbearing security states. How can we explain this disjuncture? How did the struggle for women’s rights- which started out as one of the emancipatory movements of the past two centuries alongside the fight against slavery and racism- end up being kicked about and maligned not only by right wing misogynists or clerical establishments demanding a monopoly on the regulation of gender and sexuality, but by authors and commentators who consider themselves left-wing or liberal? Could we conceive of being told that the fight against racism had ‘gone too far’ or ‘gone wrong’ (except in extreme white supremacist quarters)? Yet it is quite commonplace, even banal, to hear this charge in relation to feminism. How did we get here?”

- ❖ In this richly informative WELDD [blog-post](#), the history of the Anjuman Muzareen Punjab Movement and women’s role in the struggle for land and economic rights is detailed by Sahera Bano and Mehek Ghaffar of Pakistani women’s NGO Shirkat Gah:



“The movement is unparalleled in the history of Pakistan in terms of women’s leadership, especially as the women come from the lower strata of society, where women are rarely allowed outside their homes let alone take part in an organized movement. These women stood against the full force of the army rangers equipped with just their Thappa (a wooden dowel which is used to wash clothes). The Thappa became a symbolic emblem as its function was to beat the dirt away from clothes when washing; in the same fashion the peasant women implied that they would use their dowel to drive the malevolent forces away. The organized women thus got their name as the ‘Thappa Force’.”

## Contact Us

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**Musawah on social media:** Join us on [Facebook](#), [Twitter](#), [YouTube](#) and [Google+](#)

### Musawah Affinity Groups:

#### Arab Region (Middle East & North Africa)

The Center for Egyptian Women's Legal Assistance (CEWLA)

[info@cewla.org](mailto:info@cewla.org), [www.cewla.org](http://www.cewla.org)

#### Southeast, South and Central Asia

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#### The Gulf Region

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[bahwu@batelco.com.bh](mailto:bahwu@batelco.com.bh)

#### Young Women's Caucus

[johairawahab@gmail.com](mailto:johairawahab@gmail.com)

Facebook

❖ *To submit updates or for inquiries, write to: [info@musawah.org](mailto:info@musawah.org).*