



musawah

For Equality in the Family

**Global Meeting for Equality and Justice in the Muslim Family
Opening Speech
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Aslmkm wrb

Professor Yakin Erturk, the UN Special Rapporteur on Violence Against Women, Kamala Chandrakirana, Chairperson of the Indonesian National Commission on Violence Against Women and a member of the Musawah Planning Committee,

Ladies and Gentlemen, Good morning.

Welcome to Kuala Lumpur and welcome to this Global Meeting to launch Musawah, a Global Movement for Equality and Justice in the Muslim Family.

This is a historic event. This is a groundbreaking event. We have here today about 250 participants from 47 countries. We are activists, academics, policy makers, Members of Parliament, judges, entrepreneurs, professionals – all leaders, all shakers and movers, with the courage of our convictions to demand and create a better life and a better world. Who says Muslim women are oppressed, discriminated, silenced and victimised? We are not and we refuse to be.

For decades now, we, all of us here, living in Muslim countries and minority communities in different parts of the world have been pushing for law reform to recognise equality between men and women, and to protect positive provisions in our laws against attempts to roll back the rights we have gained.

No one ever said law reform is easy. Opposition to our efforts comes from very powerful forces, and they come in the name of religion and state-sanctioned patriarchy. Just these last weeks running up to Musawah, we read news from Bahrain that the government had to withdraw the personal status code from Parliament because of objections from the patriarchs in the elected assembly. There was news of a petition to the Saudi government on the issue of forced divorce where a woman was forcibly divorced from her husband on the basis of "tribal incompatibility".

In Kano, Northern Nigeria, the Hisbah Police blocked a planned protest by divorced women, saying the idea of street protests was "un-Islamic", and "morally wrong". In Nepal, hundreds of divorced Muslim women took to the streets in the town Nepalgunj to protest against 'talak' and to demand for compensation and equal division of assets upon divorce.

There are representatives from all these countries here today. They are here, we are here, the young women from our countries who have organised themselves into a young women's

caucus for Musawah, are here, because we want to tell the world, we want to tell our leaders that we will no longer accept the use of Islam to justify discrimination against women.

Very often Muslim women who demand justice and want to change discriminatory laws and practices are told, 'this is God's law' and therefore not open to negotiation and change. To question, challenge, or demand reform will supposedly go against *Shari'ah*, weaken our faith in God and lead us astray from the straight path. We are often accused of being westernised elites, anti-Islam, anti-*Shari'ah*, women who have deviated from our faith – our *aqidah*, and our *iman* is weak. Reports are made against us to the police, to the religious authorities to take action against us, to silence us, to charge us for insulting Islam, to ban our groups.

But we will not be silenced and intimidated. As activists, we all know that in order to bring change we must not be afraid to speak the truth as we see it, to be angry in the face of injustice, to take difficult positions and to be marginalised and condemned.

For many of us here, it is an article of faith that Islam is just and God is just. If justice is intrinsic to Islam, then how could injustice and discrimination result from the codification and implementation of laws and policies made in the name of Islam? This is the twenty-first century. And today, we once again assert there cannot be justice in this world, without equality.

Ladies and Gentleman, I know we come from different backgrounds here. Some of us have worked for equality and justice within the framework of religion and believe it is possible to find liberation within religion. Others have worked strictly within the human rights framework as they believe that to work with religion where patriarchal interpretation prevails and *ijtihad* is forbidden is a waste of time. As I was often told in the early days of Sisters in Islam, attending meetings of women's groups in the region, "Why do you bother? For every one interpretation you can offer, the mullahs can offer 100 more. This is counter productive, because you cannot beat them at their game."

But what this did was to leave the field open to the most conservative forces within Islam to define, dominate and set the parameters of what Islam is and what it is not. They defined for us what Islam means, how to be a Muslim, how to be a good Muslim woman, wife and daughter and then prescribe for us laws and policies that keep us shackled as second class Muslims and second class citizens. And then when we protest, they tell us to shut up because they say we have no authority to speak on Islam. They have all the answers.

Obviously they do not have all the answers. Because if they do, we would not be mobilising and be meeting here today to find solutions to the discrimination we suffer in the name of Islam. If Islam is used as a source of law and public policy, then we must say, all citizens must have a right to speak on the subject, Muslims or non-Muslims, experts or non-experts. Public law, public policy must by necessity be opened to public debate, and pass the test of public reason.

Why is it nobody demands from us a degree in political science or economics or social studies before we can talk about the politics, the economic policies, the social ills of our country? But when it comes to talking about Islamic laws and their impact on our daily lives, we need a degree in Islamic studies, we must be able to speak Arabic before we can speak up. Then even when we have the qualifications, they say we must wear the hijab before we can claim to speak on Islam. And even when we wear the hijab, then they say our ideas are against Islam.

So the issue is really not about our qualifications to speak about Islam, is it? It is about the demands we make that makes life uncomfortable for those who have long been privileged.

In a world where women's rights are considered part of human rights, where modern constitutions of Muslim countries recognise equality and non-discrimination, where women's daily realities make them the providers and protectors of their families, the continuing discrimination found in family laws in much of the Muslim world is today untenable and indefensible.

There is clearly a disconnect between the realities of our lives today, and the family laws that govern us. Thus our presence here.

Why Musawah

Ladies and gentlemen, let me share a little bit the genesis of Musawah. In March 2006, Sisters in Islam organised an International Consultation on 'Trends in Family Law Reform in Muslim Countries' here in Kuala Lumpur. The meeting brought together Muslim activists and scholars from South-East Asia, Turkey and Morocco (two Muslim-majority countries with recent successful family law reform campaigns), Iran, Pakistan, the United Kingdom, and the United States, to share knowledge and strategies on family law reform. We felt the time had come for us to build an international network of women's groups in the Muslim world that have for decades been working on family law, to share scholarship, strategies, and best practices.

We felt it was important for us to bring to international attention that there is already a "paradigm shift" in Muslim theological and jurisprudential scholarship, that there is possibility to reconcile the teachings of Islam with human rights, with women's rights. This sharing we hoped would develop the international discourse and public voice that assert equality is possible within Islam and build the momentum to propel forward our efforts to protect existing rights in Muslim family laws and practices and promote our demands for reform of the discriminatory provisions at the national and regional levels.

As the initiator of the idea, Sisters in Islam of course had the privilege of inviting the activists working on family law reform in their own countries and some scholars we have been working with all these years to join the international planning committee we wanted to set up. Some jumped at the opportunity to be a part of this movement building, others demurred not so sure, not so comfortable about working, engaging with the religion in this very public way.

At first we thought, we would just organise an international conference with about 100 participants. But at our very first planning meeting in Istanbul in March 2007, we decided that what we were actually talking about was movement building. We looked at the Violence Against Women movement as a model. How some 25 years after it began, more than 60 countries in the world today have laws that make domestic violence a crime. How as an international movement, it developed the analysis to understand all forms of violence against women and gave support to national groups to provide shelter services and share strategies in law reform, and awareness raising.

Can we dare hope that within the next 10 years, 25 more countries in the Muslim world will join Morocco and Turkey to have a family law that regards marriage as a partnership equals, where the legal framework recognises equality between the husband and wife, where we will have the equal right to marry, to divorce, to custody and guardianship of our children?

Ladies and Gentlemen, what Musawah brings to the larger women's and human rights movement is this:

- an assertion that Islam can be a source of empowerment, not a source of oppression and discrimination.
- An effort to open new horizons for rethinking the relationship between human rights, equality and justice, and Islam.
- An offer to open a new constructive dialogue where religion is no longer an obstacle to equality for women, but a source for liberation.
- A collective strength of conviction and courage to stop governments and patriarchal authorities, and ideological non-state actors from the convenience of using religion and the word of God to silence our demands for equality, and
- A space where activists, scholars, decision makers, working within the human rights or the Islamic framework, or both, can interact and mutually strengthen our common pursuit of equality and justice for Muslim women.

As a start, the planning committee has produced three publications that we hope will help lay the foundation for Musawah as a knowledge building movement. Wanted: Equality and Justice in the Muslim Family, the Musawah Framework for Action, which articulates our principles and values to guide the movement, and Home Truths which grounds our movement in the lived realities of Muslim women's lives with reports submitted by participants from 31 countries, all of whom are here today.

We are also building a resource rich website to promote the principles of Musawah and the substantive arguments for family law reform using the holistic four-level approach we have adopted: how do we justify equality and non-discrimination at the Islamic, constitutional, human rights and lived realities levels. For this approach, we owe a debt to the Maghreb 95 and their Guide to Equality and in particular to our friends in ADFM, Morocco, Amina Lemrini who has been a part of Sisters in Islam meetings, and to Rabéa Naciri who joined the Musawah Planning Committee to share with us their experience and their strategies.

Ladies and Gentlemen, this is very much a work in progress. We do not claim to know all the answers or be able to provide all the answers. In one way or another we are all experts here, experts in scholarship, experts in the lived realities of life as a Muslim woman. But we are also all asking questions, seeking answers to some of the biggest questions facing our societies today. This is but a beginning for all of us to come together to think, to feel, to question what it means to be Muslim in the twenty-first century and what it means to be a feminist within a Muslim context at a time when identity politics, hegemonic rule and the War on Terror rain their ugly impact on us.

We hope over these four days, we will have a very constructive engagement among ourselves, where we will learn more from each other why equality is necessary and why it is possible within Islam, where we will not be afraid to ask questions where is the justice for us in Islam, where we will share experiences and strategies of successes to follow and pitfalls to avoid, where we will make new friends and allies and know that we are not alone. And I hope at the end of this Global Meeting, we will leave Kuala Lumpur feeling empowered, and strengthened as a collective, confident that together we will form a global force for change in the Muslim world.

Thank you.