



musawah

For Equality in the Family

WOMEN'S PLACE AND DISPLACEMENT IN THE MUSLIM FAMILY: REALITIES FROM THE TWENTY-FIRST CENTURY

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THEORETICAL PAPER SUMMARY*

Using examples from across the world, this paper describes the realities of Muslim women's lives today and shows how the Muslim family is changing in the twenty-first century. The paper argues that this picture means we need *"to acknowledge that gender equality and justice in the Muslim family have become undeniable necessities..."*

The main points of the paper are:

1. **The Muslim world has never been isolated from the progress and challenges facing humankind** and at times has been one of its most influential forces. A new vision of the Muslim family should be as much rooted in the realities of today as it is inspired by the visionary values of Islam.
2. **Over the past decade, the numbers of Muslim women in the labour force have been increasing.** According to the International Labour Organisation (ILO), Southeast Asia, where there are several Muslim majority countries, has the third highest active female labour force participation rate in the world. Although North Africa and the Middle East have the lowest global rates of female labour force participation, between 1990 and 2003 the Arab region *"witnessed a greater increase in women's share of economic activity than what took place in all other regions of the world, at more than 6 times the global rate."*
3. **Many Muslim women are migrant workers.** In Asia, with more than half of the world's Muslim population, the number of women migrating from their home countries has surpassed that of males. In Muslim majority Indonesia for example, almost 80% of all migrants leaving the country are women. Migrant women workers are employed in all sectors, especially the service sector where the work varies from domestic help to the sex industry and everything else in between.
4. **When women work their families benefit.** *"Various studies show that compared to migrant men, migrant women regularly and consistently send a higher proportion of their earnings overseas to their families in the home country."* This means that in reality both women and men are breadwinners in today's world.
5. **According to UN statistics, up to 80% of the world's internally displaced people and refugees are women and children.** Thus women often become heads of household under the most difficult circumstances, including in Muslim contexts such as Darfur.
6. 20% of households worldwide are female headed. Some examples in Muslim countries of the percentage of **female-headed households are: 7% in Pakistan; 15% in Morocco; and, 29% in Mauritania.** However, laws and policies that see only men as heads of households deny women a proper contribution to household decision-making. This negatively impacts children. According to UNICEF, *"In families in which women are the key decision-makers, the proportion of resources devoted to children is far greater than in those in which women have a less decisive role."*

* This is a summary prepared by Musawah. For direct quotes, please refer to the original paper in the Musawah resource book, *Wanted: Equality and Justice in the Muslim Family*, edited by Zainah Anwar.

7. As active economic actors Muslim women have increasing influence in the socio-political life of their nations. Yet **Muslim family laws tend to undermine women's rights and disregard women's real contributions to the family and community.** For example: (1) women are expected to obey a male head of household, which can lead to women's right to work and travel being curtailed. (2) Women are discriminated against in inheritance. (3) Limited rights to divorce in some Muslim contexts mean women are forced to forgo their financial rights in order to be able to divorce. (4) Other discriminations in Muslim family laws relate to polygamy, child custody and provisions which either permit or facilitate violence against women.
8. Within the framework of human rights, in which governments hold the ultimate responsibility for the fulfilment of the human rights of all their citizens, **these laws constitute a serious violation of human rights.**
9. As women's **roles in society and hence their consciousness are changing, gender relationships are also evolving which is changing dynamics within and beyond the family.** For example, according to the UNDP Arab Human Development Report 2005 which conducted a public opinion survey in Egypt, Jordan, Lebanon and Morocco, at least half of the men and nearly all of the women surveyed disagreed with the practice of polygamy. And even those who did agree with it linked their approval to the agreement of the wives concerned.
10. Muslim women are not just contributing in economic terms to their societies. For instance, Afghan women outside Afghanistan contributed to the development of their country's new constitution. New ideas, skills, attitudes, knowledge brought back by returning women migrants are recognised by the United Nations as 'social remittances'. **More Muslims are accepting, by choice or through the force of survival, unprecedented roles of women in the economy and in politics.**
11. **Muslim women have found new ways of organising and building solidarity among fellow women and with their allies.** Their concerns and interests are now more effectively expressed and are more successfully integrated into political decision-making, at both national and international levels.
12. ***"Forward thinking and insightful Muslim theologians are also increasingly taking public positions in support of women's rights."***
13. **All of these developments have led to breakthroughs in several Muslim countries and communities regarding legal reforms that promote women's rights and gender equality.** For instance, Indonesia's 2004 Law on the Elimination of Domestic Violence criminalises not only physical abuse within families but also marital rape and violence against non-family members who live and work in the home, namely domestic workers. Other important examples include Turkey's reformed 2001 Civil Code and Morocco's 2004 sweeping revisions of its family law.
14. **Many Muslim societies are undergoing unprecedented changes, especially brought about by globalisation, war and poverty.** Some countries within the Muslim world have developed laws on marriage and the family which match women's active roles in the economic, social and political arenas. These progressive laws are themselves a product of Muslim women's leadership in society.
15. But **many laws governing the Muslim family no longer fit these new realities.** A stubbornly unchanged vision of Islam that regards women as inferior to men and therefore undeserving of a life of equal worth and dignity, could lead to the religion losing its relevance for men and women of the future.
16. **A new vision of Islam which affirms women's humanity and leads to gender-sensitive laws is both necessary and possible. The time to make this a reality throughout the Muslim world is now.**