



musawah

For Equality in the Family

For Muslim women, modernity often leads to conflict

KUALA LUMPUR, February 16 – Laws that protect today can oppress tomorrow, which makes assessment and the need for reform necessary.

At the Musawah Global Meeting on Equality and Justice for the Muslim Family here, Rashida Manjoo, an activist, lawyer and professor at Webster University, said laws that are rooted in a certain period in time must be scrutinised to assess if they remain relevant and applicable.

“The use of law as protectionism today can end up as oppression tomorrow, so we need to really think of the legacy that we leave behind,” said Rashida, who was speaking at the meeting’s last plenary session entitled *Equality without Exception*. “Law is not a panacea for social ills. There is a need for a holistic multiplicity of approaches, including the possibility of internal reform.”

Fellow speaker Mahnaz Afkhami, founder and president of the Women’s Learning Partnership, added that political and social strategising often deprives women of exercising their right to choose.

“It is not Islam that limits, it is the path that the history of patriarchy has taken that discriminates,” said Mahnaz Afkhami, who is also author of *Faith and Freedom: Women’s Rights in a Muslim World*. “There is much disparity between rights in theory and in practice, and we must gear our approach to the current political and cultural situation.”

Modernity also does not do much to erase inequalities between men and women, as discrimination against women in developed countries is no different in developing countries.

“Women in developed countries have assumed stereotypical roles with restrictions on their rights, in career advancement and in participation in the public life,” said Shanthi Dairiam, founder of International Women’s Rights Action Watch Asia Pacific.

“Women are tied to a life of dependency in private, and the domination of men in the public sphere is the norm,” said Dairiam, who served on the Committee on the Elimination of Discrimination Against Women (CEDAW) from 2005 to 2008.

In terms of multiculturalism, Canadian Council of Muslim Women executive director Alia Hogben believes that equality should be embedded in religious freedom, and that “living under Muslim law is not the sixth pillar of Islam”.

“Does multiculturalism or pluralism encourage each community to retain all their practices, even up to the point that it is incongruous with the rights of other communities?” said Hogben.

Hogben was referring to discriminatory practices that still exist within Muslim countries of different levels of modernity and progress, and which includes racist, classist behaviour.

In addition, conflict can also arise when terms and definitions do not tally, as the word “equality” can mean different things in different cultures.

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