Muslim Women's Empowerment:
Challenge of the Present, Hope of the Future

I Introduction

The United Nations Conference on Population and Development (ICPD), held in Cairo, Egypt, in September 1994, was an extremely important landmark in raising global consciousness with regard to a number of reproductive health issues which are central to the lives of women. The conference was particularly momentous for Muslim women who participated in record numbers in this international meeting which was held in one of the most historic cities in the world. The fact that Al-Azhar University, the oldest university in the world, whose "fatwas" or religious proclamations carry much weight amongst Muslims, is located in Cairo added further significance to the venue of this conference.

What gave to the ICPD (1994) a particular historic importance was the fact that it dealt with some of the most intimate and intricate issues pertaining to women's lives as well as human sexuality and relationships that have ever been discussed at an international forum. One of the fundamental issues underlying the deliberations of the Cairo conference was that of the "ownership" of the woman's body. Women's identification with body rather that with mind and spirit is a common characteristic of the dualistic thinking which pervades many religious, cultural and philosophical traditions. Ironically however, though women have, traditionally, been identified with body they have not been seen as "owners" of their bodies and the issue of who controls women's bodies – men, the State, the Church, the community, or women – has never been decided in favor of women in patriarchal cultures. The fact that Muslim women forcefully challenged the traditional viewpoint not only with regard to women's identification with body, but also with regard to the explicit or implicit assumption that women are not "owners" of their bodies, indicates that Muslim women are no longer nameless, faceless or voiceless, and that they were ready to stand up and be counted.

Issues relating to women's bodies remained the primary focus of the ICPD (1994) even though the conference was concerned not only with population-related issues but also with development-related issues, as indicated by its title. This was hardly surprising given the variety and complexity of the issues that were discussed, in particular issues such as abortion which generated considerable controversy. A number of persons and agencies have pointed out that "Population" and "Development" did not get equal time or attention at the Cairo conference. However by juxtaposing the two areas of concern in the conceptualization of its objectives, the ICPD (1994) paved the way to a critical recognition which has now become global, namely, that issues which may appear to pertain primarily to a woman's body, e.g., contraception or abortion, cannot be looked at in isolation from the larger factor of women's overall development as human beings.

Having successfully challenged age-old definitions of womanhood imposed on them by patriarchal cultures, women in general, and Muslim women in particular, were confronted by a new challenge as they journeyed from Cairo to Beijing. This challenge was to shift from the reactive mindset of those who are, or feel, disempowered, to the proactive mindset of those who have a strong sense of personal identity, autonomy and efficacy as makers of their own lives. Given the long history of the profound negative impact on women of dualistic systems of thought which reduced women's selfhood to bodily form, and patriarchal culture which denied women ownership of their own bodies, what happened at the ICPD (1994) was a tremendous breakthrough and victory for women. But a giant step which needed to be taken lay ahead. This step was for women to begin – at long last – to speak of themselves as full and autonomous human beings who have not only a body but also a mind and a spirit.

It seemed possible at Cairo that at the 4th U. N. Conference on Women in September 1995, women in general, and Muslim women in particular, would be able to make the radical shift that was required. This would entail that Muslim women, who, along with Muslim men, have been designated as God's vicegerents on earth by the Qur'an, would begin to probe deeply into the meaning and purpose of their lives in the context of the contemporary world in which Muslim societies and communities are confronted by multifarious external and internal challenges. Reacting against the Western model of human or women's liberation no longer suffices as a proactive orientation requires a positive formulation of one's goals and objectives. The critical issue which Muslim women were called to reflect upon at Beijing was: what

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kind of model of self-actualization could be constructed within the framework of normative Islam which could take account of Qur'anic ideals as well as the realities of the present-day Muslim world?

What caught the onlooker's eye at Huairou was the massive presence of Muslim women dressed mostly in black, covered from head to foot, wearing the (again, mostly black) head-and-neck-covering or "hijab", moving together in groups. They were supported by bearded Muslim men who distributed publications and other religious materials including a large-size poster of a woman wearing a head-and-neck-covering saying that Islam was her religion and "hijab" was her dress. The message given by this poster – which is reiterated by "conservative" Muslims all over the world – is that a woman who claims to be a Muslim must wear the "hijab".

That there was a distinct polarization of Muslims – a sharp division between "conservative" Muslims who were able to maintain the appearance of a unified group with what they considered to be marked Islamic characteristics, and other Muslims who represented a variety of approaches to, or understandings of, Islam – was all too evident at Huairou. That the "conservative" Muslims were far more organized and better prepared than the others was also easy to see. Not only had they been able to secure an extraordinary number of slots for workshops and presentations when most NGOs has been able to get very few, but they also managed to bring in an ample amount of religious material for free distribution. (It may be mentioned here that materials which had been shipped to China by some NGOs, including the one that I represented, but which seemed to have some religious content were not released by the Chinese authorities.) Whether it was accomplished by dint of hard work or skilful strategy, or both, certainly the presence as well as the performance of the "conservative" Muslim groups at Huairou left a mark on the conference. They were other Muslim voices also which were heard from time to time and sometimes caused a significant stir, but, on the whole, there was no unified or organized "liberal", "progressive" or "modernist" Muslim platform with a well-defined agenda at Huairou.

The historic triumph of "liberal" Muslims at Cairo – a city regarded by many as one of the foremost bulwarks of "conservative" Islam – made the backlash at Huairou all the more shocking. That women's and human rights advocacy groups would meet the resistance of "conservative" Muslim men was expected at Cairo. But that such resistance would be shown by a large number of "conservative" Muslim women at Huairou was not anticipated. At any rate, neither the "conservative" Muslim men at Cairo, nor the "conservative" Muslim

women at Huairou were willing to acknowledge that there was a wide discrepancy between normative Islam and Muslim practice, and that the reality of the lives of millions of Muslim women who were being discriminated against in multiple ways was vastly different from justice-based Islamic ideals.

At the Cairo conference an expectation had been set up that at the Beijing conference women in general, and Muslim women in particular, would build on the hard-won gains of the ICPD (1994), and would further the process of creating a new paradigm of human self-actualization. But what happened at Huairou was not a radical shift from a reactive to a proactive mindset and mode of discourse. It was a reversal, almost a betrayal, of the promise that had been seen and felt at Cairo. Instead of joining in the vitally-important task of re-interpreting their religious tradition from a non-patriarchal perspective or of engaging in a critical dialogue on the existential situation of the majority of Muslim women in the world who share three characteristics – they are poor, illiterate and live in a village – the spokespersons of the most visible groups of Muslim women at Huairou denied that Muslim women had any serious problems which needed to be addressed.

Muslims representing a variety of approaches to Islam and all shades of opinion from ultra-right to ultra-left had been present at the ICPD (1994) and at times there had been confrontation between conflicting views. But there had been a strong sense at the Cairo conference that Muslim women were moving forward – engaged in some form of dialogical discourse with each other as well as with outsiders. But the spirit of Huairou was very different from the spirit of Cairo. The "conservative" Muslim women who received most of the limelight had come to Huairou to dominate and not to dialogue. Projecting themselves as representatives of "true Islam", they not only distanced themselves from the "liberal" voices which had been heard at Cairo, but also denounced them as "unIslamic" since they appeared to be critical of Muslim culture particularly on the context of women's rights. Raising the specter of "Islam in danger", the "conservative" Muslims at Huairou called for the solidarity of the faithful who would resist both internal and external assaults upon traditional Muslim ways and values. In such an atmosphere of reactionary zeal it was well-nigh impossible to bring the focus back to the real-life issues of large numbers of Muslim women which had come to the fore at Cairo. As the conference in China drew to a close, it seemed that the hope of a paradigm shift from reactive to proactive thinking which had come to birth at Cairo was likely – like female children in pre-Islamic Arabia – to be buried alive.

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Amazed, and somewhat dazed, by the backlash at Huairou to the breakthrough at Cairo, the "liberal" Muslim women sought in the last days of the conference to overcome their sense of being lone voices in the wilderness and to organize a unified response to the "conservative" challenge, but their efforts were too little and too late to make a significant difference to the conference as a whole. However, there were important lessons for "liberal" Muslims to be learnt from the experiences of Cairo and Huairou. Paramount amongst them was the need to understand the role of religion and culture in Muslim societies and communities and the discrepancy between the norms or ideals embodied in Islam's primary sources and Muslim practice with regard to women and women-related issues. A deep analysis of Muslim history, particularly of modern times, and the political, economic, social and psychological factors which have had a formative influence on Muslim consciousness was also required.

While an awareness and acknowledgment of the diversity and complexity of Islam must be regarded as a strength of the "liberal" perspective, it must also be borne in mind that "liberal" Muslims often have to work much harder than "conservative" Muslims to arrive at some kind of a consensus since they generally do not follow a simply-stated, widely-agreed-upon "party-line". That "liberal" Muslims, in general, had not done the hard work required to make a compelling case in support of a "progressive" or "modernist" approach to, or interpretation of, Islam, was apparent at Huairou. Perhaps like many other "liberals" they had assumed that what they had to say was inherently so "reasonable" or "rational" that it could be regarded as self-evident, requiring no corroborative data. But what both Huairou and Cairo have demonstrated is that the greatest impact is made by those who have done their homework best.

So much that was significant and complex happened at the ICPD (1994) and the 4th UN Conference on Women (1995), that historians and other analysts will reflect upon, and write about, the events of these landmark conferences for a long time. While this critical work of historical scholarship goes on, it is important to remember that Cairo and Huairou were not destinations but stations along the way in a long journey towards a better world in which more and more human beings will be able to actualize their human potential. The conferences at Cairo and Huairou are over but the larger historical process of which they were a part, continues. The challenge which confronts humanity, particularly women, today, is how to participate, both as individuals and as groups, as creatively and constructively as possible, in the shaping of this process.

II Empowerment-Related Issues in the Light of the Normative Sources of Islam

(i) Patriarchal Interpretation of Islam: Three Fundamental Theological Assumptions/Ideas:

So much of what goes under the name of "Islam" is, in fact, a patriarchal interpretation of Islam which has had an incalculable influence on the lives of Muslim women. Much of what has happened to Muslim women through the ages becomes comprehensible if one keeps one fact in mind: Muslims, in general, consider it a self-evident fact that women are not equal to men, who are "above" women or have a "degree of advantage" over them. There is hardly anything in a Muslim woman's life which is not affected by this belief; hence it is vitally important, not only for theological reasons but also for pragmatic ones, to subject it to rigorous scholarly scrutiny and attempt to identify its roots.

In the Islamic, as well as the Jewish and Christian, tradition, the roots of the belief that men are superior to women lie in three theological assumptions: (a) that God's primary creation is man, not woman, since woman is believed to have been created from man's rib and is, therefore, derivative and secondary ontologically; (b) that woman, not man, was the primary agent of what is customarily described as "Man's Fall" or expulsion from the Garden of Eden, and hence "all daughters of Eve" are to be regarded with hatred, suspicion, and contempt; and (c) that woman was created not only *from* man but also *for* man, which makes her existence merely instrumental and not of fundamental importance. The three theological questions to which the above assumptions may appropriately be regarded as answers are: (1) How was woman created? (2) Was woman responsible for the "Fall" of man? and (3) Why was woman created? While all three questions have had profound significance in the history of ideas and attitudes pertaining to women in the Islamic, Christian and Jewish traditions, the first one which relates to the issue of woman's creation is more basic and important, philosophically and theologically, than any other in the context of gender-equality. This is so because if man and woman have been created equal by God who is the ultimate arbiter of value, then they cannot become essentially unequal at a subsequent time. On the other hand, if man and woman have been created unequal by God, then they cannot become essentially equal at a subsequent time.

The myth that Eve was created from the rib of Adam has no basis whatever in the Qur'an, which never mentions Eve, and in the context of human creation

speaks always in completely egalitarian terms. In none of the thirty or so Qur'anic passages that describe the creation of humanity (designated by generic terms such as "an-nas", "al-insan" and "al-bashar") by God in a variety of ways, is there any statement which asserts or suggests that man was created prior to woman or that woman was created from man. If woman and man were created equal by God – and this is clearly and unambiguously the teaching of the Qur'an – then their subsequent inequality in almost all Muslim (and many other) societies cannot be seen as having been willed by God, but must be seen as a perversion of God's intent in creation. All this notwithstanding, the ordinary Muslim continues to believe, with Jews and Christians, that Adam was God's primary creation and that Eve was made from Adam's rib hence can never be equal to him.

In the context of the "Fall" story, it needs to be pointed out that the Qur'an provides no basis whatever for asserting, implying or suggesting that Hawwa' (Eve), having been tempted by "ash-Shaitan" (Satan) in turn tempted and deceived Adam and led to his expulsion from "al-jannah" (the Garden). Regardless of this, however, many Muslim commentators (e.g., al-Tabari) have ascribed the primary responsibility for man's "Fall" to woman and have branded her as "the devil's gateway".[1] In the Qur'anic narrative which describes the act of disobedience on the part of human beings, there is no reference to a "Fall" as this term is understood in the Christian tradition in which it has become linked with the doctrine of Original Sin. As pointed out by Muhammad Iqbal in his classic work, *The Reconstruction of Religious Thought in Islam*,

> (the) Qur'anic legend of the Fall has nothing to do with the first appearance of man on this planet. Its purpose is rather to indicate man's rise from a primitive state of instinctive appetite to the conscious possession of a free self, capable of doubt and disobedience. The Fall does not mean any moral depravity; it is man's transition from simple consciousness, a kind of waking from the dream of nature with a throb of personal causality in one's own being. Nor does the Qur'an regard the earth as a torture-hall where an elementally wicked humanity is imprisoned for an original

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[1] This expression comes from Tertullian (A.D.160-225), a Church Father from North Africa who wrote: "And do you not know that you are (each) an Eve? The sentence of God on this sex of yours lives in this age: the guilt must of necessity live too. You are the devil's gateway; you are the unsealer of that (forbidden) tree: you are the first deserter of the divine law, you are she who persuaded him whom the devil was not valiant enough to attack. You destroyed so easily God's image, man. On account of your desert – that is, death – even the Son of God had to die" (*De culte feminarum* 1.1 cited by Leonard Swidle, *Biblical Affirmations of Woman*, Philadelphia 1979, 346).

act of sin. Man's first act of disobedience was also his first act of free choice; and that is why according to Qur'anic narration, Adam's first transgression was forgiven...[2]

Iqbal's interpretation of the "Fall" episode, reflective as it is of his profound understanding of the Qur'an, has, however, had little impact on patriarchal Muslim culture which has continued to use the Biblical story to perpetuate the myth of feminine evil, particularly to control women's sexuality which it associates, like St. Augustine, with "fallenness".

The Qur'an, which does not discriminate against women in the context of creation or the "Fall" story, does not support the view, held by many Muslims, Christians and Jews, that woman was created not only *from* man, but also *for* man. That God's creation is "for just ends"[3] and not "for idle sport"[4] is one of the major themes of the Qur'an. Humanity, fashioned "in the best of moulds"[5] has been created in order to serve God.[6] According to the Qur'an, service to God cannot be separated from service to humanity, or – in Islamic terms – believers in God must honor both "Haquq Allah" (Rights of God) and "Haquq al-'ibad" (Rights of creatures). Fulfillment of one's duties to God and humanity constitutes the essence of righteousness. That men and women are equally called upon by God to be righteous and will be equally rewarded for their righteousness is stated unambiguously in a number of Qur'anic verses.[7] Not only does the Qur'an make it clear that man and woman stand absolutely equal in the sight of God, but also that they are "members" and "protectors" of each other. In other words, the Qur'an does not create a hierarchy in which men are placed above women (as they are by many formulators of the Christian tradition), nor does it pit men against women in an adversary relationship. They are created as equal creatures of a universal, just and merciful God whose pleasure it is that they live together in harmony and righteousness.

(ii) Sources of the Islamic Tradition and their Interpretation
Before one can speak meaningfully about women in the context of Islam or the Islamic tradition, it is necessary to clarify what one means by this term.

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[2] Muhammad Iqbal, *The Reconstruction of Religious Thought in Islam*, Lahore 1962, 85.

[3] *The Qur'an*, Surah 15: *Al-Hijr*: 85.

[4] *The Qur'an*, Surah 21: *Al-Anbiya*: 16.

[5] *The Qur'an*, Surah 95: *At-Tin*: 4.

[6] *The Qur'an*, Surah 51: *Adh-Dhariyat*: 56.

[7] For instance, *The Qur'an*, Surah 3: *Al-'Imran*: 195; Surah 4: *An-Nisa'*: 124; Surah 9: *At-Tawbah*: 71-72; Surah 16: *An-Nahl*: 97; Surah 23: *Al-Ahzab*: 35.

The Islamic tradition – like the other major religious traditions – does not consist of, or derive from, a single source. Most Muslims, if questioned about its sources, are likely to refer to more than one of the following: *The Qur'an* (the Book of Revelation); *Sunnah* (the practice of Prophet Muhammad); *Hadith* (the sayings attributed to Prophet Muhammad); *Fiqh* (Jurisprudence); or *Madahib* (Schools of Law); and the *Shar'iah* (the code of life which pertains to all aspects of Muslim life). While all these "sources" have contributed to what is cumulatively referred to as "the Islamic tradition", it is important to note that they do not form a coherent or consistent body of teachings or precepts from which a universally-agreed-upon set of Islamic norms can be derived. It is possible to cite numerous examples of inconsistencies amongst various sources of the Islamic tradition. For instance, there are inconsistencies between the Qur'an and the Hadith literature as also within the body of the Hadith literature and the literature of the Schools of Law. In view of this fact, it is hardly possible to speak of "Islam" and "the Islamic tradition" as if it were unitary or monolithic. Its various components need to be identified and examined separately before one can attempt to make any generalization on behalf of the Islamic tradition as a whole.

Of the various sources of the Islamic tradition – at least insofar as it is understood theoretically or normatively – the two most important sources are a) the Qur'an, and b) Sunnah and Hadith. Of these two, undoubtedly, the Qur'an is the more important. In fact, the Qur'an is regarded by Muslims in general as *the* primary source of Islam, having absolute authority, since it is believed to be God's unadulterated Word revealed through the agency of Archangel Gabriel to Prophet Muhammad who transmitted it to others without any change or error. However, since the early days of Islam, the Hadith literature has been the lens through which the words of the Qur'an have been seen and interpreted. The Hadith literature which reflects the Arab-Islamic culture of the seventh and eighth century Muslims, contains many of the cumulative (Jewish, Christian, Hellenistic, pre-Islamic Bedouin and other) biases against women which have been used through much of Muslim history to undermine the intent of the Qur'an to liberate women from the status of chattels or inferior creatures and make them free and equal to men.

It is difficult to overstate the significance of the Hadith literature in the Islamic tradition. As pointed out by Alfred Guillaume in his book, *The Traditions of Islam*, "The Hadith literature ... provides us with apostolic precept and example covering the whole duty of man; it is *the basis* of that developed

system of law, theology, and custom which is Islam."[8] Important as it is as a major source of the Islamic tradition, it needs also to be stated that every aspect of the Hadith literature is surrounded by controversy. In particular, the question of the authenticity of individual "ahadith" (plural of "hadith"), as well as of the Hadith literature as a whole, has occupied the attention of many scholars of Islam since the time of Ash-Shafi'i (who died in 809 A.D.).

Having underscored the importance of the Qur'an and the Hadith as primary sources of the Islamic tradition, it is necessary to point out that through the centuries of Muslim history, these sources have been interpreted only by Muslim men who have arrogated to themselves the task of defining the ontological, theological, sociological, and eschatological status of Muslim women. While it is encouraging to know that women such as Khadijah and A'ishah (wives of the Prophet Muhammad) and Rabi'a al Basri (the outstanding woman Sufi) figure significantly in early Islam, the fact remains that the Islamic tradition has, by and large, remained rigidly patriarchal until the present time, inhibiting the growth of scholarship among women particularly in the realm of religious thought.

Given this state of affairs, it is hardly surprising that until recent times, the vast majority of Muslim women have remained wholly or largely unaware of their "Islamic" (in an ideal sense) rights. Male-centered and male-dominated Muslim societies have continued to assert, glibly and tirelessly, that Islam has given women more rights than any other religion, while keeping women in physical, mental and emotional confinement. Here, it is pertinent to mention that while the rate of literacy is low in many Muslim countries, the rate of literacy of Muslim women, especially in the rural areas where most of the population lives, is amongst the lowest in the world.

(iii) The Qur'an's Ethical Framework and the Rights of Muslim Women
The Qur'an's vision of human destiny is embodied in the exalted proclamation: "Towards God is thy limit".[9] In order to enable men and women to achieve this destiny and discharge the responsibility of being God's "khalifah" (vicegerent) upon the earth, the Qur'an affirms fundamental rights which all human beings ought to have because their denial or violation is tantamount to a negation or degradation of what being human entails. From the

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[8] Alfred Guillaume, *The Traditions of Islam*, Beirut 1966, 5.
[9] The Qur'an, Surah 53: An-Najm: 42; the translation is by Iqbal, *The Reconstruction of Religious Thought in Islam*, 57.

perspective of the Qur'an, rights given by God to human beings as a means of developing their human potential to the fullest are eternal and immutable and cannot be abolished by any temporal ruler or human agency.

Since the Qur'an is concerned with all human beings and all aspects of life, it contains references to a large number of human rights. In the proposed study an account will be given of rights which are pivotal, particularly in the context of women's empowerment. Amongst these rights are the following:

a) **Right to life**. The Qur'an upholds the sanctity and absolute value of human life,[10] and points out that, in essence, the life of each individual is comparable to that of an entire community and, therefore, should be treated with utmost care.[11]

b) **Right to respect**. According to the Qur'an, human beings were appointed God's vicegerent on earth because of all creation they alone had the ability to think, to have knowledge of good and evil, to do right and avoid wrong. Thus, on account of the promise which is contained in being human, the humanness of all human beings is to be respected.

c) **Right to justice**. The Qur'an puts great emphasis on the right to seek justice and the duty to do justice.[12] In the context of justice, the Qur'an uses two concepts: "'adl" and "ihsan". "'Adl" is justice in a legalistic sense and is represented by a scale which is evenly balanced. It is in the spirit of "'adl" that special merit be considered in matters of rewards and special circumstances be considered in matters of punishments. For instance, for crimes of unchastity the Qur'an prescribes identical punishments for a man or a woman who is proved guilty,[13] but it differentiates between different classes of women: for the same crime, a slave woman would receive half, and the Prophet's consort double, the punishment given to a "free" Muslim woman.[14] In making such a distinction, the Qur'an reflects God's compassion for women slaves who were socially disadvantaged, while upholding high moral standards, particularly in the case of the Prophet's wives whose actions had a normative significance for the community. "Ihsan" goes beyond "'adl" and refers to a restoring of balance by making up a loss or deficiency. In order to understand this concept, it is necessary to understand the nature of the ideal community ("ummah") envisaged by the

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[10] *The Qur'an*, Surah 6: *Al-An'am*: 151.

[11] *The Qur'an*, Surah 5: *Al-Ma'idah*: 32.

[12] For instance, *The Qur'an*, Surah 5: *Al-Ma'idah*: 8; Surah 4: *An-Nisa'*: 136.

[13] *The Qur'an*, Surah 24: *An-Nur*: 2.

[14] *The Qur'an*, Surah 4: *An-Nisa'*: 25; Surah 33: *Al-Ahzab*: 30.

Qur'an. The word "ummah" comes from the root "umm" which means "mother". Thus the "ummah" is likened to a mother. The symbols of a mother and motherly love and compassion are also linked with the two attributes most characteristic of God, namely, "Rahman" and "Rahim", both of which are derived from the root "rahm" which means "womb". The ideal "ummah" cares about all its members just as an ideal mother cares about all her children, knowing that all are not equal and that each has different needs. A mother who makes up the deficiency of a disadvantaged child exemplifies the spirit of "ihsan". "Ihsan", thus, shows God's sympathy for the disadvantaged segments of human society such as women, children, slaves, the poor and the infirm.

d) **Right to freedom.** A large part of the Qur'an's concern is to free human beings from the chains that bind them: traditionalism, authoritarianism (religious, political, economic), tribalism, racism, classism or caste systems, sexism, and slavery.

e) **Right to privacy.** The Qur'an recognizes the need for privacy as a human right and lays down rules for protecting an individual's life in the home from undue intrusion from within or without.[15]

f) **Right to acquire knowledge.** The Qur'an puts the highest emphasis on the importance of acquiring knowledge which is regarded as a prerequisite for the creation of a just world in which authentic peace can prevail.

g) **Right to sustenance.** A cardinal concept in the Qur'an – which underlies the socio-economic-political system of Islam – is that the ownership of everything lies, not with any person, but with God. Since God is the universal creator, every creature has the right to partake of what belongs to God.[16] This means that every human being has the right to a means of living.

h) **Right to work.** According to Qur'anic teaching every man and woman has the right to work, whether the work consists of gainful employment or voluntary service. The fruits of labor belong to the one who has worked for them, regardless of whether it is a man or a woman.[17]

Muslim women partake of all the rights which have been mentioned above. In addition they are the subject of much particular concern in the Qur'an. However, Muslim societies, in general, appear to be far more concerned with trying to control women's bodies and sexuality than with their human rights.

[15] *The Qur'an*, Surah 24: *An-Nur:* 27-28; Surah 33: *Al-Azhab:* 53; Surah 49: *Al-Hujurat:* 12.
[16] *The Qur'an*, Surah 6: *Al-An'am:* 165; Surah 67: *Al-Mulk:* 15.
[17] *The Qur'an*, Surah 4: *An-Nisa':* 32.

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When they speak of human rights, many Muslims either do not speak of women's rights at all,[18] or are mainly concerned with how a woman's chastity may be protected.[19] The issue of male chastity is often ignored.

(iv) Women in Islam: Qur'anic Ideals versus Muslim Realities
While the Qur'an, because of its protective attitude towards all downtrodden and oppressed classes of people, appears to be weighted in many ways in favor of women, a review of Muslim history shows that many of its women-related teachings have been used in patriarchal Muslim culture against, rather than for, women. Since the 1970s, largely due to the pressure of anti-women laws which have been promulgated under the guise of "Islamization" in a number of Muslim countries, women with some degree of education and awareness have begun to realize that religion is being used as an instrument of oppression rather than as a means of liberation from unjust social structures and systems of thought and conduct. This realization has stemmed from the fact the women have been the primary targets of the "Islamization" process. In order to understand the motivation underlying this process, it is necessary to take into account the ambivalent attitude towards modernity which exists in the Muslim world. The caretakers of Muslim traditionalism are aware to the fact that viability in the modern technological age requires the adoption of the scientific or rational outlook which inevitably brings about major change in modes of thinking and behavior. Women, both educated and uneducated, who are participating in the national work-force and contributing towards national development, think and behave differently from women who have no sense of their individual identity or autonomy as active agents in a history-making process, and regard themselves merely as instruments designed to minister to, and reinforce, a patriarchal system which they believe to be divinely instituted.

Unable to come to grips with modernity as a whole, many Muslim societies make a sharp distinction between two aspects of it. The first – generally referred to as "modernization" and largely approved – is identified with science, technology and a better standard of life. The second – generally referred to as "Westernization" and largely disapproved – is identified with emblems of "mass" Western culture such as promiscuity, break-up of family and community, latch-key kids, and drug and alcohol abuse. What is of importance to

[18] For example, R. A. Jullundhri, "Human Rights in Islam," in A. D. Falconer, ed., *Understanding Human Rights*, Dublin 1980.
[19] For example, A. A. Maududi, *Human Rights in Islam*, Lahore 1977.

note here, is that an emancipated Muslim woman is seen by many Muslims as a symbol not of "modernization" but of "Westernization". These days Muslim boys as well as girls go to Western institutions for higher education. Often when a young man returns from the West he is considered "modernized", but when a young woman returns she is considered "Westernized". This is so because she appears to be in violation of what traditional societies consider to be a necessary barrier between "private space" (i.e., the home), where women belong, and "public space" (i.e., the rest of the world), which belongs to men. Muslims, in general, tend to believe that it is best to keep men and women segregated, i.e., in their separate, designated spaces, because the intrusion of women into men's space is seen as leading to the disruption, if not the destruction, of the fundamental order of things. According to a popular "hadith", whenever a man and woman are alone, "ash-Shaitan" (Satan) is bound to be there.

Women-related issues pertaining to various aspects of personal as well as social life, lie at the heart of much of the ferment or unrest which characterizes the Muslim world in general. Many of the issues are not new issues but the manner in which they are being debated today is something new. Much of this on-going debate has been generated by the enactment of manifestly anti-women laws in a number of Muslim countries. For instance, since the 1970s, many Pakistani women have been jolted out of their "dogmatic slumber" by the enactment of laws such as the Hudood Ordinance (1979), the law of Evidence (1984), and the Qisas and Diyat Ordinance (1990), which discriminate against women in a blatant manner. These laws which pertain to women's testimony in cases of their own rape or in financial and other matters, and to "blood-money" for women's murder, aim at reducing the value and status of women systematically, virtually mathematically, to less than that of men. The emergence of women's protest groups in Pakistan was very largely a response to the realization that forces of religious conservatism were determined to cut women down to one-half or less of men, and that this attitude stemmed from a deep-rooted desire to keep women *in their place* which is understood as being secondary, subordinate and inferior to that of men.

The importance of developing a theology of women in the context of the Islamic tradition – as the West has developed "feminist theology" in the context of the Jewish and Christian traditions – is paramount today with a view to liberating not only Muslim women, but also Muslim men, from unjust structures and laws which make a peer relationship between men and women impossible. While it is good to know that there have been significant

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Muslim men, such as Qasim Amin in Egypt and Mumtaz 'Ali in India, who have used their scholarship in staunch support of women's rights, it is disheartening to know as well that even in an age characterized by an explosion of knowledge, all but a handful of Muslim women lack any knowledge of Islamic theology.

The rationale for the research which must be undertaken is the urgent need for women to become effective voices in the theological deliberations and discussions on women-related issues which are taking place in much of the contemporary Muslim world. Social and political activism is needed, no doubt, to counter the tide of anti-women legislation and violence toward women which has been on the rise in a number of Muslim countries. It is not sufficient by itself, however, to overturn laws which have been imposed in the name of Islam and legitimized by means of religious arguments, as a review of recent history shows. It seems that the only way such laws can be challenged in any present-day Muslim country is by reference to better religious arguments. To produce such arguments, research into the sources of normative Islam is necessary. Without this research the Qur'anic vision of what a gender-equity-and-justice-based Muslim society should be, cannot become actualized anywhere in today's Muslim world.

This research should examine the discrepancies which exist between Qur'anic ideals and Muslim practice with regards to women and women-related issues. Amongst the issues to be examined should be the following:

(a) **Attitude toward girl-children**. Muslim societies tend to discriminate against girl-children from the moment of birth. It is customary amongst Muslims to regard a son as a gift, and a daughter as a trial, from God. Therefore the birth of a son is an occasion for celebration while the birth of a daughter calls for commiseration, if not lamentation. Here, it may be mentioned that though Muslims say with great pride that Islam abolished female infanticide, one of the most common crimes in many Muslim countries is the murder of women by their male relatives. These so-called "honor-killings" are frequently used to camouflage other kinds of crime.

(b) **Marriage**. There is much Qur'anic legislation which is aimed at protecting the rights of women in the context of marriage.[20] However, many girls are married when they are still minors and do not understand that

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[20] For instance, *The Qur'an*, Surah 2: *Al-Baqarah*: 87; Surah 4: *An-Nisa'*: 4, 19; Surah 7: *Al-A'raf*: 189; Surah 9: *At-Tawbah*: 71; Surah 24: *An-Nur*: 33; Surah 30: *Ar-Rum*: 21.

marriage in Islam is a contract and that women, as well as men, have the right to negotiate the terms of this contract.[21]

(c) **Marital problems and divorce**. While the Qur'an provides for just arbitration in case a marriage runs into problems, it also makes provision for what we today call a "no-fault" divorce and does not make any adverse judgments about divorce.[22] The Qur'anic prescription, "Either live together in kindness or separate in kindness" preserves the spirit of amity and justice in the context of both marriage and divorce. In some Muslim societies, however, divorce has been made extremely difficult for women, both legally and through social penalties.

(d) **Child-rearing and child-custody**. In the context of child-rearing, the Qur'an states clearly that the divorced parents of a minor child must decide by mutual consultation how the child is to be raised and that they must not use the child to exploit each other.[23] However, divorced women in Muslim societies are often subjected to great exploitation on account of their children, losing the right to the custody of both boys (generally at age 7) and girls (generally at age 12).

(e) **Polygamy**. Polygamy was intended by the Qur'an for the protection of orphans and widows. However, in Muslim culture, as in other patriarchal cultures where polygamy is an accepted or established practice, it has often been seen as a "privilege" of men and used for ends other than those prescribed by the Qur'an.

(v) Islam and Women's Health-Related Issues

The underlying issue which has become the focal point of world attention through international conferences on Human Rights, Population, Development, Gender-Equity and Women's Empowerment, is that of women's health. It has now been widely recognized that health cannot be defined merely as absence of sickness just as peace cannot be defined merely as absence of war. Health refers both to the subjective sense and the objective state of wholesomeness and total well-being. Attainment of health is pivotal to the success or significance of any endeavor – individual, local, regional, national or international – which is aimed at human development or self-actualization. Women's health has become a matter of serious global concern because there

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[21] For instance, *The Qur'an*, Surah 2: *Al-Baqarah*: 231, 241.

[22] *The Qur'an*, Surah 2: *Al-Baqarah:* 233.

[23] *The Qur'an*, Surah 4: *An-Nisa'*: 2-3.

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are a very large number of women, including many Muslim women, who are suffering from chronic ill-health.

There is much data which supports the contention that the physical, psychological and emotional health of women is profoundly affected by the beliefs and suppositions prevalent in the theological and cultural universe in which they live their lives. Research needs to be undertaken to investigate specific ways in which the negative ideas and attitudes regarding women which have become incorporated in Muslim tradition or culture impact upon the self-image or self-perception of Muslim women, many of whom have very low self-esteem and put little value or no value on their own life or its quality. In this context particular attention needs to be paid to women's reproductive health issues, including family planning and abortion.

Family planning is an issue of maximum priority in a number of Muslim countries where the birth-rate is amongst the highest in the world. There has been a rapid increase in population in many Muslim countries despite the fact that in most cases the governments of these countries profess a staunch commitment to the idea and programs of family planning. One well-known reason for this is the widespread influence of "conservative" Muslims who proclaim in widely-circulated publications, as well as from public platforms and mosque pulpits, that family planning is against Islam. "Liberal" Muslims have sought to counter this influence by arguing that even though the Qur'an is silent on the subject of birth control, there is support for family planning in the Hadith, as well as in the legal and philosophical literature of Islam.

Though the Qur'an's attitude toward women is highly protective, the way Muslim masses have practised Islam has left millions of Muslim women with battered bodies, minds and souls. Lacking any sense of self-worth, self-esteem or self-confidence, they find it very hard to resist the pressure put on them by widely influential Muslims like A. A. Maududi who tell them repeatedly that family planning is demonic in intent and contrary both to God's wishes and society's welfare. Maududi's observations, cited below, are typical of the "conservative" line of thinking which is thwarting the success of family planning programs through much of the Muslim world:

> Co-education, employment of women in offices, mixed social gatherings, immodest female dresses, and beauty parades are now a common feature of our social life. Legal hindrances have also been placed in the way of marriage and on having more than one wife, but no bar against keeping mistresses and illicit relationships, prior to the age of marriage. In such a society perhaps the last obstacle that may keep a woman from surrendering to a man's advances is fear of illegitimate conception.

Remove this obstacle too and provide women with weak character assurance that they can safely surrender to their male friends and you will see that the society will be plagued by the tide of moral licentiousness.[24]

Without a radical change in the way in which Muslim women perceive themselves, there is little chance that family planning will ever become an integral part of Muslim social and domestic life. The research being proposed should be instrumental in bringing about such a change.

The second factor which has been responsible for the failure of many development projects, including family planning projects, in the Muslim world, is the attitude toward religion in general which exists in the minds of those who design these projects. A bias which is widely-prevalent in development "experts" – most of whom have a Western secular orientation – is that the issue of development does not involve theological debate; it relates to entirely other issues. Even those who concede that religion may be one of the factors to be considered in development projects do not seem to understand the reality of present-day Muslim societies. In the context of the Muslim world, it is essential to see that Islam (in all its complexity) is not just one of the factors involved in development issues, but the matrix in which all other factors are grounded.

Concern about women's health and development has led in all the recent UN Conferences – from the ICPD (1994) in Cairo to the Social Summit (1995) in Copenhagen to the 4th World Conference on Women (1995) in Beijing to the Habitat II Conference (1996) in Istanbul – to the highlighting of the impediments faced by large numbers of women in the world. Paramount amongst these impediments are poverty, illiteracy and lack of participation in the political process. Due largely to the consciousness-raising done by the World Conferences there are now several initiatives underway in different parts of the world which seek to enable women to overcome these and other socio-economic and political impediments which are blocking their growth. But so far there has not been an adequate focus on dealing with the internal impediments such as lack of a sense of inner security and integrity, positive self-image and self-esteem, and mental and moral autonomy. While it is obviously very important to enable women to alter external factors or conditions such as poverty and illiteracy, it is even more important – from a

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[24] Salma Sobhan, "Political History in the Indian Subcontinent," paper read at Seminar "Women, Islam and Development" sponsored by the Foreign Ministry of the Royal Netherlands Government, held in the Hague on September 15, 1993.

philosophical and psychological point of view – to enable them to liberate themselves from that which chains and shackles them internally. If a woman becomes self-aware and acquires a sense of self-worth she is able to surmount many obstacles which impede her development. But if she remains inwardly fragmented or in a state of bondage, she becomes powerless even is she is not poor or illiterate or politically voiceless.

Despite the serious harm done to women by patriarchal interpreters of religious texts and formulators of religious traditions and laws, theological study also demonstrates that the idea of justice lies at the core of the great religions of the world. Therefore, if these religions could be interpreted from a non-patriarchal perspective, they could become as effective in the upliftment and empowering of women as they have, historically, been in their degradation and suppression. This is particularly true of Islam which is a prophetic religion profoundly committed to actualizing in history and society the quintessential attributes of God, namely, mercy and compassion, truth and justice.

Santayana remarked with acute insight that those who do not know their history are destined to repeat it. This statement may be amplified by reference to the image of derailment. If one is traveling on a train which gets derailed and starts going in the wrong direction, one cannot get back on the right track until the train returns to the point of derailment. Women, in general, and Muslim women, in particular, need to know where and how they got derailed, theologically and sociologically, in order to get back on track and reclaim their proper place in the world. This cannot be done until a significant number of women become equipped to look at the primary sources of their religious tradition with their own eyes without the lens of patriarchal preconceptions or biases. The research which needs to be undertaken is, therefore, fundamentally important in attaining the goal of women's empowerment and self-actualization.

III In Conclusion

In conclusion, I would like to say a word to those human rights groups in the Muslim world which adopt the position that human rights and Islam are incompatible and that the abandonment of Islam is a pre-condition for women's liberation from oppression and development. In my judgment, the average Muslim woman in the world has three characteristics: she is poor, she is illiterate and she lives in a rural environment. If I, as a human rights activist, wanted to "liberate" this average Muslim woman living anywhere from Ankara to Jakarta, I could not do so by talking to her about the UN

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Declaration on Human Rights, 1948, because this means nothing to her. But it is possible for me to reach this woman's heart and mind and soul by reminding her that God is just and merciful and that, as a creature of this just and merciful God, she is entitled to justice and protection from every kind of oppression and inequity. I make this statement because I have seen the eyes of many Muslim women who have lived in hopelessness and helplessness light up when they realize what immense possibilities for development exist for them within the framework of the belief-system which defines their world.

A final word needs to be said about the representation of Muslim women in the West and by the Western media. Since the 1970s there has been a growing interest in the West in Islam and Muslims. Much of this interest has been focused, however, on a few themes such as "Islamic Revival", "Islamic Fundamentalism", "The Salman Rushdie Affair", and "Women in Islam", rather than on understanding the complexity and diversity of "the World of Islam". Both the choice of subjects which tend to evoke or provoke strong emotive responses in both Westerners and Muslims, and also the manner in which these subjects have generally been portrayed by Western media or popular literature, call into question the motivation which underlies the selective Western interest in Islam and Muslims.

Given the reservoir of negative images associated with Islam and Muslims in "the Collective Unconscious" of the West, it is hardly surprising that, since the demise of the Soviet Empire, "the World of Islam" is being seen as the new "Enemy" which is perhaps even more incomprehensible and intractable than the last one. The routine portrayal of Islam as a religion spread by the sword and characterized by "Holy War", and of Muslims as barbarous and backward, frenzied and fanatic, volatile and violent, has led in recent times to an alarming increase in "Muslim-bashing" – verbal and physical as well as psychological – in a number of Western countries. In the midst of so much hatred and aversion toward Islam and Muslims in general, the outpouring of so much sympathy in and by the West towards Muslim women appears, on a surface level, to be an amazing contradiction. For are Muslim women also not adherents of Islam? And are Muslim women also not victims of "Muslim-bashing"? Few of us can forget the brutal burning of Turkish Muslim girls by German gangsters or the ruthless rape of Bosnian Muslim women by Serbian soldiers.

Since the modern notion of human rights originated in a Western, secular context, Muslims in general, and Muslim women in particular, find themselves

in a quandary when they initiate, or participate in, discussions on human rights whether in the West or in Muslim societies. Based on their life experience, most Muslim women who become human rights advocates or activists feel strongly that virtually all Muslim societies discriminate against women from cradle to grave. This leads many of them to become deeply alienated from Muslim culture in a number of ways. This sense of alienation often leads to anger and bitterness toward the patriarchal structures and systems of thought which dominate Muslim societies. Muslim women often find much support and sympathy in the West so long as they are seen as rebels and deviants with the world of Islam. But many of them begin to realize, sooner or later, that while they have serious difficulties with Muslim culture, they are also not able, for many reasons, to identify with Western, secular culture. This realization leads them to feel – at least for a time – isolated and alone. Much attention has been focused in Western media and literature, on the sorry plight of Muslim women who are "poor and oppressed" in visible or tangible ways. Hardly any notice has been taken, however, of the profound tragedy and trauma suffered by the self-aware Muslim women of today who are struggling to maintain their religious identity and personal autonomy in the face of the intransigence of Muslim culture on the one hand, and the imperialism of Western, secular culture on the other.

While the West constantly bemoans what it refers to as the "rise of Islamic fundamentalism", it does not extend significant recognition or support to progressive Muslims who are far more representative of "mainstream" modern Islam than either the conservative Muslims on the right or the "secular" Muslims on the left. Even after the Iranian Revolution and the "Islamization" of an increasing number of Muslim societies, many Western analysts are still unable or unwilling to see Islam as a religion capable of being interpreted in a progressive way or a source of liberation to Muslim peoples. An even deeper problem is their refusal to understand the pivotal role of Islam in the lives of Muslims the vast majority of whom – in a worldwide community estimated to be over one billion – are "believers" rather than "unbelievers". Compelled by facts of modern history, some social scientists in the West are now beginning to concede that Islam is *one* of the factors which needs to be considered – along with political, economic, ethnic, social and other factors – in planning and evaluating development projects. This approach, though an improvement on one which does not take account of religion at all, is still not adequate for understanding the issues of the Muslim world or finding ways of resolving them. I do not believe that any viable model of self-actualization

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can be constructed in Muslim societies for women or men which is outside the framework of normative Islam as derived from Qur'anic teachings and exemplified in the life of the Prophet of Islam. Nor do I believe that any profoundly meaningful or constructive dialogue can take place between "the World of Islam" and "the West" without a proper recognition of what Islam means to millions of Muslims.

Aus den Erfahrungen von liberalen muslimischen Teilnehmerinnen der Internationalen Konferenz zur Bevölkerung und Entwicklung 1994 sowie der UN Conference on Women 1995 ist das Bedürfnis entstanden, die Rolle von Religion und Kultur in muslimischen Gesellschaften zu verstehen und den Unterschied zwischen den in den Quellen des Islams verkörperten Normen bzw. Idealen und der Praxis dieser Gesellschaften zu analysieren. Anhand einer Auslegung von Texten aus dem Koran zeigt Hassan, daß vieles, das unter den Namen "Islam" praktiziert wird, von patriarchalen Einflüssen geprägt ist. Die anderen, nicht patriarchalischen, Seiten und Möglichkeiten des Islams müssen besser bekannt werden.

Les expériences des participantes musulmanes libérales à la Conférence internationale sur la Population et le Développement de 1994 et à la Conférence des Nations Unies sur les Femmes de 1995 ont fait naître le besoin de mieux comprendre le rôle de la religion et de la culture dans les sociétés musulmanes, ainsi que d'analyser les différences existant entre les normes ou idéaux présents dans les sources de l'islam et la pratique de ces sociétés. A partir d'une interprétation des textes du Coran, Hassan démontre que beaucoup de comportements justifiés au nom de l'islam sont en fait déterminés par des influences patriarcales. Il s'agit donc de mieux faire connaître les aspects et les possibilités non-patriarcales contenues dans l'islam.

Riffat Hassan was born in Lahore, Pakistan. She graduated with double honours in English and Philosophy from the Univeristy of Durham in 1964, and in 1968 was awarded her PhD for work on the modern Muslim poet-philosopher, Muhammad Iqbal. She has taught at the University of Punjab, Lahore, Oklahoma State University, and Harvard University, and is currently Professor of Religious Studies and Humanities at the University of Louisville, Kentucky. Since 1974 she has been engaged in developing the discipline of feminist theology in the context of the Islamic tradition.

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