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Approaches To Promoting Women's Rights from A Conservative Islamist Perspective

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Question

What are the approaches to promoting women's rights from a conservative Islamist perspective? How can women's rights from a global definition be addressed in a contextualized conversation with a conservative Islamist party/ block/ government? Give comparative examples from relevant contexts, e.g. Morocco, Malaysia.

Contents

1. Summary

Restrictions on women's rights are a common challenge in conservative Islamic societies; while these societies are often highly patriarchal, religion (Islam) is typically used to justify such restrictions. Attempts to overcome these using Western, liberal values largely fail because they are seen as alien and anti-Islam. This has led to the emergence of movements demanding rights for women based on Islam – the argument made is that Islamic sources have been interpreted historically by male scholars in a misogynistic manner. Reinterpreting these from a modern, feminist perspective can give women rights – and the Islamic origin of these makes them acceptable. Islamic feminists also cite historic examples of Muslim women playing leading roles, e.g. in the judiciary, to overcome resistance to women's empowerment. Another approach is mobilising support from men, especially male religious leaders. Such approaches have been applied successfully in a number of Muslim countries, including Egypt to obtain the right to divorce for women, and Morocco where state-certified female Islamic scholars (Murshidat) promote a liberal, tolerant Islam.

This review looks at approaches to promoting women's empowerment in conservative, Islamic countries. It is based largely on academic papers as well as some grey literature and media reports. There is quite extensive literature on Islamic feminism, and some on the experience in different Muslim countries. However, this is largely focused on promoting women's rights in relation to family/personal matters, as well as political participation, and far less on women's economic empowerment. While reference was found to children/youth in the context of female empowerment (e.g. right to education) the review did not come across specific examples of promoting the rights of youth and children in conservative, Islamic societies. The available literature obviously had a gender focus, but was disability-blind.

Key findings of the review are as follows:

- **The position of women in Muslim countries and societies is often characterised by restrictions and denial of rights** (e.g. to education, employment, to decide on marriage and divorce), with the basis or justification for these presented as religion (Islam) and related values and norms.

- **While these rights are provided for in international norms and conventions, attempts to promote these in Islamic contexts generally fail** because, one, they are seen as 'Western' and alien, and two, they are perceived as attacking Islam – many Muslim women want greater rights, but are not willing to reject their faith.

- **Islamic feminism has emerged in response**. This entails pursuing rights for women through the framework of Islam rather than the liberal, secular order. Islamic feminists argue that historically male scholars have interpreted Islamic sources (the Quran and Sunnah – sayings and actions of Prophet Muhammed) in a misogynistic way that disempowered women. Their view is that Islam does give rights to women.

- **Islamic feminism has important advantages, but also risks**. Religion-based approaches to gender advocacy allow women to reconcile their faith with their commitment to women's rights. However, they can inadvertently reinforce the centrality of Islam (and thus potentially promote traditional, regressive interpretations). They also exclude non-religious/non-Muslim women.

- **Reinterpretation of Islamic sources is an important strategy used by Islamic feminists**. Islamic feminism 'aspires to challenge patriarchal interpretations of the Quran and hadith…with more moderate interpretations to promote women's equality in an Islamic context' (Mhajne, 2022). Using Islamic sources to back arguments for women's rights will likely be more effective in conservative, Islamic societies than presenting secular arguments, and there is some evidence to back this.

- **A second related strategy is revisiting history**. Male stories and actors dominate in the historical narrative, whereas in fact, Muslim women have made significant contributions to society. 'This history…. paints a picture of spaces where barriers of segregation disappear' (Ahmed & Suleman, n.d.: 4). Highlighting it can help break down contemporary barriers faced by Muslim women.

- **If male religious (and other) leaders can be mobilised to work for rather than against women's empowerment, they can become a powerful voice for change**. As respected members of their communities their views will be trusted, they can dispel fears and lend credibility to gender advocacy efforts. Critically, they can overcome religious resistance.

The review found a few examples of Islam-based gender advocacy being used in practice:

- **Sisters in Islam (SIS), Malaysia** – Family and personal law in Malaysia is governed by Islamic Shariah, and the resulting Islamic law code can be discriminatory to women, e.g. allowing polygamy. Sisters in Islam (SIS) is a group originally formed as a Quranic study circle. SIS promote women's rights based on the strong conviction that the Quran supports gender equality, and thus by placing Islam at the centre of all their efforts. While effective, they have faced hostility from Malaysian Muslims who see them as 'Western', as well as from secularists who argue that Islam and feminism are incompatible.

- **Women's right to divorce (*khul*), Egypt** – As in Malaysia and many other Muslim countries, family and personal law in Egypt is based on Islamic Shariah and restricts women's rights. Women's rights activists focused on changing the standard marriage contract to give women the right to divorce (as in initiate divorce), thereby avoiding lengthy court proceedings. They used a hybrid approach of liberal values and reinterpreting Islam, and even drew on Islamic history (where women did have this right) to back their claim. However, over time their strategy became predominantly rooted in Islam. Initial efforts to get a new law passed failed, but after winning over influential state figures, they did succeed in 2000. The majority of divorces obtained by women in Egypt are now *khul* divorces.

- ***Murshidat* (female religious preachers), Morocco** – Morocco differs from the previous examples in that reform efforts for women's empowerment have been supported and driven by the state, as it seeks to combat violent extremism in the country. The Mouwadana (Islamic family code) has been revised to grant women rights equal to men in relation to family life. However, Morocco has gone further by establishing a programme for state-certified and employed female religious preachers, *murshidat*, i.e. bringing women into the country's religious structures. The programme is seen as a success, with positive outcomes including making sensitive women's issues less of a taboo, and opening up religious spaces for women, thereby promoting a tolerant, liberal Islam.

2. Challenge of conservative Islam and Western liberalism

The position of women in Muslim countries and societies is often characterised by restrictions and denial of rights, with the basis or justification for these presented as religion (Islam) and related values and norms. The disempowerment of women can be significant – denial of right to education, right to work, right to make decisions about marriage, right to divorce, right to inherit property, right to political participation, etc. – though will obviously vary from one country/society to another. Ahmed and Suleman (n.d.: 1) sum up: 'there are a plethora of problematic gender attitudes and norms across Muslim communities and societies today. Religion, at times, is weaponized to perpetuate gender inequalities'.

Problematic Western liberalism

Women's rights and opportunities for education and employment, as well as autonomy in decisions about marriage, children, divorce, etc. are basic, fundamental human rights. Such rights and freedoms are provided for under international (Western) norms and conventions, such as the Convention for the Elimination of all forms of Discrimination Against Women (CEDAW). However, attempts to introduce and establish those rights in Muslim contexts often fail.

There are two main problems. One, the language/terminology of Western feminism will often be alien to Muslim ears and be seen as contradictory to their beliefs and values. Activists who use 'Western' arguments to demand rights for women in Muslim societies can be accused of 'undermining religious precepts and practices', while 'outsiders can be met with fear and suspicion' (Kirmani & Phillips, 2011: 90). Kharroub (2015) echoes this: 'Genuine attempts to protect Muslim women from discrimination through the international models of gender equality and empowerment programs end up alienating local contexts and will be likely unsuccessful without giving the local communities proactive and independent roles'.

Two, Western attacks on Muslim societies, specifically in relation to women, can leave Muslim women (and men) feeling defensive ('Islam honours and protects women and grants them full rights') and conflicted (Kharroub, 2015). They do want to have greater/equal rights within their communities, but this does not mean they are ready to reject Islam, or fully embrace the typically secular approach to feminism taken in the West. Based on her study of Muslim women in a number of Arab countries, Pruzan-Jorgensen (2012: 7) concluded:

> Many of these activists simply do not want the 'universal' women's rights as they are formulated in the UN conventions (e.g. CEDAW)…... They oppose their inherent secularism, individualism and aspiration towards equality (as opposed to equity) – and they strongly oppose attempts to have it imposed on them. These activists are not uneducated, ignorant or deprived of information. Rather – they are highly educated, travel, have international networks and access to high-speed information from around the world. Yet, they still do not buy into the liberal secular worldview with its ensuing corpus of universal rights and demands.

Islamic feminism

And yet many Muslim women do want to challenge traditional roles assigned to them in Muslim societies and patriarchal norms (often claiming to be rooted in religion), and they do want to enjoy a wide range of rights and freedoms. This has given rise to what is known as Islamic

feminism, whereby women's rights are pursued through the framework of Islam rather than through the liberal secular order. This is possible because, according to Islamic feminists, the teachings of Islam have been interpreted over the course of history by men and in a manner that undermines the rights and position of women. In other words, they believe Islam as a religion does grant them the rights they seek (even though some Muslims do not). Mhajne (2022) writes that 'Islamic feminism emerged in the 1990s due to secular and religious women's concerns about Islamist movements' attempts to impose and promote a conservative interpretation of Islam'. Pruzan-Jorgensen (2012: 7) says the important point is that:

> while rejecting 'our' rights and freedoms – these Islamic activists are deeply committed to promoting women's situation from within Islam. They wish to secure women the rights, prominence and respect inherent in the Islamic message and as practiced in the life and time of their Prophet Mohammed – but which have since been obscured and ignored due to a combination of patriarchal, tribal and authoritarian practices.

Islamic feminism enables women who believe in Islam to reconcile 'their faith with their commitment to women's rights' (KIrmani & Phillips, 2011: 94). In addition, religion-based approaches to gender advocacy 'can create spaces and opportunities for dialogue amongst those why may otherwise be left out of gender-related initiatives, including men in general and religious leaders in particular' (Kirmani & Phillips, 2011: 94).

However, some writers have raised concerns that Islamic feminism – being still rooted in Islam – could pose risks for the empowerment of women in Muslim societies, because it reinforces the centrality of Islam and does not promote rights outside the framework of Islam. This can leave non-religious/non-Muslim women in a difficult position. Moreover, by highlighting Islam, it could lead to increased traditional interpretations and thus greater repression of women. Pruzan-Jorgensen (2012: 7) highlights the risks and challenges: 'Islamic women's activism may also (re-)legitimise repressive patriarchal traditions and practices, threaten individual freedoms and essentialise, monopolise and politicise interpretations of Islam and ways of being a Muslim and a women's activist'. Kirmani & Phillips (2011: 94) echo this, warning that 'Islamic approaches to gender-related advocacy can inadvertently reinforce the notion that the lives of Muslim women must be governed solely by religious precepts and that women must understand the true message of Islam in order to claim their rights' – thereby, closing 'the space for secular feminist critiques'.

3. Approaches

Key elements of Islamic feminism are revisiting Islamic sources (notably the Quran and Sunnah) and interpreting their teachings from a feminist perspective; and highlighting the role of leading Muslim women throughout history to show that they have had roles which challenge traditional norms and perceptions of women. It is also important to bring men on board in these efforts, in particular male religious leaders.

Reinterpretation of religious texts

Approach

The main sources of information and guidance about Islam and how to live as a Muslim come from the Quran and the Sunnah. Sunnah refer to the sayings (Hadith) and behaviour (e.g. habits) of Prophet Muhammed. Muslims use these to guide their own lives. However the majority of Muslims do not have the capacity to access these directly (e.g. due to historic texts, difficult language, lack of education, lack of awareness, etc.) and rely on Muslim scholars to derive the teachings from these sources. The overwhelming majority of these scholars have been men, and Islamic feminists argue that their interpretation of Islamic sources has served to deprive women of rights and freedoms and give them a subordinate role. According to them 'the popular prejudiced readings of Islam are not inherent in the text but are products of their time and place' (Kharroub, 2015). Hence, 'rather than relying on historical interpretations, religious injunctions related to gender relations should evolve over time' (Kirmani & Phillips, 2011: 91). Mhajne (2022) sums up: Islamic feminism 'aspires to challenge patriarchal interpretations of the Quran and hadith…with more moderate interpretations to promote women's equality in an Islamic context'.

In this alternative narrative, women are accorded far greater rights than in mainstream narratives and traditional interpretations of Islamic text (Kharroub, 2015). Kharroub (2015) gives the example of equality between the sexes: Islamic feminists point to verses in the Quran which clearly state that God created humans from male and female, and despite the empirical differences among them, they are seen as equal and humans are only ranked based on their moral choices and piety. Moreover, men and women are considered guardians of each other in a relationship of cooperation rather than domination (Kharroub, 2015). Pruzen-Jorgensen (2012: 8) echoes this:

> In their view Islam gives men and women equal, but complementary rights – and obligations. The first right (and pride) of a woman is to be a family caretaker. She has a decisive responsibility for bringing up children and taking care of her family – the most cherished and central unit of Islamic society. This does not confine her to the household, however. If she can manage to engage herself in her society as well as taking care of her family, she is indeed obliged to do so, and this will earn her merit in the afterlife.

Box 1 gives an example of how a Quranic verse related to women's position could be interpreted very differently to empower women. Traditional readings of Islamic sources in relation to family law, e.g. on choosing a husband, guardianship, rights within a marriage, divorce, dowry, polygamy, etc. generally restrict women's rights and freedoms, but 'alternative interpretations of the *Qur'an* dispute these claims of male domination based on religious texts' (Kharroub, 2015).

> **Box 1: Example of reinterpretation of Quranic verses[1]**
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> (W)hile some specific verses (of the Quran) at face value seem to be promoting male dominance, alternative interpretations are important to consider. For example, one of the most controversial and most commonly cited *Qur'anic* verse to justify male dominance is the 34th *ayah* in *surat al-Nisa'*, which is most commonly interpreted as "men are the protectors and maintainers" (original: *qawwamun*, other possible interpretations: advisors, providers of guidance) "of women," "because" (original: *bima*, other possible interpretations: in circumstances where) "they are superior to them" (original: *faddala*, other possible interpretations: have a feature that the other lacks) "and because" (original: *bima*, other possible interpretations: in circumstances where) "they support them from their means."
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> The popular interpretation understood in light of patriarchal hierarchal traditions…..can be completely different once patriarchal assumptions are eliminated. In this case, the *Qur'an* was describing a specific situation observed at that time, where a man takes the responsibility of an advisory role if both these conditions are present; first if the man has an ability that a particular woman lacks, and second when the man is maintaining that particular woman, meanwhile the woman is free to reject the advice. Based on the rules of Islamic jurisprudence, when one verse is specific to certain circumstances, the more general principle of equality is to be taken as the general rule while the particular instance as the exception.
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> It is important to note herein that this is only one example and there are numerous other cases where the dominant patriarchal interpretations are disputed by feminist Islamic jurisprudence scholars.

Advantages

This approach of using Islamic sources to secure women's empowerment is seen as more effective in Muslim societies than use of 'Western' liberal values and norms. Indeed, Mhajne (2022) argues that framing women's activism religiously is essential for success in conservative societies. He expands (Mhajne, 2022):

> Women activists, especially women who utilize their religious knowledge and authority as a tactic for framing their demands for gender equality, can effectively create a bottom-up approach and open more space for women's participation. Utilizing religious frameworks is particularly effective because the Quran, shari'a (Islamic law), and hadith, are used to justify patriarchal control of women and their bodies.

Masoud et al (2016: 1564) make a similar point: 'Individuals who hold traditional attitudes shaped by religious teachings are more likely to update those attitudes if the alternative, progressive position is demonstrated to have equal religious validity'. They carried out a large-scale survey experiment in Egypt in 2013 to see how Islamic and 'secular' (non-religious) arguments for women's empowerment – specifically for women to serve as president or prime minister – compared in terms of effectiveness, i.e. influencing public opinion. They found that people who were given an argument for female political leadership that was based on Quranic verses were more likely to express approval for this than those who were presented with non-religious

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[1] The text in Box 1 is adapted from Kharroub (2015).

arguments. They also found that 'the religious justification for female political leadership was more likely to elicit agreement among less educated and less pious respondents, and when delivered by women and targeted at men' (Masoud et al, 2016: 1555). They conclude that 'Islamic discourse, so often used to justify the political exclusion of women, can also be used to help empower them' (Masoud et al, 2016: 1555).

Mhajne (2022) notes that women in MENA 'have had to strategize in a way that takes into account the specific socio-political constraints they are operating within', adding that Islamic feminism has been 'effective at carving out more space for women's participation in conservative religious cultures in the region'. Specific examples of how such approaches have been used and their impact are discussed in Section 5 of this report.

Highlighting historical role of women

Ahmed and Suleman (n.d.: 2) stress the importance of history in 'setting precedents, inspiring customs, and contributing to our heritage and sense of self, from racial, religious, cultural, geographical, and gender-based perspectives'. Historical representations of gender 'send a powerful message about inclusivity or exclusivity' and are 'important for shaping perceptions and individuals' aspirations' (Ahmed & Suleman, n.d.: 2). However, they add that history has been transmitted in a way that not all perspectives are equally prevalent, and this is particularly true of gender. '(W)omen (are) often portrayed in literature, religion, and other forms of historical narrative as the intellectually inferior counterparts, playing few meaningful roles in the progress and story of societies' (Ahmed & Suleman, n.d.: 2).

Specifically in relation to Islam, Ahmed and Suleman (n.d.: 3) write that male stories and actors dominate, but there are examples of Muslim women making significant contributions to society:

- 'In the seventh century, Ash-Shifa bint Abdullah, literate in an illiterate age, was skilled in medicine and involved in public administration. She was appointed as an inspector of the market in Medina.
- 'In the eighth century, Amirah bint Abd al-Rahman intervened in a court case in Medina and prevented a miscarriage of justice by presenting textual evidence from religious sources forcing the judge to overturn his decision, without requiring a second opinion.
- 'The oldest university in the world, Al-Qarawiyyin in Fez, was founded in 859 AD by a woman, Fatima Al-Qarawiyyin. Twelfth-century female scholar Zaynab bint al-Kamal taught more than four hundred books of hadith to thousands of students. Also in the twelfth century, Fatimah bint Sa'd al Khayr began her scholarly journey at the age of four in China, traveling over three thousand miles.'

Ahmed and Suleman (n.d.: 4) look at this rich history of Muslim women scholars and others, and conclude:

> This history…. paints a picture of spaces where barriers of segregation disappear. In many ways, this history is a paradox and paints a picture contrary to the many segregated Muslim societies that exist today, where women are prevented from seeking an education and from spaces of worship, and where there are fewer female scholars and minimal professional female role models.

Highlighting the role of women in Muslim history can, it is hoped, help breakdown contemporary barriers faced by Muslim women.

Involvement of male religious/other leaders

An accepted approach in relation to promoting women's rights and empowerment is the need to engage with and involve men and boys. This is also – and perhaps even more – true in the context of conservative, Islamic societies. As seen, interpretations of Islamic sources that generally discriminate against women are carried out by male scholars and religious leaders. If male religious (and other) leaders can be mobilised to work for rather than against women's empowerment, they can become a powerful voice for change. Kirmani and Phillips (2011: 90-93) highlight the benefits that religious leaders can bring:

- Religious leaders are respected members of their communities and key 'gatekeepers' whose perspectives will be trusted and whose directives will be followed. They can dispel fears and lend credibility to gender empowerment efforts.

- Their inclusion is particularly important in relation to sensitive gender-related issues where the involvement of perceived outsiders can be met with fear and suspicion.

- By educating religious leaders and encouraging them to engage in gender-sensitive readings of texts, this could lead to them filtering the knowledge back to their communities through active advocacy, or at least to them facilitating the efforts of others calling for gender justice.

- Religious leaders can mobilise communities to demand attention and seek solutions from government and other decision makers on issues such as gender-based violence, HIV/AIDS, maternal deaths and family planning.

- The involvement of religious leaders can expose those who use religion as a means of resisting change and in support of their own interests, by demonstrating the Islamic basis for women's rights.

4. Islam-based gender advocacy in practice

Example 1: Sisters in Islam (SIS), Malaysia

Malaysia has a diverse population with just over 60% of the population Muslim, but has Islam as its official religion (Harvard Divinity School, 2018: 1). The legal and judicial system is mixed: secular courts address civil and criminal law, while Islamic Shariah courts deal with family law for Muslims. However, secular and Shariah laws often interact, especially in relation to gender. Shariah laws have historically been written by male religious scholars, and some believe they have created an Islamic law code which is discriminatory towards women (Harvard Divinity School, 2018: 1). Examples include approval of polygamy, 'a tacit acceptance of domestic violence, punishments for extra-marital sex even in cases of rape, unfair marriage laws, punishments for converting to a different religion, and more' (Harvard Divinity School, 2018: 1). In response, some women in the 1980s formed a Quranic study circle in Kuala Lumpur, and re-examined the Quran from a gender equality perspective. Box 2 describes the approach and impact of the group, called Sisters in Islam (SIS), as well as some of the challenges they faced.

> **Box 2: Sisters in Islam[2]**
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> The women of SIS believed that justice and equality formed the core of their faith, a conviction which led them to assert that the Qur'an supports gender equality. Co-founder of the study group Zainah Anwar said their discussions were grounded in "deep concerns over the injustice women suffered under the implementation of syariah law," and that "this questioning and above all the conviction that Allah could never be unjust, led us to go back to the primary source of the religion, the Qur'an."
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> From its roots as a Qur'anic study group, SIS transformed into a non-governmental organization in 1993 with two intertwined goals: helping women gain positive rulings from the syariah courts and pushing for systemic change in the Islamic judicial system. SIS offers legal clinics and counselling services for women navigating the courts and public education events. They research women's issues, publish Islamic opinion pieces in Malaysian newspapers, and lobby the Malaysian government, where they have established powerful connections.
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> SIS pursues countless advocacy efforts, promoting women's rights in issues of polygamy, divorce, inheritance, veiling, and more. In all its efforts, SIS puts Islam at the centre. The women use gender egalitarian interpretations of the Qur'an and the sunnah—or traditions of the Prophet—to advocate as both women and Muslims. ….SIS is dedicated to "promoting an understanding of Islam that recognizes the principles of justice, equality, freedom, and dignity within a democratic nation state."
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> Still, while many have benefited from the work of Sisters in Islam, some Malaysian Muslims are hostile towards them. Many of the 'ulama resent SIS's challenge to their authority. Some Malaysian men and women accuse SIS of accepting only elite, wealthy members. Many accuse the group of adopting foreign ideas, claiming that feminism is a Western movement alien to Malaysia. Plus, since the Islamic family law that SIS challenges was the only part of the law code not directly adopted from the colonial powers, it is often seen as the only truly native Malaysian law. This reinforces the claims that SIS is foreign at best, or a tool of Western imperialists at worst. On the other hand, some Western feminists claim Islam and feminism are incompatible, and are also hostile to SIS. The organization is constantly facing opposition from many sides. SIS, however, continues to advocate for equal rights for Muslim women in Malaysia and across the world, rooted in the teachings of the Qur'an and the Prophet.

Example 2: Egypt and women's right to divorce (*khul*)

As with many other Muslim countries, Egypt has a hybrid legal system, with aspects of family and personal law determined by Islamic Shariah, while modern (secular) civil and criminal law apply elsewhere. However, Islamic Shariah had been interpreted in a way that restricted women's rights. Thus, for example, while men could obtain a divorce easily, women seeking a divorce had to go through the courts, a process which often took several years – hampering women from moving forward with their lives.

The issue of women's right to divorce became a focus of women's rights activists. Specifically they demanded that this be included in the marriage contract, so that if women subsequently

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[2] Text is adapted from Harvard Divinity School (2018), *Sisters in Islam (SIS)*, p. 3.

wanted a divorce they could get it without having to go through lengthy court proceedings. The approach they adopted was from the outset a hybrid one. Zaki (2016: 10) explains that from the mid-1980s Egyptian women's rights advocates began promoting a rights discourse based on both global human rights and 'a creative project of reimagining the foundational narratives of Islam'. As Zeinab Redwan, one of the leading members of the coalition formed to push for this right, noted (cited in Zaki, 2016: 11):

> Islam had many features to it that were worthy of bringing forward in our battle for the right of women to end their marriages. It is our conviction that Islam is a religion that does promote a message of equality, and that it is the classical interpretations of Islam that date back to the middle ages that make it hard for women to realize their rights. But more importantly, using Islam as the framework for our initiative will enable us to gain sympathy from the wider public.

The women also used Islamic history to back their claim. They commissioned studies on the historical records of marriage contracts and divorce disputes in Egypt dating back to the fourteenth and fifteenth centuries, and showed that 'it was standard for marriage contracts in towns and cities to include conditions for restricting the husband's right to take a second wife and provide guarantees for the woman's right to compensation, divorce, or both, in case those conditions were breached' (Zaki, 2016: 17-18). They also linked their demand for rights with the Islamic concept of *haqooq* – 'loosely translates into a set of reciprocal rights within relation based on contract' – and using the fact that marriage in Islam is a contractual relationship.

Over time, as Egyptian activists met other scholars in international conferences and exchanged ideas and made alliances with similar movements in other Muslim countries, they 'increasingly began to frame their efforts in terms of Islamic Shari'a, rather than within the framework of human rights or international conventions' (Zaki, 2016: 18). When asked in an interview with leading Egyptian newspaper *Al-Ahram* about the sources of the new marriage contract project, Zeinab Redwan responded: 'Human rights conventions are not the terms of reference here. Islamic Shari'a is. Please let us not get off the subject here' (*Al-Ahram Weekly*: 13–19 January 1997, cited in Zaki, 2016: 16).

These efforts led to the drafting of a new standard marriage contract which included the bride's right to education, her right to work, her right to travel without her husband's permission, and 'the right of women to dissolve their marriages and divorce themselves without having to resort to the courts' (Zaki, 2016: 16). However, a bill to legislate for the new state marriage contract ran into opposition from both conservative religious groups, and the media. Zaki (2016: 17) speculates that 'official religious leaders feared that they would lose their power over personal status matters if women's rights activists assumed a larger role in determining what constitutes women's rights in Islam'.

Advocates of the new marriage contract then tried to mobilise the support of influential state figures, including the then first lady Suzanne Mubarak. However, their approach was rooted in Islam, 'marketed to the members of the legislative branch as both limited and compatible with Islamic Shari'a' (Zaki, 2016: 18). They used the term *khul* divorce, which was something that dated back to the early years of Islam, and allowed judges to 'award women the right to annul their marriages, on the condition that they return the bride price paid to them on the eve of signing the marriage contract' (Zaki, 2018: 18). *Khul* divorce was also allowed in many other Arab and Islamic countries. The support of powerful figures such as the first lady, led to religious

conservatives such as the Grand Mufti of Egypt and the Grand Imam of Al-Azhar, who had spoken out against the draft marriage contract when it was first proposed, to strongly support it when it was reintroduced. Despite this, the bill still faced fierce resistance, including from members of the ruling party, but was eventually passed by a narrow majority in 2000. Take up of the new *khul* divorce was initially slow, because of the stigma still associated with women seeking divorce, but built up over time and, as of 2016, had become 'the standard favoured procedure among women from all walks of life seeking divorce' (Zaki, 2016: 23).

Example 3: *Murshidat* (religious preachers) programme, Morocco

Efforts to combat conservative interpretations of Islam in Morocco have been driven by the state, in particular after terrorist attacks in Casablanca in 2003 which killed 45 people and wounded dozens. Following this, the Moroccan government launched a series of measures to counter extremist ideologies and promote a moderate form of Islam. While the direct aim was to combat violent extremism, a positive 'side effect' of this was significant reforms empowering women.

As well as taking steps to promote women's participation in politics, economic empowerment, and access to education and healthcare, in 2004 the government reformed the country's family laws (Moudawana), which as in many other Muslim countries, had been based on Islam, to bring these into line with secular standards of women's rights (El Haitami, 2013). However, this was done through the framework of Islam, by 'undertaking engendered reconsiderations of sacred texts to empower women and counter discriminatory cultural tendencies' (El Haitami, 2013: 133). Under the revisions, women in Morocco have the right (among others) to: be considered equal to their husbands in the home; request a divorce; receive financial support after a divorce; obtain custody of children in the event of a divorce; and inherit money' (Couture, 2014: 28). Couture (2014: 30) concludes: 'The updated Moudawana makes women equal to men legally in regards to family matters'.

What makes Morocco different from the other examples cited is, one, the fact that reform efforts were supported and driven by the state, and two, complementing reinterpretation of Islamic sources by training and mobilising female religious guides and scholars, i.e. promoting women's participation in the country's religious structures. The main way this has been done is through a programme launched in 2006 to train female religious preachers or *murshidat*. Under the *murshidat* programme, 50 female preachers and 150 imams graduate each year (El-Haitami, 2013: 133). Women enrolling for the programme must meet a number of requirements: be under 46 years of age, have memorized at least half of the Quran and have a bachelor's degree (El Haitami, 2013: 133). The one-year training consists of a wide range of courses including Islam, Arabic, sociology, economics, law, history and preaching and public speaking (Couture, 2014: 31). Students learn from senior scholars from the Supreme Religious Council as well as academics appointed by the king. Upon graduating, they are awarded work contracts – usually in locations close to their families – and paid a monthly salary of 5,000 DH (USD 580) (El-Haitami, 2013: 134).

The aim of the programme is to train women so they can offer religious counselling to other women, particularly in under-privileged and deprived areas, and be a voice of tolerant and moderate Islam. The *murshidat* work primarily in mosques but also in other institutions such as schools, prisons and hospitals. El Haitami (2013) notes that they have advantages over both

female activists operating within the Islamist movement, who face restrictions from the government, and 'westernised' liberal female activists. Compared to the latter:

> they have succeeded in attracting a broad following across different social classes…(they) seem to have a more influential role in promoting the rights of Muslim women. They have proven to be more accepted by the masses because they represent the voice of moderate "Moroccan Islam (El-Haitami, 2013: 136).

Couture (2014: 32) adds: 'Mothers, wives and sisters with questions, and who are perhaps "in need" are now able to turn to other women with authority who can help and offer guidance.….that avenue for action never existed before'.

The programme has been criticised as primarily aimed at marginalising the country's Islamist movement, and as a means of showing Morocco's liberal credentials to the West (El Haitami, 2013). Nonetheless, it is widely seen as a huge success: as of 2014 there were over 500 *murshidats* working in communities with women and youths in Rabat and Casablanca (Couture, 2014). One analyst identified a number of positive outcomes: women have been given a bigger role in religious affairs; many sensitive women's issues have become less of a taboo; it has helped overcome the traditional notion that mosques are an exclusive space for men when it comes to preaching and guidance; and misconceptions held by some women, as a result of strict *fatwas* issued by some extremists, have been addressed (Muhammad al-Zahrawi cited in al-Ashraf, 2016).

5. References

Ahmed, A. & Suleman, M. (n.d.). *Gender and Women's Rights in Islam*. Atlantic Council. https://www.atlanticcouncil.org/wp-content/uploads/2018/09/7_Gender_and_Womens_Rights_-_Ahmed_Suleman_-_Islam_and_Human_Rights_Report.pdf

al-Ashraf, H., 'Morocco's Murshidat religious guides preach tolerance and moderation', *The New Arab*, 29 March 2016. https://www.alaraby.co.uk/english/society/2016/5/29/moroccos-murshidat-female-religious-guides-preach-tolerance-and-moderation

Borrillo, S. (2019). 'Between Gender Equality and Islam: Feminisms in Morocco'. *Oasis*, December 2019, pp. 69-78. https://www.oasiscenter.eu/en/between-gender-equality-and-islam-feminisms-in-morocco

Couture, K. (July 2014). *A Gendered Approach to Countering Violent Extremism: Lessons learned from women in peace-building and conflict prevention applied successfully in Bangladesh and Morocco.* Brookings Institute Policy Papers. https://www.brookings.edu/wp-content/uploads/2016/06/Women-CVE-Formatted-72914-Couture-FINAL2.pdf

El Haitami, M. (2013). 'Women in Morocco: Re-conceptualising Religious Activism'. *The American Journal of Islamic Social Sciences,* 30(4): 128-141. https://www.academia.edu/5779098/Women_in_Morocco_Re-conceptualizing_Religious_Activism?auto=download

Harvard Divinity School (2018). *Malaysia's Sisters in Islam (SIS)*. https://hwpi.harvard.edu/files/rpl/files/gender_islam.pdf?m=1597333164

Kharroub, T. (2015). 'Five things you need to know about women in Islam: Implications for advancing women's rights in the Middle East'. Arab Centre Washington DC. https://arabcenterdc.org/resource/five-things-you-need-to-know-about-women-in-islam-implications-for-advancing-womens-rights-in-the-middle-east/

Kirmani, N. & Phillips, I. (2011). 'Engaging with Islam to promote women's rights: exploring opportunities and challenging assumptions'. *Progress in Development Studies*, 11(2), 2011: 87-99. https://journals.sagepub.com/doi/pdf/10.1177/146499341001100201

Masoud, T., Jamal, A. & Nugent, E. (2016). 'Using the Quran to empower Arab women ? Theory and experimental evidence from Egypt'. *Comparative Political Studies*, Vol. 49(12). https://journals.sagepub.com/doi/pdf/10.1177/0010414015626452

Mhajne, A. (2022). 'Women's rights and Islamic feminism in Egypt'. *Georgetown Journal of International Affairs*. https://gjia.georgetown.edu/2022/06/08/womens-rights-and-islamic-feminism-in-egypt/

Pruzan-Jorgensen, J. (2012). *Islamic women's activism in the Arab world: Potential and challenges for external actors*. Danish Institute for International Studies (DIIS). https://www.diis.dk/files/media/publications/import/extra/rp2012-02-islamic-womens-activism_web_1.pdf

Zaki, H. (2016). 'Law, culture and mobilization: Legal pluralism and women's access to divorce in Egypt'. *Muslim World Journal of Human Rights*, 2017, 14(1). https://www.degruyter.com/document/doi/10.1515/mwjhr-2016-0022/html

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