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ISLAMIC FEMINISM: The Dilemma of Muslim Women between Faith and Femininity!

Authored by - Ishika Agarwal

ABSTRACT

The status of women has become a human rights concern throughout the world. However, unfortunately Muslim women have been kept out of the purview of this global phenomenon to most extent due to various reasons. As a result, these women came up with their own elucidation of the feminist movement. These feminists challenge the accepted wisdoms not by deviating from their religious text, Quran, but by returning to it. Contrary to common knowledge which believes 'Islamic Feminism' to be two contradictory terms, Muslim feminists believe it to be mutually inclusive. This paper seeks to examine the scope of Feminism in the realm of Islam. While at the same time also degerming the origins and future of this particular kind of feminism. This paper addresses the unfair discriminatory prejudices against Muslims and their religion prevalent even after considerable actions taken within both the socio-political and legal domain.

KEYWORDS: Feminism, Islamic Feminism, Islam, Muslim Women, Discrimination, Equality

INTRODUCTION

It is the twenty-first century but nearly half of the world's population is still fighting for basic rights like equality. Further with the ever-increasing islamophobia, Muslims across the globe are facing discrimination. For Muslim women, however, the situation is even worse. Along with being Muslims they are women, making them twice the victim. As a result, they are discriminated against not only by non-Muslims but also by members of their own community. Thus, it becomes crucial to analyze feminism in the context of Islam. The purpose of this paper is to discuss Islamic feminism. It deliberates over issues such as whether feminism is possible in Islam or if Islam and feminism can even coincide. It aims to answer questions as to why it is necessary to delve into feminism in Islamic countries in the

first place. In addition, the paper will discuss the problems faced by Muslim women in particular. Lastly, if there have been enough legal actions taken to protect the rights of Muslim women across the globe. This research aims to look at how social and legal perspectives have changed in the wake of rising Islamic feminism.

METHODOLOGY

To complete this research paper, I have referred to multiple secondary sources which includes scholarly articles, journals, newspapers, and case briefs. The paper has references to scholar Edward Said's theory of 'orientalism.' Further it analyses different religions. Additionally, it also includes verses from the Quran and the Bible.

Feminism as a multifaceted idea!

Feminism according to the Oxford English Dictionary is the "advocacy of the rights of women based on the theory of equality of the sexes" (Easton 2012, 99). However, Feminism as a socio-political movement cannot be defined by a single concrete definition and may mean different things to different people. Every feminist is influenced by their own experiences and expectations. While someone might want the same job as their husbands, someone might just want to get married. While someone may want to just be able to complete their education, someone else may want to dress up like they want to or go out when they wish to. A housewife is as much of a feminist as someone advocating against inhuman activities like domestic violence, sexual abuse, female infanticide and so forth. However, at the crux of it, Feminism is all about choices; the choice to live on one's own terms and conditions. This fight for equality is for both people of privilege and underprivilege, a believer or an atheist, a Hindu, or a Muslim. The movement meant for all however has been subjugated into distinct kinds, Islamic feminism being one of them.

Islam: The Most Vilified Religion!

Margot Badran defined Islamic feminism as a "feminist discourse and practice articulated within an Islamic paradigm" (Tønnessen 2014). The believers of this group of feminism derive their knowledge of feminism from their religion, that is, Islam. However, is not Islam and feminism two contradictory terms? At Least this is what the vast majority of the world believes. To answer the question, Islam and feminism are in fact not exactly mutually

exclusive. It is not Islam but the growing islamophobia that shapes such beliefs. Furthermore, Islam is not the only religion that discriminates against women. Other religions including Hinduism, Christianity, Judaism, and all other religions also have equal number of discriminatory customs if not more. For instance, both Hinduism and Judaism consider menstruation a taboo and women going through it to be impure. Hinduism for the longest of times romanticized practices like Sati, female infanticide, dowry and so forth. The Bible says that “a woman should learn in quietness and full submission” (Machingura 2013). Just because these religions have almost done away with these problematic customs does not give it the leeway to judge another religion this harshly. It is intensely reductive to claim that any single religion is inherently woman-hating. Moreover, “[m]uch of what is followed today is the interpretation of a group of scholars dating back hundreds of years, rather than the literal teachings of God ” (Shackle, 2013).

It is astonishing how Islam is the only religion seen so negatively when nearly one third of the world population is in fact its devotees. It is considered to be a monolithic block with the most primitive laws and customs, when in fact the truth remains that the religion itself does not particularly discriminate. The Quran says that we are all equal in the eyes of the law. This tells us a lot about our society which has conveniently put the blame on Islam for the poor treatment of Muslim women. The truth however remains that it is the patriarchal nature of our society and the constantly increasing islamophobia, interwoven together, that shapes the living conditions of these women.

Rethinking Women’s Plight within the Muslim Community.

A woman covered in black from head to toe, oppressed, bereft of any rights, is what comes to one's mind on hearing ‘Muslim women’. Orientalism is to be blamed here. The western media often portrays the orient, Muslims in this case in a way that promotes prejudices and shapes the mentality of the audience. It is worse for Muslim women considering the double discrimination that they face. However, to categorize all these cultures, political systems, belief systems and people who embody them as one would not be fair. Islam as opposed to common perceptions is in fact a multifaceted religion, spread out in not one but multiple territories. It covers lands of various diverse cultures and each of these lands practices the religion in its own distinctive ways.

“In the context of violence and Islamophobia in the post 9/11 and 7/7 era Muslim women have found themselves at the center of contestations about their identities, their nationalities

and their faith and their commitment or lack of it to global feminist movements” (Afshar 2008). Muslim women can expect safety neither from people from their religion nor outside it. The religion has been interpreted in such a way that it heavily discriminates against women by taking away all the freedom from them. They encounter discrimination in almost every domain of their life. Muslim women continue to be prejudiced against on the basis of traditional gender roles. “Women have indeed faced discrimination compared to their male counterparts as men have continued to be seen as superior to women as men have dominated in the fields of religion, politics and in every aspect of Islam culture while women have been left with the household chores and childbearing” (Hashmi 2000).

In addition, in Islam women are also denied education and although they have the right to work, they cannot engage in jobs that restrict their role as a homemaker. Moreover, despite women having the right to work, they get cheap jobs compared to the prestigious jobs held by men owing to their reduced qualifications. Women are also lowly paid compared to those of men (Alharafesheh 2016). Furthermore, Muslim women are the most discriminated within the institution of marriage. They often do not have the freedom to either choose their husbands or even end their marriage. “[M]ost Muslim men are polygamous; this has resulted lack of attention and in sometimes divided attention to women as much time is spent with the newly married woman she enjoys sexually, and she gets much support financially (Keet 2014). To add to this, in Islam women are even subjected to domestic violence under the pretense of their religion. Muslim women have also been discriminated in religious life (Stacey 2008). They are not allowed to even worship together with men. Women have been denied the right to become **imams** (Stacey 2008). Lastly, they do not even have the freedom to wear clothes of their choice, especially if they reveal any part of the body. The husband is the only person who is given permission to see even a small percentage of body parts (Stacey 2013).

Rise of Islamic Feminism and Feminists.

Throughout the world, the controversial movement, “Islamic Feminism” only continues to grow even with the turn of the new century. The global phenomenon first became discernible in the 1990s. It is believed to have originated from Iran, with a number of scholars realizing and calling out the clerics on their sexist interpretation of Quran, their religious text and incorporating it in their religion. These publications disseminated both men's and women's work of Koranic interpretation (tafsir) as well as discussions of Islamic jurisprudence (fiqh)

affirming women's rights. "In particular, this school of thought asserted the right to engage in interpretation (ijtihad) that promoted gender equality, new roles for women in religious ritual and practice and changes in penal and family law and legal and political practice" (Abdallah 2013).

For years, Muslim women were conflicted between their religion and their identity as a female. To choose either would mean betraying the other. It was only with the advent of Islamic feminism which paved the way for a newer perspective on Islam wherein a different interpretation of the religion was possible, did they realized that they should not have to choose between their spirituality or feminist consciousness in the first place. They women activists started believing in large numbers that the patriarchal laws enshrined within the state Sharia law were in fact Islamically unjust. Rather than fighting against Islamic tradition, Muslim women are now fighting for their rights through it. The basic argument of Islamic feminists is that the Quran upholds the principle of equality and justice for all human beings, but that patriarchal ideas, customs, and practices have corrupted the practice of equality of women and men in today's Muslim societies.

Legal Recourses in Respect to the Indian Subcontinent.

It is not only within the ambit of their religion that, Muslim women face discrimination but even outside it. Further, even for these patriarchal customs which are still very much prevalent and widely accepted by the believers of Islam, there does not necessarily exist any particular recourse. Considering how secularism forms an integral part of the country, the Indian jurisdiction gives complete freedom to all the religions to exercise their personal laws freely. However, under Article 25 of the Indian constitution, it is also stated that these laws would be subject to reasonable restrictions on the grounds of public order, health, and welfare. Considering the rise in Islamic feminism all over owing to the injustices they face due to legitimization of their discriminatory personal laws, it becomes necessary for the state to intervene.

Even after making legal remedies available to Muslim women, it does not guarantee them the same status quo available to other men and women in the respective subcontinents. However, legal reform is the first possible step on part of the government in ensuring Muslim women's empowerment. While there have been various landmark judgements and laws to help uphold the rights of Muslim women, there also have been cases which clearly went against them. For instance, the judgment in cases like Mohd. Ahmed Khan v. Shah Bano Begum, Shayara Bano

v. Union of India and Ors. Shah Bano case and so forth (Fayiza 2021). Both the cases were ruled in favor of the Muslim women by holding that a women get 'fair and just' compensation after divorce and declaring the practice of triple talak to be unconstitutional, respectively. These cases established positive precedents for the women of the entire community helping them live with dignity. However, coming to the recent hijab controversy, one could accuse the state of taking away the freedom of the Muslim women considering how it is only Muslims constantly being targeted for their hijabs as opposed to Hindus, whose' dupatta no one questions or judges. "The Karnataka High Court [] stated in its verdict that wearing of hijab by Muslim women did not form a part of essential religious practice in Islamic faith" and thereby banning hijabs in classrooms (The Print 2022). Hijab, an Islamic garment used as a coverup for women, has been one of the most contested arenas amongst both Muslims and Non-Muslims across the globe. Time and again there have been laws curbing their right to cover up or the freedom to unveil.

CONCLUSION

To conclude, Islam and Feminism are not particularly contradictory and may exist unanimously. Islamic feminists have successfully found a common ground between Islamic law and gender equality. Religion forms an integral part of Islamic Feminism. These feminists substantiate the very purpose of their movement through their religion. Islamic feminists are not fighting for abolishing their religious laws, rather they argue that the fundamental laws concerning them should be re- interpreted. They believe this would empower them considering they would no longer have to choose between their religion or womanhood. These feminists believe that the Quran does not particularly discriminate, but the patriarchal nature of the society. As Omaima Abou-Bakr, summarized the controversial movement accurately as a "continuous attempt to un-interpret past gender biased readings done by male jurists and to offer alternative new perspectives toward justice and equality within Islam itself" (Shafiq 2020). It is of utmost importance that these women do no go unheard of considering the discrimination they face at almost every spectrum of their life. It has become more imperative than ever to promote women's voices and support national policies for individual and communal empowerment in order to foster democratization from the inside out. This would promote gender equality as an innate right for the 600 million women who make up half of the world's Muslims. Islamic feminists have progressed commendably from where they started but there's still a long way to go.

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