

GENDER ISSUES IN MUSLIM COMMUNITIES

10 December 2013

9:30-14:30

University of Western Sydney

Bankstown Campus

Venue: Building 3 Room 55

This is a free event with lunch provided.

For catering purposes, RSVP to
e.pearce@uws.edu.au by 2 December

(please indicate any special dietary requirements)

A symposium hosted by
the Religion and Society
Research Centre and
School of Social Sciences
and Psychology (UWS)

This symposium examines the impact of widespread notions of gender in various Muslim contexts. The first session, Gender and Muslim Women's Movements, explores how secular notions of gender permeate Muslim women's organisations/communities and are transformed by Islamic discourse. The second session, Gender, Women and Family, discusses the Muslim women and Islamic family issues within the context of gender equality. This session deals with the multiple positions of Muslim women in both the domestic and public sector.

9:30

**OPENING OF THE EVENT BY
ASSOCIATE PROFESSOR
ADAM POSSAMAI, CO-
DIRECTOR OF THE
RELIGION AND SOCIETY
RESEARCH CENTRE, UWS**

9:50 – 12:00

**Session 1: Gender, Women
and Family**

**THE GLOBAL IKHWAN
POLYGAMY CLUB IN
MALAYSIA**

- Dr. Nina Nurmila, Indonesia
MORA Visiting Research
Fellow

This research investigates women's experiences in polygamous marriages among Global Ikhwan communities in Malaysia. Global Ikhwan is the revived name of Darul Arqam, a group of Muslims commonly called the revivalist or Islamist in Malaysia, which was banned in 1994. The data was collected through open-ended interviews with 11 Ikhwan members consisting of five polygamous husbands, five first wives and one second wife. The interviews took place on the day of the launching of the Ikhwan Polygamy Club on Saturday, 15 August 2009, and the following day in Rawang, Malaysia. This aims of this study were to (1) explore the discourse of polygamy in Malaysia in comparison with that in Indonesia; (2) investigate women's perspectives on polygamy and their experiences in polygamous marriages in the context of more apparent efforts of Islamism; (3) find out the impacts of polygamous marriages in Malaysia on the wellbeing of women.

The findings show that polygamy seems to be a more acceptable practice in Malaysia than in Indonesia. Global Ikhwan women tend to see polygamy as part of Islamic teaching that should be accepted wholeheartedly if they regard Islam to be way of life. Even though they expressed their suffering and discomfort of sharing a husband with other women, they believe that this will bring them closer to God. Based on this finding, I argue that these women have been successfully indoctrinated to conform to the patriarchal interest of having obedient and submissive wives who can produce many children for the survival of the group.

**THE QUESTION OF
PROCREATION AND
DOMESTICITY: IDENTITY
FORMATION OF A WOMAN
IN A BANGLADESHI MUSLIM
FAMILY**

- Farjana Mahbuba, PhD
Researcher, University of
Western Sydney

Muslim women's identity issues in the context of Bangladesh is deeply rooted in the concepts of procreation and domesticity. The question is to what extent procreation/motherhood and domesticity determine the formation of their identity. This paper examines the way Bangladeshi Muslim women perceive their responsibility of motherhood and domesticity in their given socio-cultural context. It argues that although the formation of Muslim women's identity is heavily based on their adoption of socio-religious understanding of women's primary

responsibility as a mother and a home-keeper, the feminist argument that "the lure of idealized images of motherhood and domesticity" makes women vulnerable "to undermine the prospect of emancipation through competition in the labour market" (Afshar, 1984, p. 247) is strongly contested in many Muslim women's narratives. The arguments will be based on my PhD fieldwork data. Four hundred and fifty-one survey participants and twenty four interviewees' from Dhaka and Chittagong, two major cities of Bangladesh, participated in this study which was carried over seven months in 2010 and 2011.

**COMMUNITY-BASED
VIOLENCE AGAINST
MUSLIM WOMEN: A NON-
MUSLIM WOMAN'S
RESPONSE**

- Dr. Toni Tidswell, Senior
Research Fellow, Curtin
University

There have been reports in the international press about community violence perpetrated against Muslim women (and non-Muslim women) in the recent uprisings in the Muslim world. In this paper we will look at definitions of violence and use as a case study the example from the recent uprising against President Morsi in Tahrir Square, Egypt. I will propose one theory to help us understand how this violence happens and unpack some of the implications of this violence for women, for society and for Islam.

FEMALE JUDGES AND GENDER NOTIONS IN THE ISLAMIC COURTS OF INDONESIA

- Dr. Arskal Salim, Religion and Society Research Centre, University of Western Sydney

Compared to other Muslim countries, Indonesia has been at the forefront, if not the frontrunner, in welcoming women to occupy positions as judges in Islamic courtrooms. Despite few Indonesian women already sitting in Islamic courtrooms and hearing cases on family law issues as early as the 1960's, it was only in 1989 that Indonesia fully accommodated female judges in the religious courts. Many legal scholars even confirmed that the presence of female judges in the courts not only boosts women's engagement in the public sector, but also results in improving access to justice for disadvantaged women litigants in particular. This paper will discuss female judges and their gender notions in the Islamic courts of Indonesia. It will firstly answer the question as to why and how Indonesian women can ascend to the top rung of the Islamic judiciary. What has made this possible in the largest Muslim-majority country in the world? What accounts for the lack of opposition to women being judges in the Islamic courts? What kind of rationale was developed to justify female judges? And to what extent have female judges in Indonesian Islamic courts voiced a defence of the interests of disadvantaged female litigants?

12:45 – 14:30

Session 2: Gender and Muslim Women's Movements

FEMINISING ISLAM IN CONTEMPORARY INDONESIA: THE ROLE OF PROGRESSIVE MUSLIM WOMEN'S ORGANISATIONS

- Dr. Nur Hidayah, Indonesian MORA Visiting Research Fellow

Since the late New Order and as a result of changing local, national, and global socio-political contexts, Indonesian Islamic feminism has flourished, marked by the emergence of progressive Muslim women's organisations. I will argue that these organisations have introduced a change from social welfare to gender-based activism in Indonesian Muslim women's movements. This change has empowered Muslim women to transform Islamic legal discourses on gender into a 'liberative praxis'. They reinterpret Islamic texts by combining traditional Islamic scholarship with modern humanities and social sciences to argue for social and gender justice. They have also organised programs for women's empowerment at the community level, mainly through publications and outreach activities. In this way, they have challenged patriarchal interpretations of Islam promoted by conservative Muslims and Islamist groups, feminised the Muslim public sphere, and opposed the 'religious imperialism' of Middle Eastern cultures. Progressive Muslim women's organisations are, however, not monolithic. They have articulated diverse voices along a spectrum of traditionalist-progressive, modernist-progressive, and liberal-progressive

Islam. Responding to democratisation, they have struggled to achieve Islamic legal reform on gender, by advocating legal substance, cultural, and structural change. In doing so, they have encountered political and cultural-religious challenges. This reflects a struggle for power among different Muslim groups within the context of more democratic, but also more Islamised, society in post-Soeharto Indonesia.

GENDER RIGHTS TOWARDS HUMAN RIGHTS: PROGRESSIVE ISLAMIC PRACTICE IN NORTH AMERICA

- Lisa Worthington, PhD Researcher, University of Western Sydney

The varied forms of progressive Islam all endeavor to realise social justice and equality through a critical engagement with Islamic sources and a re-examination of prevalent contemporary Islamic practices. An important feature of most progressive/inclusive Islamic movements in North America is the focus on human rights, social equality and ultimately on gender parity. Focusing on two organisations *Muslims for Progressive Values* and the *New York Community of Progressives*, this paper investigates the ways in which social justice is perceived, achieved and enacted. The role of gender issues in progressive Muslim movements will be investigated and also situated within other alternative Islamic practices/communities. The findings will highlight the broader concerns of social justice, human rights and pluralism in these two progressive Muslim organizations.

WHAT DOES THE PROPHETIC MODEL OFFER MUSLIM FEMINISTS? THE ROLE OF PROPHETIC PRACTICE (sunna) IN FORMULATING GENDER EQUAL LEGAL REFORM

- Dr. Ayesha S. Chaudhry, University of British Columbia, Vancouver, Canada

As is the case in most faith communities, Muslims committed to gender justice must find ways to make the patriarchal tradition that they have inherited from past generations speak to gender-egalitarian values. In other words, Muslims must not be made to choose between their ethical commitment to gender justice and their religious identity. One way to belong to a religious community that is rooted in a patriarchal tradition while also engaging this tradition critically is to produce gender-egalitarian laws that value the worth of women as full human beings alongside men, thereby documenting and preserving their rights within a legal discourse. But feminist scholars who seek to promote a gender egalitarian Islamic law face a unique challenge: how can they generate gender-egalitarian law from an inherited religious tradition whose legal structures and methodological assumptions reflect the patriarchal socio-historical contexts of pre-colonial jurists? Using the subject of “wilāya” (guardianship of husbands over wives) as a case study, this paper will explore some of the approaches available to Muslim feminists when promoting legal change through an appeal to prophetic practice. As this paper will

demonstrate, the patriarchal nature of Muhammad’s socio-cultural context presents significant challenges to the egalitarian project. Nevertheless, prophetic practice can be read as interrupting patriarchal expectations today, thereby creating a space for gender-egalitarian legal structures. The objective of this study is thus to produce an appreciation of both the challenges and opportunities offered by prophetic practice, which otherwise cannot be overlooked when creating an ethico-legal discourse that is relevant to believers in the twenty-first century.

THE FEMININE THREAT: PRE-MODERN ISLAMIC LAW, MODERN IDENTITIES, AND THE FEMALE BODY

- A/Professor Rumea Ahmed, University of British Columbia, Vancouver, Canada

Many modern Muslim scholars have written extensively about the rights and protections offered to women by Islamic law. In this discourse, women are seen to be in need of protection from men and from society, which sometimes means that their rights must be restricted. These restrictions pertain to women’s dress, their role within the family, and their interaction with broader society. Often, these appeals are rooted in pre-modern Islamic legal injunctions, even as they break from those injunctions to be more palatable to modern sensibilities. In this paper, I argue that the pre-modern protection-discourse was less about protecting women from men, as it was about protecting men from women. I further argue that today, the discourse is formed by a similar

fear of the female body for its potential to corrupt and pollute men and traditionally male-dominated spaces. The modern conservative rhetoric of protecting women from men is a novel move that justifies pre-modern mores through a modern discourse.

BIOS

Rumea Ahmed is Assistant Professor of Islamic Studies in the Department of Classical, Near Eastern, and Religious Studies at the University of British Columbia, Vancouver. His interests include the intersection of law and theology, legal reform, and scriptural hermeneutics. He is the author of *Narratives of Islamic Legal Theory* (Oxford University Press, 2012) and co-editor of the *Oxford Handbook on Islamic Law*. He is currently working on a project on the nature of legal reform in the Islamic tradition, and is co-writing a handbook on Scriptural Reasoning.

Ayesha S. Chaudhry is Assistant Professor of Islamic Studies and Gender Studies in the Department of Classical, Near Eastern and Religious Studies and the Institute for Gender, Race, Sexuality and Social Justice at UBC. She completed her Ph.D. at New York University in the Department of Middle Eastern and Islamic Studies. Her research interests include Islamic law, Qur’anic exegesis, and feminist hermeneutics. She is the author of *Domestic Violence and the Islamic Tradition: Ethics, Law and the Muslim Discourse on Gender* (Oxford University Press). Currently, she is collaboratively working on a book project on inter-faith feminist hermeneutics, which explores and challenges the limits of feminist interpretations of patriarchal

religious texts in the three Abrahamic faiths, called *Difficult Texts or Difficult Women?: The Challenge of Scripture to Feminist Readings*. She is an Early Career Scholar at the Peter Wall Institute for Advanced Studies and is the recipient of the Research Mentorship award for an interdisciplinary project entitled, "Living Islam Between Text and Practice: A Case Study of Domestic Violence".

Nur Hidayah has been a lecturer at the Faculty of Islamic Law and Economics of Banten State Institute for Islamic Studies, Indonesia since 2001. She finished her BA in Islamic Law from Jakarta State Islamic University in 1998 and B.Ec from the Open University in 1999. She obtained a Ministry Of Religious Affairs (Republic of Indonesia) scholarship and a British Chevening Award to pursue her Master's degree at UIN Jakarta. After graduating with an MA in Islamic Law program from UIN in 2002 and an MA in Islamic Political Economy from the University of Durham in 2003, she worked as a researcher and program officer at ICIP (International Centre for Islam and Pluralism) until 2005. In early 2013, she completed her PhD from Melbourne University funded by an Australian Postgraduate Award. She is currently a post-doctoral fellow at the Religion and Society Research Centre at the University of Western Sydney.

Farjana Mahbuba is a PhD candidate in Gender Studies at the University of Western Sydney. Farjana completed her Bachelor of Arts and Master of Arts in Qur'anic Sciences and Islamic Studies from International Islamic University Chittagong (IIUC), Bangladesh. She was awarded the Vice-Chancellor's Gold Medal twice

for her outstanding undergraduate and postgraduate academic achievements. Farjana has published four non-fiction Bengali story books and more than four hundred contemporary articles in various Bangladeshi national newspapers and magazines. Currently she is a contributor to the publication *The Student Operated Press (TheSOP)*. Her research interests include Gender, Culture, and Religion.

Nina Nurmila is a Senior Lecturer at the State Islamic University (UIN) Bandung, Indonesia. She teaches Gender in Islamic Studies at the postgraduate level. Her first degree was from UIN Bandung (1992), her MA from Murdoch University (1997) and her PhD was from the University of Melbourne (2007). She was an Endeavour Postdoctoral Fellow at the University of Technology, Sydney (2008) and a Fulbright Visiting Professor of Islamic Studies at the University of Redlands, California, USA (2008-9). Nina is the author of *Women, Islam and Everyday Life: Renegotiating Polygamy in Indonesia* (London; New York: Routledge, 2009 & 2011). She is currently a MORA Visiting Fellow at the Religion and Society Research Centre of University of Western Sydney.

Arskal Salim received his PhD in Law from the University of Melbourne in 2006. He took up a three-year postdoctoral research fellowship at the Max Planck Institute for Social Anthropology, Germany, before then moving to London in 2009 where he was an Assistant Professor at the Aga Khan University's Institute for the Study of Muslim Civilisations. He left in 2012 to take up his current appointment at UWS. His research interests cover the interaction between Islamic jurisprudences and

politics, constitutionalism, human rights and legal anthropology in various contexts within Indonesian Islam. This year, he signed a contract with Edinburgh University Press to publish a monograph on the subject of Sharia and legal pluralism in Aceh Indonesia.

Toni Tidswell is a Senior Research Fellow with the Office of the Deputy Vice Chancellor Research, and an Adjunct Research Fellow with Media, Culture and Creative Arts (MCCA) at Curtin University, Australia. Her research focuses on women and Islam, with a special emphasis on the teachings of the Quran and their contemporary application in Muslim communities. She has written and taught courses on Women and Islam, Islam in the Modern World and Islam in Contemporary Asia. Her recent publications include 'Learning and Life-Modelling in the Critical Community: Educating University Students for Inter-religious Engagement' in *International Handbook of Inter-religious Education*, and as co-editor, *The Teaching and Study of Islam in Western Universities*, Routledge (forthcoming 2013). This book includes her chapter, 'Insiders, Outsiders & Critical Engagement: Teaching Islam in a University'. Toni is also a practicing clinical counselor and psychotherapist and a trainer and supervisor with the Institute for Emotionally Focused Therapy (IEFT).

Lisa Worthington is a PhD candidate at the Religion and Society Research Centre at the University of Western Sydney where she also teaches in both the School of Social Sciences and Psychology and the School of Humanities and Communication Arts. While undertaking fieldwork in 2013, she was a visiting scholar at the City

University of New York's Graduate Center. Her PhD research investigates the social implications of gender practices in progressive Muslim movements in North America. Her most recent publication is "Crossing Boundaries: Travel and Muslim Women" in *Journeys and Destinations: Studies in Travel, Identity, and Meaning* edited by Alex Norman.

RSVP to
e.pearce@uws.edu.au

by 2 December.