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Islam, State and Women Activism: A Perception Study in Malaysia and Pakistan

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Abstract:

The Muslim women's activists in Malaysia and Pakistan fall in two groups namely traditionalist and reformers. The reformers believe that a fresh exegesis of the Qur'an by Muslim women is necessary in order to motivate social change within the framework of Islam. Traditionalists, however, discourage the involvement of Muslim women and adhere to the classical Islamic tradition that favors men to exercise control on the interpretation work. This study engages in analyzing the discourses and strategies of reformers in Pakistan and Malaysia. The study finds that in some areas reformers are well received and in others they are criticized. There are different factors that shape this perception, for instance, the choice of words reformers use while doing advocacy on women's rights and their eligibility and expertise in interpreting the Qur'an.

Keywords: Islam, State, Malaysia, Pakistan, Women, Feminism etc.

Introduction:

Women's position in Malaysia and Pakistan has been the subject of a long heated debate involving the state, religious fundamentalists and women's organizations. With the rise in fundamentalism globally, women's rights activists have become very important agents in the struggle for gender equality. The debate between reformers and traditionalists is rooted in the phenomena of Islamic revivalism occurred in the 1980s that gave birth to fundamentalist movements in the Muslim word thus posing a threat to progressive Muslim women groups involved in promoting human rights, particularly Muslim women's rights (Afary 1997; Mahnaz 1995; Shaheen 2000). Women groups in both Malaysia and Pakistan are active to counter Islamic fundamentalism and the oppression of Muslim women all in the name of religion (Sleboda 2001; Othman 2006; Foley 2004; Anwar 2005, 2001).

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The views advanced by the traditionalists and the reformers vary greatly. In the traditionalist's approach, there are specific instructions for Muslim women regarding their dress: particularly to adopt *hijab* (Veil) (Alamgir 2014). There are few common characteristics that represent Islamic fundamentalist groups throughout the world and these are: their interpretation of the Qur'an is conservative; they only consider traditional views on Islam; believe that their interpretation of the Qur'an is final and unchallengeable (Munir 2003). In addition, traditionalists discourage Muslim women from being participants in various social activities (for example, in sports, media and the film industry) which makes them unequal to men. In contrast, the reformers advance a modern exegesis of the Qur'an that affords equality and fair treatment to Muslim women. These scholars question the imposed restrictions on women, reject polygamy and oppose the mistreatment of women (Moaddel 1998; Moaddel & Talattof 2002). Both groups arrive at a quite different Islamic notion of what constitutes women's rights and status in a given society; but both maintain that their opinions are rooted in Islam.

An important approach that reformers employ in promoting women's rights is to reinterpret the Qur'an historically and culturally by referring to the early years of Islam. They reinterpret and reread the Qur'an as women and Muslim feminists and advance an exegesis that is more affirmative of women's rights (Sleboda 2001). Moreover, the reformers also believe that the oppression of Muslim women across Muslim societies mainly comes through patriarchal doctrines and the Islamic laws that are propagated in terms of culture and religion (Imran 2013). Indeed, there is a wide array of literature on the topic of women in Islam and many recent contributions on gender in Islam. Ideologically, the literature on both has been charged with the central argument of the interpretation of texts as the main cause for female oppression (Barlas 2006; Wadud, 2005 1999; Anwar 2001). Therefore, the reformers both in Malaysia and Pakistan support reinterpretation of the Qur'an by Muslim women and the reform of the Islamic *Shari'ah* law as they believe that its formulation is not divine but a product of human engagement.

This study is grounded in a comparative analysis of educated elite's perception in Malaysia and Pakistan about reformers and issues of their advocacy namely interpretation of the Quran, reformation of the Islamic *Shari'ah* law and restrictions on polygamy - to ascertain the extent to which it is translated into the local cultures of Malaysia and Pakistan. The study finds whether there is a difference of perception between Pakistani and Malaysian respondents on the reformation of the

Islamic *Shari'ah* law, restrictions on polygamy and interpretation of the Qur'an by Muslim women in terms of location and field of study?

Several research works exist on the reformers discourses and exegesis of the Qur'an. For instance, Sleboda (2001) and Nagata (1994) analyses a reformer group in Malaysia named Sisters in Islam (SIS) historically, culturally and politically. They argue that SIS has been a potential force in bringing women's rights as an agenda of national interest that supports the government's rapid economic development. This is because SIS is seen as representing a progressive image of Islam in Malaysia that helps to attract foreign investment in the country. Furthermore, Anwar (2005) and Othman (2006) analyze the emergence of Islamic resurgence and fundamentalism in Malaysia and their impact on Muslim women with a particular focus on SIS. Similar studies have been conducted in the context of Pakistan. For instance, Jailani (1986) argues that the reformers agenda was in fact the beginning of the women's movement in Pakistan. Furthermore, the historical and political achievements of women's organizations have been documented in several works (Weiss 2012; Haq 1996). Furthermore, several works focus on the Islamic laws in Pakistan and its impact on women (Mehdi 2013; Qureshi 2013). These studies are important in analyzing the discrimination that occurs to women due to the enforcement of Islamic laws.

However, studies have not been conducted on Islam and women's rights both in Malaysia and Pakistan from a comparative perspective. Furthermore, the previous studies are purely qualitative in nature and no quantitative study exists to support their results. Therefore, this study is significant in a variety of ways: it is a comparative study of Muslim women's activism in Malaysia and Pakistan; the quantitative research is useful to evaluate the extent to which, reformers are well received by educated Muslim women in their respective countries and examines the Islamic feminist approaches being deployed in advocating Muslim women's rights.

Islamic Feminism:

The discourses on Islamic feminism are based on an informed perspective of women scholars being oppressed by specific monotheistic religious beliefs. In that direction, Islamic feminist's scholarships is important because it provides a critical understanding of religious practices, beliefs, rituals and cultural practices that sometimes challenge gender roles. Islamic feminists mainly engage in discourses concerned with the reinterpretation of the Qur'an and the reform of the Islamic *Shari'ah* law within the framework of Islam. They demand equal rights for Muslim women by offering a fresh vision of Islam – one that critically examines

traditional interpretations of the text that define a limited role for Muslim women in a given society (Mohsen-Byadsi 2009). In addition, Islamic feminists argue that the traditional interpretations of the Qur'an are man-made (Stowasser 1998; Anwar 2005) and therefore such interpretations have endorsed patriarchal principles that are discriminatory to women. To counter the traditional interpretation of the Qur'an, Islamic feminists use hermeneutics as a method to analyse the Qur'anic text. The hermeneutics method involves a thorough reading and understanding of the words and the context in which the words have been used – this helps to understand how the words or texts should be translated. Central to the Islamic feminist's philosophy is the argument that it is not Islam that discriminates women but man-made interpretations oppress Muslim women. For Islamic feminists, neither religion nor its practice is problematic but the problem is male-dominated interpretation of the text (Barazangi 2004).

In dealing with the Islamic feminist discourse, Muslim feminists institute native forms of gender activism within a redefined Islamic framework by employing the rational and spiritual basis of Islam. Feminist scholars like Hassan, Wadud and Barlas contend that Muslim women ought to retrieve the Qur'an's intrinsic message of equality and fairness in order to endorse a less prejudiced and more genuine version of Islam.

Amina Wadud argu*es* that there seems to be no contradiction regarding gender-based equality and the Qur'an. She engages in worldly discourses of rights while maintaining a foundation in Islamic thinking (Wadud 1999). She contends that the traditional interpretation of the Qur'an made by men mainly depict the male perspective. When present, the female voice is reflective of the male vision, viewpoint and longing. On the same note, Asma Barlas criticizes men-made interpretations of the Qur'an in order to counter the chronological tendency of interpretive reductionism that has, time after time, allocated a secondary status to women in Muslim cultures. She emphasizes that we "need to keep in mind the historical contexts of its interpretations in order to understand its conservative and patriarchal exegesis" (Barlas 2002: 4). Moreover, Riffat Hassan argues that male-dominated interpretations have manipulated the sociological and theological status of the Muslim women as inferior to men. She suggests a reading of the Holy text based on a human rights framework (Hassan 1999; 2002).

Facing a critical and offensive situation, Islamic feminists who are proponents of the universal rights-based model are endeavoring to merge their religious mores in ways that can justify the criticism being levelled against the rights agenda. As the Islamic *Shari'ah* law is different from modern concepts of rights that stress the equal legal status of men and

women (Anwar & Rumminger 2007), these activists see an urgent need for Muslim women to contribute to the restructuring of existing legislation. In doing so, their main effort has been the conception of jurisprudential models suited to the democratic considerations of Islam. In their effort to transform religion from within, the chief reform efforts have been to bring together Islam to the rights dialogue by reinterpreting the Qur'anic text in order to bring out the dynamics of total equality between men and women.

Ismalic Feminist Engagement with Islamic Fundamentalism:

Perhaps the strongest weapon in the arsenal of fundamentalists is the emphasis on a threatened Muslim identity that goes hand-in-hand with the concept of nationalism and women as symbol of this national/religious identity. In this context, a new experience or a new idea such as women's greater role and authority in religion on the part of civil society is taken as a conspiracy to destroy the harmony at home and to promote the norms of Western society (Jaffar 2007). These aspects of fundamentalism can be seen at work in Malaysia and Pakistan. For instance, the Islamic fundamentalist groups in Malaysia can be seen in the form of political parties such as PAS and Islamic revivalist movements such as ABIM (Angkatan Belia Islam Malaysia or Islamic Youth Movement) or JIM (Jamaah Islah Malaysia). These Islamic fundamentalist forces share a common ideology with that of many Islamic movements in Arab countries. Central to this Islamization project are Muslim women, their status in the family and in society. They seek to establish a society that encourages gender segregation and controls sexuality. For example, throughout the 1980s, the Islamic fundamentalists in Malaysia promoted the wearing of tudung *(hijab)* and *jubah* (a long dress that covers women's full body) as Islamic attire compulsory for all Muslim women (Othman 2006).

Furthermore, when PAS took over the reins of power in the State of Kelantan in 1990, they placed a regulation of dress code for Muslim women in public spaces. Not only that, they also promoted ideas like gender segregation that is in contrast to the traditional Muslim culture in Malaysia (Ibid). These segregation efforts included: separate seating for men and women in public events, separate payment counters in markets and banks, banned unisex hair dressing saloons, and barred female employees from night shifts. Their typical mindset is based on a belief that unveiled women bring immorality to the society. For them, modern dressing increases the incidences of rape. The primary role of Muslim women is as obedient wives and dutiful mothers (Ibid). Women always

require the permission of a husband for outdoor activities, namely, for shopping, visiting her parents or mingling with friends (Neo 2003).

In response to the Islamic fundamentalists, Zainah Anwar (Malaysian feminist) argues that instead of forcing Muslim women to live a life of segregation, Muslim men should be made responsible for their action. If men are lustful and not in self-control, why should women be made responsible for it. She further explains this point in the light of the Qur'an (Surah an-Nur, 24: 30-31) that commands men to lower their graze and prevent immorality in the society (Anwar cited in Neo 2003). Furthermore, she contends that Qur'an teaches us that modesty is an inner thing prelude to one's God – consciousness which cannot be imposed; therefore laws and *tudung* should not be enforced on Muslim women. A Muslim women's piety should not be judged from her dress and they have the right to decide on their own dressing (Ibid).

In the case of Pakistan, Islamic fundamentalism emerged in the 1980s from two different directions: (1) General Zia-ul-Haq directives to Islamize the country by enforcing Islamization laws; (2) traditional Islam appears as a major source to govern public life. The *Deobandis*, *Ahl-i-Hadith* and the *Barelvis* each with a large following are rivals and engage in debates on theological issues. Islamic fundamentalists in Pakistan contend that women's rights organizations promote a western agenda and they are enemies of Islam and Pakistan (Jaffar 2007). Fundamentalists oppose modernity and equate modernity with vulgarity that promotes immorality in the Pakistani society. They define Islam as anti-modern and anti-democratic. They define a very limited role for women, for instance, any sort of education that goes beyond reading the Qur'an is forbidden for them; wearing of *hijab* is compulsory; a woman's primary job is of a house wife.

Given the increase in popularity of fundamentalist thought, especially in the notion of a threatened Muslim/national identity, the question then becomes, what is the effect of fundamentalism on women's rights groups in general and the women's movement in particular? To reiterate the dilemma faced by women's rights groups and advocates, "all attempts to struggle on behalf of women's specific interests are viewed as treasons: treason towards the nation or the community, towards religion, towards culture, in short towards the ever-threatened identity and collusion with the external enemy" (Helie-Lucas 1993). Clearly, the question of religion and a Muslim identity is not one that can be avoided by women organizations.

Many Muslim feminists are involved in reinterpreting the Qur'an, or highlighting those passages that give women more rights but have been

neglected. For example, Shahidian points a verse from the Qur'an "Men have authority over women because Allah has made the one superior to the other and because they spend their wealth to maintain them" (Shahidian 2002: 44). For Shahidian, this verse by no means refers to men's superiority over women, but reveals a social reality and men's position in marital life. In other words, men should be treated as women's "keepers" not superiors (Ibid).Reinterpreting and clarifying common misconceptions about the Qur'an is a popular approach taken by activists in many Muslim countries (Moghadam 2003).

It is apparent from the preceding discussion why women's organizations and activists turn to Islamic feminism. The threat from fundamentalists, the fear of marginalization by not only the religious community but the masses is all valid reasons for turning to Islamic feminism. Furthermore, the need to counterbalance the image as western agents, as well as the desire to promote an "indigenous" solution to women's issues that not only addresses women's concerns but also simultaneously challenges the negative stereotypes of Muslims in the West, also push women's organizations and activists in the direction of Islamic feminism.

Strategies and Programmes of Reformers:

Reformers both in Malaysia and Pakistan believe that the oppression of Muslim women is not because of Islam but due to the use of Islam to justify various practices that embody Muslim men as superior and Muslim women as subordinate and inferior (Shukri & Owoyemi 2014). This occurs because Muslim men have been exercising command and control in interpreting the Qur'an. In response, reformers advance an exegesis of the Qur'an that is more supportive of Muslim women's rights (Ibid).

In addition, reformers argue that when it comes to the *Shari'ah* system, Muslim women suffer, particularly, when they look for legal remedy regarding their problems in the *Shari'ah* Courts. For instance, a woman has to wait years before her plea for a divorce is heard in a *Shari'ah* court (Alamgir, 2014). Furthermore, it is also argued that the *Shari'ah* Courts have made it difficult for Muslim women to receive a fair hearing (SIS 2006; Jilani 1986). That is why many Muslim women believe that the *Shari'ah* system has been ineffective as a neutral intermediary in women's disputes with men. Such beliefs are based on a few reasons. Firstly, there is blatant gender prejudices displayed in judgments made by the *Shari'ah* Courts. For instance, whilst a man can divorce a women simply by pronouncing the word '*talak'* (divorce), a woman has to suffer a long and tiring process of initiating and obtaining divorce in the *Shari'ah*Courts even though there are adequate verifications/conditions

under the law that makes her qualifies for divorce (Shukri & Owoyemi 2014).

Secondly, a woman suffers continuous impediment to acquire a separation. There is no deadline set at any stage of the application process. A husband may fail to go for counseling sessions, attend courts hearing punctually and to attend arbitration proceedings which usually prolong a woman's application for divorce for years. Moreover, polygamy is also an issue that affects Muslim women. Regardless of the claims made by men that polygamy is permitted to them by Islam, reformers deny this claim and maintain that polygamy is not Islamic and that Islam neither invented nor encouraged polygamy. They further argue that the Qur'an's provisions on polygamy are restrictive rather than permissive (SIS 2006).

Furthermore, the issue of *Hudud* is controversial both in Pakistan and Malaysia. Reformers believe that *Hudud* contains in it the possibility for vast prejudices. The Islamic political parties in Malaysia and Pakistan justify and advocate *Hudud* as an ultimate Islamic law that promotes equality and justice. However, reformers stress that *Hudud* is discriminatory to women in a sense that a woman's worth is considered to be half that of a man (Anwar 2001; Imran 2013).

When reformers discuss Islam, their credentials and authority to discuss such matters has come under scrutiny. In their quest for Islamic reforms, these organizations have been criticized that their agendas are a product of a Western tradition (Alamgir 2014). Islamic activists constantly undermine the authority of such organizations to discuss religious issues by questioning if Islamic feminists in Malaysia and Pakistan respectively are the legitimate authority to discuss them (Alston and Alamgir 2012). The established tradition is that only the *Ulema* may engage in public discourses regarding Islam. Those who lack traditional, religious education are not seen to have the authority or the right to discuss religion.

In response to such critics, reformers believes that "when Islam is used as a source of law and public policy with widespread impact on the lives of a democratic country, then any attempt to limit writing and debate about Islam only to the *Ulema"* (Anwar 2005: 8) is undemocratic. They raise the questions of why all citizens possess the rights to engage in discussion on politics and economy but religious matters are confined to males only. Not only that, "the opinions of the *Ulema* on matters of public law which affect the relationship between state power and citizenship rights must be opened to public debate" (Anwar 2005: 8).

Conclusion:

From reformers point of view, there are certain factors that encourage Muslim women to reread and reinterpret the Qur'an. For instance, in Muslim societies the notion of equality between men and women has been a controversial one – as historically women have not been treated as men's equal (Anwar 2005). This system of inequality has been imposed by certain administrators and rulers and unfortunately it is often justified in the name of Islam. Before the advent of Islam, Arabs lived in a tradition-bound and male-dominated society – where women were treated as men's property with the right of marriage and divorce by will. Moreover, women were denied the right to have a husband of their choice and female infanticide was common.

With the advent of Islam, women's position and status improved considerably. Muslim women could have a husband of their choice, limited practice of polygamy, no female genocide, inheritance rights and equal respect and treatment as that of a man. Although, Islam treats men and women equal however the traditional interpretations of the Qur'an and *Sunnah* could not help to change the dominant position of men in Muslim societies (Othman 2006).

These aspects of Qura'nic interpretations can be seen at work in both Malaysia and Pakistan as discussed in the literature review. Such interpretations of Qur'an do not favour women and mainly depict a male perspective. Therefore, reformers favour an interpretation of the Qur'an that protects women's equality in Islam. By doing so, they seek to spread the universal message of the Qur'an that guarantees women rights and equality.

The findings of this study contribute further to the above debate. The findings suggest that there are areas where reformers strategies are well received by the respondents of the study. For instance, their efforts to address the administrative issues in the *Shari'ah* system both in Malaysia and Pakistan are well received by the respondents of the study. However, the findings also suggest that respondents are not in favour of reformers groups to involve in the interpretation of the Qur'an. The main reason given is reformers ineligibility towards Arabic language and not knowing the rules of interpretation. A common perception about reformers in both Pakistan and Malaysia is that they are not trained theologians and therefore, respondents are not in their favor interpretation of the Qur' an.

Another factor that creates perception about reformers is the language of their advocacy. For instance, they interchangeably use words like 'ban' and 'restrict' while doing advocacy on polygamy. In case, they use the word ban, the perception goes negative because respondents

believe that banning polygamy is never an option as it is against the Qur-anic instructions. But when they use the word restrict, support is more positive as respondents believe that Qur'anic instructions on polygamy as restrictive.

To conclude, throughout this research, I made an effort to disclose the complications that Muslim women activist face in both Pakistan and Malaysia. While doing so, I reached a conclusion that the rights accorded to women in Islam are impressive and somehow comparable with universal human rights, for instance, right to life, liberty, justice, speech, work and privacy. I am also convinced that Qur'an supports the equality between genders and that it is the patriarchal interpretations that are oppressive of women. I have reached a conclusion that Islamic feminism and its fundamentals are negotiable and there is enough room for debates. Such debates will not only help us to understand that we should take into account the religious, cultural, political, economic and social realities to work within the set boundaries but also make common grounds appropriate to social change within Islam and with particular reference to women. For women's rights activists, it is not easy to bring about a change in gender relations both in Pakistan and Malaysia where the traditional approach is still dominant; however it is possible to take whatever steps they can in a right direction – regardless of how big or small these efforts are.

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