



موانع تحت قوانین مسلمان  
 Women living under muslim laws  
 النساء في ظل قوانين المسلمين  
 Femmes sous lois musulmanes

**WLUML**

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# NEWSLETTER

Issue 4

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WLUML is an international network that provides information, solidarity and support for all women whose lives are shaped, conditioned or governed by laws and customs said to derive from Islam.

## Growing Talibanisation in Pakistan

The Lal Masjid story and the phenomenon of Talibanisation have dominated the news in Pakistan for the past few months. On tracing the political history of the country one finds, however, that it actually began when the Pakistani Government was enlisted against the Soviet Union forces who had invaded Afghanistan in late 1970s, and external funding established more *madrassas* and training camps for '*mujahideen*'.



In a rally organised by the Women's Action Forum (WAF), in collaboration with other NGOs, thousands of Pakistanis took to the streets on 19 April 2007 to condemn extremism & exploitation in the name of Islam. © WLUML

## Government inaction facilitates spread of militant propaganda

### ■ CONFLICT

The suicide attacks and bombings in reaction to the military operation, and the operation itself, have claimed the lives of 285 people in total. In NWFP these reprisal attacks have also seen the abduction of women working for NGOs.

### ■ ANTI-WOMEN PROPAGANDA

Anti-women propaganda by local Taliban-style armed vigilantes is reversing progress in girls' education and schooling, obstructing women's access to health facilities, and their participation in political processes and the labour force.

### ■ FLAWED EDUCATION SYSTEM

Revision of the education system by the government towards one that focuses on positive citizenship and offers opportunities is an urgent priority. Resources should be spent on education and health to eliminate the role of seminaries and so-called 'relief outfits'.

See the Review section for summary of Shirkat Gah's Shadow report on Talibanisation

The recent standoff on Tuesday 3 July 2007 in the country's capital, Islamabad, that resulted in the deaths of more than 50 and the injury of around 150, started with the campaign to prevent authorities from demolishing mosques built illegally on government-owned land. Subsequently hundreds of the seminary's male 'students' occupied the Lal Masjid while female 'students' occupied the adjoining Government children's library.

These local 'Taliban' declared the start of an Islamic revolution demanding that the government enforce 'sharia' within a month, or they would take matters into their own hands.

**At that point the Government took no effective measures to control these elements, nor did it take legal action against the clerics of the Masjid and their 'students' who had kidnapped families they alleged to be brothel owners.**

The government could have acted much earlier: discontinuing electricity, gas, telephone and water services and cutting off ration supplies. However, the siege ended with a heavy-handed, armed action by the military.

The gross violation of law and order by these fundamentalist groups in the capital brings to light the even more dismal picture in the North West Frontier Province (NWFP) of the country where religious clerics have persuaded parents not to have their children vaccinated under a government sponsored polio vaccination scheme and have threatened and forced lady health workers out of the workforce.

A deeper analysis of the growing influence of these groups has identified several weaknesses in state mechanisms: the failure of successive Pakistani governments to provide countrywide public schooling, leaving underprivileged children with no other option than seminaries; and the failure of the government to introduce a more meaningful education curriculum. These weaknesses are facilitating the dissemination of extremist teachings and militant, fundamentalist propaganda.

Report by Mehreen Malik, Shirkat Gah – Women's Resource Centre, Pakistan.

## EDITORIAL & SOLIDARITY

### Solidarity

#### **Bahrain: Suad Fathalla loses custody and her home in court ruling**

Suad Fathalla, the victim of a harassment campaign since speaking on Al Hurra television about the experience of ending her abusive marriage, has lost custody of her three young children. The Bahrain Centre for Human Rights, and the Women's Petition Committee, need your letters of support.

[http://www.wluml.org/english/newsfulltxt.shtml?cmdf\[157\]=x-157-554215](http://www.wluml.org/english/newsfulltxt.shtml?cmdf[157]=x-157-554215)

#### **Iraq & Afghanistan: Targeting of female journalists.**

Iraqi journalist Sahar Hussein al-Haideri, was murdered outside her home in Mosul on 7 June 2007. In Afghanistan, also in June, two female journalists were murdered: Zakia Zaki was murdered days after the killing of Sanga Amach, a news presenter for a TV station in Kabul. All of the women allegedly received threats, warning them to stop reporting.

[http://www.wluml.org/english/newsfulltxt.shtml?cmdf\[157\]=x-157-553951](http://www.wluml.org/english/newsfulltxt.shtml?cmdf[157]=x-157-553951)

[http://www.wluml.org/english/newsfulltxt.shtml?cmdf\[157\]=x-157-553952](http://www.wluml.org/english/newsfulltxt.shtml?cmdf[157]=x-157-553952)

#### **Malaysia: Apostasy case and the Ministry's ban on Islamic state debate in media**

The Internal Security Ministry have given a directive to all mainstream media not to publish any news on the issue of Malaysia being an Islamic state. In January 2007 Islamic authorities took away the baby of a Muslim woman who was living as a Hindu in defiance of the law. Revathi was detained and taken to a rehabilitation centre in central Malaysia to undergo 'religious counselling'.

[http://www.wluml.org/english/newsfulltxt.shtml?cmdf\[157\]=x-157-554631](http://www.wluml.org/english/newsfulltxt.shtml?cmdf[157]=x-157-554631)

<http://www.wluml.org/english/newsfulltxt.shtml?cmd%5B157%5D=x-157-552987>

#### **Iran: Arbitrary Arrest of Haleh Esfandiari**

On May 8, officials at the Iranian Ministry of Intelligence summoned the Iranian-American scholar Esfandiari for questioning, arrested her without warrant or explanation, and transferred her to Tehran's Evin prison.

[http://www.wluml.org/english/newsfulltxt.shtml?cmdf\[157\]=x-157-553764](http://www.wluml.org/english/newsfulltxt.shtml?cmdf[157]=x-157-553764)

#### **IRAN: STOP STONING FOREVER**

After the temporary success in suspending the stoning sentence of Jafar Kiani and his partner Mokarrameh Ebrahim, Jafar Kiani was stoned to death on 5 July. The SSF campaign needs your urgent support to prevent the same action against Mokarrameh Ebrahim.

[http://www.wluml.org/english/newsfulltxt.shtml?cmdf\[157\]=x-157-554586](http://www.wluml.org/english/newsfulltxt.shtml?cmdf[157]=x-157-554586)

### Editorial

We are delighted to present the Fourth Issue of the Women Living Under Muslim Laws (WLUML) Newsletter! The overarching objective of WLUML's bi-annual newsletters is to present a platform to women's rights activists around the world to project their voices, and for networkers to share their experiences of activism across boundaries.



At the Transition meeting. L to R: Fatou Sow, Katyaon Hoodfar, Zarizana Abdul Aziz (sitting) Ayesha Imam, Codou Bop, Homa Hoodfar, Farida Shaheed & Sultana Kamal. © WLUML

This year has seen some changes to the WLUML structure after a careful organisational development process finalised at the Transition Team Meeting held in London in March 2007, which resulted in a new team at the International Coordination Office (ICO).

We would like to thank the members of this Transition Team who, despite their already overextended workloads, took out time to make invaluable contributions to the network's transition process.

This issue, with an improved format, features the addition of 'Activists Reflections', which present a selection of the articles we received in response to our online Call for Submissions. Reflecting the transnational nature and philosophy of the WLUML network, the articles and reports included in this newsletter range from Growing Talibanisation in Pakistan to Expanding International Legal Protections for Victims of Gender-Based Violence in Iraqi Kurdistan and the lobbying of the Gambian Committee Against Traditional Practices.

The new team at the ICO is led by Homa Hoodfar, myself, Aisha Lee Shaheed, Giulia Girardi and Jeetinder Ridley. We are supported by a number of dedicated volunteers including Dorothy Lovell, Eleanor Kilroy, Leila Abady, Mahin Atashzaran, May Sallab, Montserrat Garcia, Rochelle Terman, and Seema Siddiqui. I would like to thank all the contributors who shared their work with us for this issue.

Special thanks and recognition are due to Eleanor Kilroy who led the preparation and production of this issue with utmost dedication from compiling all the submissions to assisting with the editing process and layout design.

Happy Reading!

**Ayesha Salma Kariapper**  
Deputy Coordinator, International Coordination Office, WLUML

**Disclaimer:** The analysis and views expressed in this newsletter do not necessarily reflect those of any offices of the Women Living Under Muslim Laws –International Solidarity Network (WLUML) and the responsibility for all opinions, views and accuracy of information contained in this publication rests entirely with individual contributors.

## NEWS FROM NETWORKERS

### Update from GAMCOTRAP

The Gambian Committee against Traditional Practices (GAMCOTRAP) has been involved in advocacy work on the rights of Women and the Girl-Child. The Committee is mobilising around female genital mutilation (FGM), early marriage, trafficking of women and children and other harmful traditional practices.

The committee is calling for law reforms in Gambia that would harmonise existing laws with international conventions that have been ratified, including: the Convention on the Rights of the Child (CRC), CEDAW, the African Charter on Human and Peoples' Rights on the Rights of Women in Africa.

**The Committee recently made a submission to Gambia's Law Reform Commission (LRC) in relation to personal status laws, raising issues that affect women including sexuality, inheritance and polygamy.**

We are pleased to report that the LRC has received the submissions, which we expect them to consider as they draft the revised laws.

GAMCOTRAP has also been doing a lot of capacity building on the rights based approach, training policy makers in the education sector with the hope of introducing a module on traditional practices with an emphasis on FGM. An MOU is being drafted for consideration by the Department of State for Basic and Secondary Education (DOBSE), which will be submitted by the end of July 2007.

The Committee has been running a series of training and information campaigns involving dialogue with National Assembly Members (parliamentarians), and doing advocacy work with women to raise awareness on the articles and conventions that protect their rights.

**GAMCOTRAP has targeted over 40 communities in Gambia, and each workshop has been attended by 100 to 150 participants made up of women, youth, community leaders, community-based facilitators and professional associations.**

Furthermore, it has been researching the situational analysis on FGM and the incidence of early marriage; and, by the end of 2007 expects to launch a publication highlighting its findings.

Early marriage normally results from a belief in prescribed gender roles, associating women's lives almost exclusively with reproduction. At present it is common practice that girls marry at 11-15 years of age; GAMCOTRAP is advocating that the age of consent be 18 years.

**Report by Isatou Touray, Executive Director of GAMCOTRAP**

### Feminist Dialogues 2007 Evaluation Meeting Rome, 10-12 July 2007

The Feminist Dialogues (FD) is an initiative that grew out of the World Social Forum (WSF) process. It was conceived of as a space to share ideas within the WSF itself and also to take back the analyses that were generated, to the networks and allies of those involved. The Evaluation Meeting was attended by representatives of the Coordinating Group (CG), including Ayesha Imam and myself from WLUML. The theme of the 2007 FD was 'Radical Democracy', which proposes that democracy is not purely a political system, but rather is deeply connected with values of social justice and gender equality.



Rajjeli Nicole [ISIS-Manila]; Stella Mukasa [Akina Mama Wa Africa]; Nandita Gandhi [NNAWG]; & Muthoni Wanyeki [Activist and Writer] at the FD meeting, Rome. © WLUML

- **The first FD was held at the WSF in Mumbai (2004)**. A Coordinating Group (CG) was formed to orchestrate the FD process. WLUML has been a part of the CG since 2006, with Ayesha Imam as the key focal person. To date, the other CG networks are: FEMNET; AFM; Akina Mama Wa Africa; CLADEM; DAWN; ISIS-Manila; INFORM; NNAWG; REDLAC; REPEM; WLUML; WIDE; and Bina Srinivasan (independent researcher and FD member).
- **The themes of FD are explored through the lens of body politics** (<http://feministdialogues.isiswomen.org/>). These themes overlap with the critical issues outlined in WLUML's 2006 Plan of Action ([http://www.wluml.org/english/pubsfulltxt.shtml?cmdf\[87\]=i-87-549649](http://www.wluml.org/english/pubsfulltxt.shtml?cmdf[87]=i-87-549649)): Peace-Building and Resisting the Impact of Militarization; Preserving Multiple Identities and Exposing Fundamentalisms; Widening Debate about Women's Bodily Autonomy; and Promoting and Protecting Women's Equality Under Laws.

After the three-day internal evaluation meeting, a public forum was held in the Casa delle Donne ('the House of Women'). "Transforming Democracy: And International Feminist Dialogue" was co-hosted by the Society for International Development (SID) and CeSPI (Centro Studi di Politica Internazionale). Panels were arranged with guest speakers from the FD as well as Italian feminists.

For me, the evaluation meeting highlighted two key points: 1) On an organizational level, WLUML has a long history of networking with organisations in Latin America on the issue of fundamentalisms. It was agreed to strengthen links with Articulacion Feminista Marcosur (AFM) after numerous conversations with their representatives.

**2) FD members from South America, India, and Sri Lanka, raised the point that secular states were hard-won spaces that we must fight to preserve.**

In the discussion on the need to preserve secular spaces, I cited two examples: the state of Pakistan was founded upon principles of secularism, but its women's movement is still campaigning to overturn fundamentalist laws introduced in the 1970s-80s by General Zia ul-Huq; and 2006 in Ontario Canada saw a campaign against the proposed introduction of Sharia Laws for the arbitration of family disputes.

**Report by Aisha Lee Shaheed of WLUML**

## NEWS FROM NETWORKERS

### Introduction to 'Women's Empowerment in Muslim Contexts' (WEMC)

The 'Women's Empowerment in Muslim Contexts: Gender, Poverty and Democratisation from the Inside Out' is a five-year transnational project implemented by a Research Programme Consortium and supported by DFID.

The RPC, led by the Southeast Asia Research Centre at the City University of Hong Kong, will undertake an innovative research programme in four nodal countries (China, Indonesia, Iran, & Pakistan) and cross-border research. It intends to generate new knowledge for achieving the Millennium Development Goals (MDGs) and the fuller implementation of the Beijing Platform for Action in Muslim contexts, and to understand how women can and do empower themselves in the face of forces that attempt to legitimise themselves through culture and religion.

WEMC aims to develop new knowledge for strengthening the capacity of women and civil society to engender long-term changes in policy and practice that are supportive of women's empowerment in Muslim contexts.

To achieve this, WEMC seeks to disseminate transformative knowledge of women's empowerment to marginalised women, to agents of change, and to power-holders who need to initiate reform.

**Our five-year research programme focuses on women's indigenous strategies of empowerment in Muslim contexts, because: Women's endeavours to assert their rights in such contexts are often suppressed by violence.**

Women's empowerment through indigenous strategies is a culturally appropriate countervailing force at a time when political groups are disempowering women so as to construct closed constituencies. Women's empowerment in such contexts would promote democratisation from the inside out.

Pinpointing ways whereby good governance could empower women, the research will result in: innovative analyses of poverty and women's economic empowerment; policy recommendations for governance responsive to women's needs on the ground; a strong articulation of demands for accountability and change from within society; catalysing processes that could increase personal choices, decision-making powers, and access to resources; new development initiatives with women's organizations at local, national and international levels; and a range of multi-media products.

**Report by Khadija Zaheer, Research Associate, WEMC Directorate.**

### WLUML Women and Law Programme Afghanistan 1997-2007

In 1991 WLUML initiated the Women and Law Programme in order to develop a comparative perspective on diverse Family Laws in Muslim contexts. Then in 1997 WLUML started a new program, examining and documenting the impact of militarisation and rising fundamentalism on women's lives. This resulted in us working more closely with Afghan women activists, researchers and NGOs, particularly in Iran and Pakistan where more than four million Afghan refugees were living.

In 2002, once the Taliban had been ousted, WLUML held several consultations with Afghan women activists to identify how it could contribute to their struggle. Beside security, the reform of Family Law was identified as the most urgent need. After 30 years of war and internal and external population displacement, the existing legal system had broken down leaving women even more vulnerable than before.

**Between the new gun culture and severe poverty, women had become commodities.**

In December 2002, WLUML held its first workshop to plan a strategy for reform of the Family Law code and a standardised national marriage contract that would take into account how the drafting of the new constitution would affect Family Law. It was a small workshop, but the atmosphere was euphoric..



Roya Rahmani of the R&D office in Kabul who played a major role in keeping the campaign active. © WLUML

A research and drafting committee was formed, and in May 2003, WLUML and the office of Rights and Democracy (R&D) in Kabul hosted a meeting on the constitution and Family Law.

Then between 2003 and 2006 WLUML ran 17 workshops in total in Kabul, Lahore, Karachi, and Tehran, where participants from civil society groups commented on the drafts prepared by the committee.

It emerged that a national marriage contract was a priority for most of the Afghan constituencies since it was an established Muslim tradition and thus easier for the legal system to adopt; it could potentially provide protection for women's rights by inserting clauses like the right to travel, and divorce.

**WLUML provided a series of Muslim marriage contracts from across the world as supporting documents that proved that the conditions women were asking for were in line with Muslim tradition.**

By 2006, there seemed to be a willingness even on the part of the most conservative judges in the Supreme Court to ratify the national marriage contract. By early 2007 most of the women's movement's conditions had found their way into the national *Nekahnameh*. WLUML and the drafting committee then turned their attention to reform of the family code.

In April 2007 WLUML held an international conference in Malaysia on comparative family law reform in Muslim countries, funded by R&D and hosted by Sisters in Islam. The goals of the conference were for the Afghan experts and politicians to be familiarised with the history of Family Law reform in other Muslim contexts as well as commenting on the draft of the code, which was circulated among the participants.

Professor Amira Sonbol's documentation of the marriage contract from 17th to 18th century Egypt underlined the extent to which women's rights were observed then, and how the process of codification and the influence of Europe and in particular French law, denied women the potential of a flexible Family Law code.

**Report by Homa Hoodfar, Interim Coordinator of WLUML-ICO and Professor of Social Anthropology at Concordia University, Canada**

## Images of the Year

## The FD Controversy Dialogue Panel, and Networking in West Africa



Anissa Hélie's presentation on the occasion of Mount Holyoke's hosting of the "Dress Codes and Modes" exhibition (<http://www.wluml.org/english/exhibitions.shtml>), November 2006. Anissa is Visiting Assistant Professor of Gender Studies at Mt. Holyoke College, USA, and a WLUML Council member. © WLUML

At the January 2007 World Social Forum (WSF) in Nairobi, Kenya, the members of the Feminist Dialogues Coordinating Group (which includes WLUML), organised a number of events like the Controversy Dialogue panel, which brought together anti-war or peace and anti-fundamentalist movements who often feel they are working at cross-purposes.

The FD brought together around 200 feminists, including WLUML networkers Maboubeh, Shadi and Soheila from Iran, Isatou and Ami from the Gambia, Fatima and Samia from Algeria, Codou from Senegal, Sindi and Mairo from Nigeria, Najma Sadeque from Shirkat Gah, Khadija from Tanzania and myself.

Introducing the WLUML presentation, I pointed out that we have to make a distinction between conservatives who may have distinctive ideas, and fundamentalists who have the same conservative ideas and insist on imposing them on other people. Whilst not all who are labelled fundamentalists/terrorists by the 'War on Terror' are fundamentalists, several who are called 'moderates' are fundamentalists who should not be legitimated in this way.

Samia, of 20 Years is Enough, recalled how the Islamist faction in Algeria initiated and created social networks in the 1980s, formed a political party in 1992, and by manipulating electoral boundaries won seats in municipal and legislative elections.

**When Algeria's electoral body revoked their status as a religious political party, they went abroad, were portrayed as victims in the international media and were supported by governments, human rights and peace movements in Europe and North America.**

This was despite their harassment, violation of rights and victimisation of women that had been occurring since the 1980s, as well as statements of their intent to abandon electoral democracy once they had won power. Soheila of Stop Stoning Forever spoke of the experience in Iran where the Left and women allied with Islamists against the Shah and subsequently found themselves exiled, imprisoned and with their rights curtailed.

In May 2007 I used the auspices of a trip to Mali, Burkina Faso and Niger to meet with networkers in Francophone West Africa. In Mali I met with Djingarey of Association Femmes et Droits Humains, and with old friends Debbie and Maria of l'Institut d'Education Populaire who were part of the original Mali Women and Law project, and hosted the first training workshop in Mali. They live in Kati, which has a large military base nearby, and have been protesting the high incidence of violence and sexual assault by the soldiers.

**The army has subsequently had Maria's son and Djingarey's husband prosecuted and imprisoned. This is clearly the army's way of retaliating for the complaints by women activist groups of the army's inaction on the sexual assaults by their soldiers.**

WLUML has been in touch to offer our support; however, messages of solidarity would be greatly appreciated, (please send them to [djingarey@afribone.net.ml](mailto:djingarey@afribone.net.ml)).

In Burkina Faso I met with a number of new women's groups and in Niger I met with Zainab who is now at Niger's Women's Network for Peace (REFEPA). Zainab hosted a dinner where I met with other women from Niger who were part of the WLUML Africa Qur'anic Interpretations meeting in Abuja and Bamako, or the 2004 WLUML Africa and Middle East Bridge-Building workshop in Banjul that looked at Muslim and secular laws and practices.

Together we discussed ways of working more in the network and several of the women from Niger were interested in participating in the upcoming Feminism in the Muslim World Leadership Institute in October 2007.

**Report by Ayesha Imam, founding director and board member of BOABAB, and Secretary of the Board of the Directors of WLUML**



The International conference on comparative Family Law reform in Muslim countries in Malaysia, April 2007, organised by Homa Hoodfar of WLUML. The conference was funded by Rights and Democracy and hosted by Sisters in Islam. © WLUML



The WEMC End of Inception Phase meeting, in Hong Kong, December 2006. © WLUML

## ACTIVISTS' REFLECTIONS

### Current Laws & Recommendations

Once a country makes a commitment to addressing gender-based violence as a serious human rights violation, lawmakers have several choices including:

- 1) Revising existing mechanisms to conduct in-country refugee processing
- 2) Allowing victims to be paroled into a safe country using current immigration laws
- 3) Passing new legislation tailored specifically to addressing these issues.

**One issue of concern is that even in the U.S., gender based asylum law remains unclear, as the adoption of key gender asylum regulations and case law are pending.**

Despite the legal uncertainty of gender asylum cases in the U.S. and elsewhere, many victims of gender-based violence meet the definition of a refugee and warrant legal protection; individuals have succeeded in securing refugee or asylum status due to gender-based persecution in the U.S., Canada and Europe.

**A bill pending in the U.S. Congress would allow for in-country processing of refugees in Iraq.**

In addition to expanding the categories of persons eligible for in-country refugee processing to include cases involving gender based violence, States can use existing mechanisms to facilitate transfer to allow for a designated number of persons to enter a country to apply for asylum status.

**In the U.S., persons can apply for "humanitarian parole" to enter the United States for various reasons that are humanitarian and often urgent.**

States can and should amend their laws to extend protection to victims of gender-based persecution based on internationally recognized humanitarian principals and norms applied in similar situations. The U.S., in coordination with UNHCR, should develop appropriate training and screening mechanisms to officers charged with refugee processing, NGOs and others who encounter victims of violence to prevent misinformation and to mitigate the risk that women seeking protection may be further harmed.

**Report by Sherizaan Minwalla, Country Director of Heartland Alliance's Iraq Program, Sulaimaniya, Northern Iraq.**

### Expanding International Legal Protections for Victims of Gender-Based Violence in Iraqi Kurdistan

The recent public stoning to death of Dua, a 17-year old girl in Northern Iraq, garnered significant international attention due to its brutality, but also because of the behaviour of the men, preoccupied with photographing her killing with their mobile phones instead of helping to protect her.

When women are faced with the threat of honour killing, few are able to escape from their families to seek assistance from women's organizations. Minimal efforts on the part of the authorities in the Kurdish controlled region have had little impact on reducing the number of killings.

**At least ten women have been reported killed in honour killings since Dua's death in February 2007.**

Investigations into honour killings remain limited. Indeed the reputation of the victims is often at issue, and it is standard procedure to check whether a victim's hymen is intact post-mortem. Many women are burned or drowned, and family members protect each other during the investigation to report that the victims died accidentally.



Sherizaan Minwalla with a client. © WLUML

In Iraqi Kurdistan there are a few shelters able to provide refuge as well as mediation support, legal, medical and social services. Legal recourse for these women is extremely limited and the criminal and personal status laws often condone violence against women. In a significant number of cases, social workers successfully mediate with family members to prevent them from carrying out honour killings.

However in some especially difficult cases the families refuse to cooperate and the women remain stuck in the shelters where they are safe, but unable to leave for fear of being killed.

After travelling to Iraqi Kurdistan for two years I decided to move here to work full time on our program. As part of our legal program, Heartland Alliance's attorneys provide legal assistance and representation to women fleeing various forms of gender-based violence including sex trafficking. As a U.S. licensed attorney, I cannot provide direct legal representation to women inside Iraq and instead work closely with Iraqi lawyers and women's rights advocates.

**When faced with cases of desperate women who have no legal recourse inside Iraq, we have tried to determine whether there are any available mechanisms to facilitate transfer out of Iraq to those women who appear eligible to apply for refugee or asylum status.**

International legal protections applied to refugees do not extend to internally displaced persons or other suffering from persecution within their own countries, and while there are ways of assisting victims on a case by case basis, the international community has not taken measures to regularize the process for cases involving severe harm.

As the security situation in Iraq continues to deteriorate, violence against women remains a secondary consideration to the widespread sectarian violence and the risk of an expanding civil war. The international community must take concrete steps to confront violence against women, and to extend legal protections not only to the thousands of refugees and internally displaced persons fleeing the violence, but specifically to the victims of gender based persecution.

## Why I speak out against 'Sharia'

Soon into my career as a young journalist in Egypt, I learned a disturbing fact about the justice system. It was a fact made even more alarming by the almost complete acceptance of and silence around what seemed to be a blatant injustice.



**By Mona Eltahawy**  
Egyptian-born columnist and public speaker on Arab and Muslim issues.

I learned that in Egypt, like many Muslim countries, the legal system has been completely modernized with the exception of one area that stubbornly remains caught in the web of edicts issued by Muslim scholars who lived centuries ago — Family Law.

In other words, Sharia is used only to govern the lives of women and children. So whose Sharia are we talking about? I learned there wasn't a monolithic, divine text called 'Sharia' but that rather it was the product of those with the power to rule and those they gave the power to interpret religion. For radical groups, for whom women are too often the embodiment of sin, Sharia means nothing more than the "haram" (forbidden) and the "halal" (permissible).

**They have reduced what used to mean the moral and ethical underpinning of faith to mean the cold facts of the law — as defined by them, of course. They are all about the letter and never the spirit of the law.**

The definition of Sharia as law is based on just 500 verses of the Koran, I learned from liberal Muslim scholar Nasr Hamed Abu Zeid; that is just 16 percent of the Koran. So for those who insist on implementing Sharia, I happily quote Sudanese American law professor, Abdullahi An-Nai'm, who points out the lie at the heart of such calls: the attempt to "protect a patriarchal system"

It is imperative, as a feminist who is also a Muslim and who is also a journalist, that I point out all of the above; I am fed up with the denial and ignorance that surrounds Sharia both within and without the Muslim world. Many Muslims know so little about Sharia that out of guilt they refuse to confront calls for its implementation. For Muslims in the West, that guilt is often mixed with defensiveness and an unwillingness to present a divided stand in the face of *Islamophobia*.

Non-Muslims need to hear the above so they can lay aside a cultural relativism that would overlook the sexist use of 'Sharia' in many parts of the Muslim world. Ultimately, Muslim women must become the loudest voice against the selective use of Sharia, as it is they who pay the price.

## Lobbying on Crimes of Honour In the International arena: Is it hazardous to your health?

As a feminist researcher and a women's human rights defender working on crimes of honour for almost 12 years, the issue of playing into the hands of 'outsiders' or 'the enemy' is neither new nor without controversy.

Since I started using the United Nations system to introduce the language on crimes of honour at various human rights instruments within the UN and the EU, I was first ignored by the mainstream actors including the members of the states as well as some human rights organizations.

I was also told that the UN Commission on Human Rights (currently the Council of Human Rights) was not my place to be since I was "diluting the importance of the Commission by bringing this women thing into the agenda".

**I was advised that I should go to "New York where they do women" by a Swedish diplomat whose country has a very good record on women's human rights. Then, afterwards, some members of the Organization of Islamic Countries asked me why I was making such a "big fuss out of this woman thing in front of them." Did I not know anything especially in the midst of abuses going on in Palestine? Why was I bringing these kinds of things onto the front page?**



Leylâ Pervizat ©WLUML

All these incidents took place in the late 1990s when honour killings were yet to be documented in the international human rights documents as a form of extra judicial execution.

More recently, in an interview with an Austrian journalist I pointed out that the new Turkish Penal Code (effective 01 June 2005) fails to address crimes of honour. Her piece was quoted by Frank Vanhecke, a politician and head of a conservative party, in the EU Parliament and then prompted a written answer from Ollie Rehn, head of EU Enlargement.

**All this resulted in a well-meaning Austrian journalist contacting me to say, "We should be very careful about not playing into the hands of the conservatives." By and large, I agree with all of these hesitations, but there is no way I am going to stop talking about it.**

So what should we do? My long-standing strategy has been to follow a holistic approach. By this I mean that in conducting my research as well as in my lobbying I tackle the issue from an interdisciplinary and comparative approach.

One way of doing this, in the specific case of honour killings, is to show that crimes of passion occurring in California, and wife murders in Sweden are essentially rooted in the same causes.

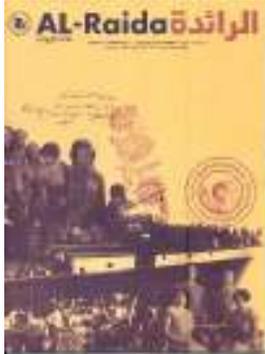
Although records on women's empowerment may vary greatly in different cultures and from country to country, hegemonic masculine order is the underlying cause of all these murders. Just remember this: none of us can afford to stay silent on any human rights abuses anywhere in the world.

**Leylâ Pervizat is a feminist researcher and a women's human rights defender working on crimes of honour nationally and internationally. Her pioneering doctoral dissertation on the issue is the first ever such study in Turkey.**

## REVIEWS

### Al-Raida Magazine

Published by the Institute for Women's Studies in the Arab World (IWSAW)



In the winter/spring 2007 issue – guest edited by Eugene Sensenig-Dabbous – articles such as *Reproducing Home: Arab Women's Experiences of Canada* and *Arab Women Cyberfeminism* reflect on the manner in which Arab Diaspora women are asserting their rights.

From Andalusia in Spain, comes a sober account of the present-day living conditions of the female migrants of the former 'Moorish' capital, Granada.

In *Muslim Women in Southern Spain between Discrimination and Empowerment*, Research Professor Gunther Dietz and Researcher Nadia El-Shohoumi make an important distinction between Muslim women migrants' experience of 'exogenous' and 'endogenous' forms of discrimination.

This article focuses on the mutually reinforcing, intersecting discrimination Muslim women face as minority community members, from outside the community, and from within:

**"They become bored and tired of 'proving' to their neighbours through their day to day behaviour that they are 'different' from the general prejudices levelled against them.**

"This permanent requirement of arguing and justifying one's 'difference' vis-à-vis the mainstream society – according to an Algerian woman – often leads to self-restricting leisure activities [...]. Meanwhile, in the perception of the majority society and its institutions, the phenomenon of self-isolation is seen as an undesirable enclosure and 'self-ghettoisation'".

Dietz and El-Shohoumi conclude that 'migration and citizenship, not gender or religion, are the initial sources of Spanish discrimination faced by Muslim women. The second most important and distinctive source of discrimination appears to be internally motivated within Islam itself'.

**Review by Eleanor Kilroy**

### Politics of Piety: The Islamic Revival and the Feminist Subject

Saba Mahmood  
(Princeton University Press, 2005)

*In the quiet heat of late afternoon, one can see a stream of women—either singly or in small groups—making their way up a narrow staircase tucked away on one side of the large Umar mosque complex. ... They are here to attend a religious lesson delivered weekly by a woman preacher by the name of Hajja Faiza. (40)*



The research for this book began ten years before publication when Saba Mahmood, born in Pakistan and nourished by the 'twin ideologies of critical Marxism and feminism', set off for Cairo. Her fieldwork was to take the form of two years spent in visits to six mosques of varying socio-political ethos. Her aim was a shake-up of the secular-left politics that she had previously taken for granted through an intense consideration of the meaning and cultural wealth of non-secular lifestyles, focusing on the experience of women.

Why Cairo? Because it was at the heart of the Islamic Revival that had begun in the 1970s, helping Islamic practice thrive as daily life took an increasingly secular turn. In Cairo this revival had also taken the form of the women's mosque movement. Women gathered in mosques to teach each other Islamic scripture, customs and ethics, down to the details of everyday life, such as speech, dress and entertainment, and even positive social practice, including care for the poor and lessons in financial management.

**For Mahmood, the women's mosque movement embodied a tricky dilemma. How is it that a movement can at once challenge gender roles, allowing women to assert their presence in male-dominated sites and to gain active social roles, and strive to promote 'pious' traditions that would limit the bounds of female agency?**

Mahmood uses her observations to make a compelling argument for a new way of conceiving individual agency. Drawing on the ideas of prominent philosophers, including Michel Foucault and Judith Butler, Mahmood maintains that a political act does not necessarily entail an attempt to overthrow the status quo, but can consist in the 'multiple ways in which one inhabits norms' (15). This notion of subtle and strategic behaviour pulls the rug out from under the well-rehearsed concept that personal liberty depends on the absence of social and political constraints.

Mahmood's study and its conclusions are of utmost importance to those for whom religion may seem at odds with liberatory and feminist politics.

**Review by Anna Simpson who has an MA in Gender Studies from SOAS, and has published articles on environmental and gender issues.**

**CALL FOR PAPERS: the Institute for Women's Studies in the Arab World, of the Lebanese American University, is soliciting articles for the forthcoming issue of Al-Raida.**

The central topic will be "Refugee Women in the Arab World." Al-Raida's mission is to promote objective research of the conditions of Arab women and women all over the world. The deadline for abstracts is **15 August 2007**. Send your emails to: Managing Editor, Ms. Myriam Sfeir, [al-raida@lau.edu.lb](mailto:al-raida@lau.edu.lb) and Guest Editor, Ms. Anna Elyse Ressler, [annaressler@hotmail.com](mailto:annaressler@hotmail.com). To download the current issue of Al-Raida, and for further information on the submission of articles, see <http://www.lau.edu.lb/centers-institutes/iwsaw/raida.html>

## Talibanisation and Poor Governance: Undermining CEDAW in Pakistan. Second Shadow Report, April 15, 2007.

RCO Asia's work in preparing shadow CEDAW country reports on behalf of civil society/ women rights organisations is an important means of lobbying and monitoring the status of women's rights in Pakistan.

This report urges the CEDAW committee to ask the Government of Pakistan (GoP) to explain what steps it has taken to overcome the threats posed by the country's 'Talibanisation', and perennial problems of ineffective governance which is undermining progress.

**Key issues are identified:** It states that, "Talibanisation has been possible because of the government's lack of countervailing actions and its failure to appraise citizens and policy implementers of women's rights and state commitments under international instruments".

"Customs, practices and misinterpretation of religion are cited as justifications for indulging in acts of discrimination against women." This failure to respond appropriately to the propagation of anti women ideas by local Taliban style vigilantes is reversing any progress in girls' education.

**The National Curriculum needs to be reformed,** to sensitise children to the importance of women's equal rights. The report also highlights practical matters such as lower registration rates for women's births and marriages leading to their denial of rights and lesser numbers of women being issued National Identity Cards.

**Strengthening the National Commission on the Status of Women (NCSW)** is important in progress towards women's rights. No regulation ensures that the NCSW recommendations are tabled in any official forum within a stipulated timeframe nor does the NCSW have direct access to the parliament. Reports are sent to the President via the MoWD creating dependency and unwarranted influence of government servants.

**Women's participation in local politics,** need for more women's crisis centres and the government's double standards towards women are also raised. The report states, "Before the 2001 local government elections, threats were issued in the Districts of Dir, Swabi and Mardan that anyone registering women as voters would have their homes destroyed. Despite valiant efforts by NGOs and civil society organisations no woman was allowed to cast her vote and hence no women councillors were elected".

To download a pdf of the report, go to: [http://www.shirkatqah.org/pubs\\_women\\_law&rights.htm](http://www.shirkatqah.org/pubs_women_law&rights.htm)

Summary by Seema Siddiqui

## Enemies of Happiness

A film by Eva Mulvad (2006)

The documentary film follows Afghan female parliamentary candidate, Malalai Joya's election campaign in the Wolesi Jirga (National Assembly) in September 2005. It was the first democratic parliamentary election in Afghanistan in over 30 years.



THE TRUE STORY OF A YOUNG WOMAN  
FIGHTING FOR CHANGES IN AFGHANISTAN  
**ENEMIES OF HAPPINESS**  
A FILM BY EVA MULVAD

Malalai Joya is seen by many as a provocative and controversial figure.

The opening scene is of the (at the time) 26 year-old Joya being banished from the Loya Jirga in December 2003, after she calls for the prosecution of all warlords in front of an assembly largely made up of *mujahideen* and warlords.

At moments in the film, Malalai Joya does look completely stumped by the nature of the problems brought to her in her new role as mediator in family disputes.

**A father tells Joya he would rather die than hand over his young, literate daughter, Rahela, to a man who is not only illiterate and an opium dealer, but is already a grandfather; the latter tells Joya that he is mocked in the street and threatened by his clan for not claiming the girl that was 'given' to him in exchange for the payment of his daughter's dowry.**

The 'suitor' ends his pathetic story with two apparently contradictory statements: that he would die for Rahela, and that he does not love the girl. Barely audible amidst the cacophony of competing national and international voices on the urgent issues of 'democracy' and 'security' are the murmurings of confused and angry Afghan people. It is tough for Joya to negotiate a straight path through all these conflicting desires and demands, not least because four attempts have already been made on her life.

The film raises two questions in particular: the first is where do we draw the line in compromising to safeguard some of our rights – even if it is *simply* the right to life? And the second is – with the hindsight afforded us today, two years on from the 2005 elections – were all these tears of anguish, hope and victory shed by everyone from the 100 year-old woman former *mujahideen* fighter who walked for two hours to give her support to Malalai Joya, to the President Hamid Karzai opening Parliament to Joya herself, for nothing?

Malalai Joya is outspoken in her criticism of the concessions that Karzai and the Loya Jirga has made to the warlords. These concessions or alliances are presented to her and the Afghan people as necessary compromises. Yet this devalues the very word, 'compromise' which Joya takes to mean something entirely different in the context of her duty: the need to make often-unhappy choices. In a divorce settlement a risky tactical experiment see her giving the children to the drug-addict father as the mother's brother will take her in, but cannot afford to feed her children as well.

The film is lingeringly and beautifully shot; the director dares to stay on her subjects as they express emotion, suggesting that real politics and real emotion are inseparable.

**WLUML asked Cinematographer, Zillah Bowes, about her experience making the film:** "I travelled to remote Farah Province in Afghanistan in autumn 2005 with director Eva Mulvad to shoot the documentary "Enemies of Happiness" about the renowned 28 year old Afghan woman, Malalai Joya, on her election campaign. We spent a lot of time with Malalai and her female friends and colleagues and met many Afghan women who came to see her. Women walked long distances on foot on dusty roads to pledge their support to her in person, including an elderly lady who had planted bombs under Russian tanks! Malalai worked in Farah at the time for an Afghan based women's NGO and was responsible for setting up literacy and computer courses for women and for providing the only free women's medical clinic in the province".

Review by Eleanor Kilroy

## UPCOMING EVENTS

### Other Events

#### Feminism in the Muslim World – Third Leadership Institute October 2007

WLUML will be holding its 'Feminism in the Muslim World – Third Leadership Institute' in October 2007. This is a two-week, intensive residential training course.

The Feminism in the Muslim World Leadership Institute is a systematic way to introduce active networkers to the 'heart and soul' of WLUML, the principles that have guided the varied political choices and actions taken over the years.

The overall objective of the training is to enhance the effectiveness of the participants' local organisations and. It aims to build a common understanding of what WLUML is, its objectives and ways of working and provides an opportunity to active networkers to build links of personal solidarity between the younger active networkers of WLUML that is so valuable to the network.

#### Isis-WICCE's International Exchange Programme Institute October 2007

This is an upcoming International Exchange Programme Institute organized by Isis-WICCE on the subject "Human Rights, Human Security and Participation: Documenting Women's Experiences in Situations of Armed Conflict."

The first phase of the Institute will take place in the last two weeks of October 2007 in Liberia, West Africa.

[http://www.wluml.org/english/newsfulltxt.shtml?cmd\[157\]=x-157-554623](http://www.wluml.org/english/newsfulltxt.shtml?cmd[157]=x-157-554623)

#### Asia Pacific Court of Women 18 August 2007

"HIV, Inheritance and Property Rights - From dispossession to livelihoods, security and safe spaces." The Court of Women is organised by Asian Women's Human Rights Council and United Nations Development Programme's Asia & Pacific Regional HIV/AIDS Practice Team, along with several other partners from the Asia-Pacific region. The Court will be held on the 18th of August 2007, as a pre conference event to the International Conference for AIDS in the Asia Pacific (ICAAP8) that will be held at Colombo during August 19-24, 2007.

### The 14<sup>th</sup> International Gathering of Women in Black Valencia, Spain, 16-20 August 2007

Marieme Hélie-Lucas, Algerian sociologist, psychotherapist, and founder of WLUML will be participating in a number of workshops and meetings during the five-day conference. She will then take part in a three-day meeting of three feminist therapists and a feminist lawyer in order to lay the ground for an upcoming network of psychotherapists that will address the urgent cases of women who take care of victims in war zones.



Women in Black (WiB) is a worldwide network of women committed to peace with justice and actively opposed to injustice, war, militarism and other forms of violence:

"As women experiencing these things in different ways in different regions of the world, we support each other's movements. An important focus is challenging the militarist policies of our own governments. We are not an organisation, but a means of communicating and a formula for action."

**This year the theme of the international gathering is: "Relations among women as an alternative policy for peace: Women in Black reflect on Women in Black". There will be workshops on: Fundamentalism – how to recognise it and how it affects women; the growth and development of the WiB network; an Urgent Action Fund presentation on sustainable activism; and presentations of 'forgotten conflicts'.**

On day two of the conference there will be a workshop, 'Ourselves and Violence', in which participants will discuss the types of violence that impact on their activities: armed, economic, social and gender violence.

Small group meetings will focus on the impact of pre-conflict violence: the militarisation of daily life and weapons trafficking, active conflict: women's resistance and relationships between women from the aggressor countries and those from the country under attack, and post-conflict: the violence which women in post-conflict situations are vulnerable to. The latter group will look at peace processes and transitional justice.

At this meeting Marieme Hélie-Lucas will present her analysis of Algeria. In the run up to the 2005 elections, Algerian President Abdelaziz Bouteflika, was promoting the 'Charter of Reconciliation'.

Marieme wrote in her article on the Charter, *Organised intergenerational transmission of trauma in Algeria: the vote of Charter of Reconciliation*, which appeared on the day of the referendum, 29 September 2005, that it would "put a final end to the pursuit of truth and legal redress for all the crimes committed by Islamist groups for the past two decades."

**"Instead of putting an end to violence this proposed Charter [of Reconciliation] is likely to put a veil over history".**

Hélie-Lucas further warned that, "Uncured wounds will be buried again, a permanent source of future violence and revenge will lie in the secret hearts of the Algerian society". The Algerian regime subsequently claimed an 80% turnout and a 97% 'yes' vote in its referendum on the Charter.

Find out more about Women in Black and their 14<sup>th</sup> International Gathering at <http://www.womeninblack.org/>