

# **The Tamil Nadu Muslim Women's Jamaat:**

Who Are We And What Do We Do?

A Presentation by Sharifa Khanam, STEPS, Pudukkottai, India

## **About Myself**

I am Dawood Sharifa Khanam, an activist working for the empowerment of women, women's self-confidence and helping them to live with self-respect and dignity.

For over two decades, I have been involved with women's rights issues. I come from a fairly conventional, lower middle-class Muslim family in Southern India. After I finished high school, I was sent away to Aligarh Muslim University in Northern India to study a secretarial course. I disliked my college, was appalled at the way women students were discriminated against at the university and developed a strong disinterest in studies. I ran away from there and returned to my hometown. I let families in the neighborhood know that I would help their children with their studies for a small fee. Soon I had students coming to me for help. However life was not easy. My mother, a single parent, was embarrassed by what I had done, and my brothers worried that I might bring dishonor on a good Muslim family. In spite of these tensions at home, I persisted in my work. I was 22 then. During this period, I met a woman who worked in a development organization. She appeared to have been impressed by my knowledge of languages in addition to my mother tongue, Tamil. I knew Hindi and English, so she asked me if I would be interested in accompanying her and a group of women for a conference of women's organizations in Northern India as a translator – Hindi is spoken widely in the north but not in the south of India. I agreed.

The conference, the third national conference of women's movements, proved to be a turning point in my life. I was overwhelmed by the stories I heard at Patna (the venue of the conference), stories of hurt, pain, humiliation, but also of resistance, courage and humor. I saw how women from different contexts and backgrounds could actually sit and talk to each other and discover common bonds and friendships. Most of all I was impressed that women could hold meetings, discuss their concerns with intelligence and protest against injustice. I returned home determined that I, too, would take up work of this kind, work with women who faced discrimination and violence, women who needed help and support in various ways. The year was 1987.

## **A Group Emerges – STEPS Women Development Organization:**

Back home in Pudukkottai, I found out that there were many development groups in my town and its environs, groups which today would be called non-governmental organizations. I made it known that I would like to work on women's issues and soon found myself being called to help voluntarily at NGO offices. I got to know several people, both men and women, and soon we determined to form a group that would assist women. We had no clear idea what form this assistance would take, but we knew that we wanted to be involved with women's issues. The group was christened STEPS, meaning literally steps to the empowerment of women.

Initially we did a lot of work with girl students, offered them self-defense courses, discussed women's rights issues with them and so on. Soon, STEPS became a space for information about women's rights and the law. We established contact with the government, supported free legal aid cells that are found in the premises of most district courts and provided legal help for poor women. We found ourselves dealing with issues of sexual violence, domestic abuse, inter-caste marriages contracted without the prior permission of families which usually ended in the bride and groom being harassed,

unwed mothers seeking help, teenagers who had fallen in love and had nowhere to go, and issues to do with prostitution.

### **Need for My Intervention in Empowering Muslim Women**

In the 1990s we saw Hindu-Muslim riots break out in different parts of India. Women suffered the most during the riots – a husband would have gone out to buy something for the family and not come home. A brother would have gone out to a teashop and been killed. Women were left alone to manage many of the problems – in this context I was very concerned about what was happening to the women. Starting from 1995, we did a survey of around 1000 Muslim women. We asked them questions about their rights, what they knew of Islamic laws, or what the Quran says. We found a very high rate of ignorance. We also found out how poverty, illiteracy, early marriage all worked against women.

From 1997 until 2001, some of us started networking – we formed a group called *Saya*. This group had members who belonged to NGOs run by Muslims, so we started talking to each other about the difficulties we faced – especially the problem of the triple talaq<sup>1</sup>, the widely present practice of accepting dowry and not giving meher (bridal money / price), early marriage, and poverty. We had a large public gathering of Muslim women in 2001 in which many women said that they were very unhappy with the way women were treated by community organizations such as the jamaats, the federations attached to mosques. Women's lives were discussed, problems were addressed, without the women being present. Women argued that if they are not to be allowed into the jamaat, they had no choice but to form their own jamaat – and maybe even build their own mosque where the jamaat would meet.

The journey that began seven years ago continues. We meet once a week, function as a jamaat, listen to women's petitions and read and understand the Quran on our own – and use our understanding to solve problems relating to gender injustice. As you all know, the concept of women understanding and interpreting their religion is not new. The first Muslim woman whose views have been important to Muslims throughout Islamic history was Aisha, wife of the Prophet, Muhammed's contemporaries considered Aisha a source of religious rules and an expert on issues of Islamic legislation. Muslim women scholars were known for their honesty, objectivity and freedom of intellectual suspicion. History shows that Muslim women assumed political power as well as literary authority. History proves that there were Muslim women interpreters and, in course of time, their voices were muted and were unheard. We at present feel that Muslim women can interpret their own religion, understanding it, and can live a life based on their understanding.

Often the religious leaders and male scholars of Islam assure that Muslim women have more respect in their society than Hindu or Christian women. They argue that Islam accepts widow remarriages, the right to divorce and access to power. It might have been true during the prophet's period, because then women had free access to the mosques and also to the prophet's abode to clarify their doubts. But today, the mobility of Muslim women is curbed and they are suppressed at all levels. The voice of Muslim women is stifled and their miseries are shrouded in the dark rooms, their cry is deep down within themselves, for they are unorganized, marginalized and invisible to the outer world.

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<sup>1</sup> As explained in wikipedia the tripple talaq is “ [...] a controversial [Sunni Islamic](#) procedure whereby a husband can divorce his wife by saying to her “*talaq, talaq, talaq*” (“I divorce you”, three times). It is not used in [Shi'a jurisprudence](#), since they deem the [talaq](#) to be a procedure rather than a decision.” (Editors' note)

In this context, STEPS objectives include:

**Creation of awareness among Muslim women about the causes for discrimination and violence against them.** These, we point out, are not religious in origin, but are a result of male chauvinism and power. Our awareness creation starts with discussions in the jamaats. We also do campaigns in different cities where we state our problems in public. In some cases, we have held meetings for 2-3 days to discuss matters such as the triple talaq or dowry. Currently we publish a magazine called *Women's Jamaat*, which discusses the Quran, the Hadiths, from the point of view of women's rights and focuses on particular issues that have come to the jamaat's attention; it comments on general issues of concern in the Islamic world – such as the murder of Benazir Bhutto or the problems faced by Taslima Nasreen. We also have a column *know your rights*, where we present and discuss Quranic principles.

**STEPS provides a space for Muslim women to talk about their problems, especially about domestic violence, abuse and discrimination.** We discuss these problems, and suggest what women could do to get out of their present situation. We involve their family members in these debates. We also correspond with and keep in touch with the local jamaat to which a problem may have originally been taken. In cases that involve physical violence and hurt, we seek the help of the police, and wherever necessary, we seek legal support. The jamaat functions as a collective on these occasions. We also pay visits to families that face problems, support them emotionally and psychologically.

**STEPS organizes Muslim women in self-help groups.** We do this for two reasons: Muslims in India are amongst the poorest, and Muslim women bear the burden of poverty most. To help Muslim women starting small businesses, we arrange for loans etc. We also use the self-help groups as a base to build our jamaat. We thus often talk to the women about other things too – especially how they are denied even the rights guaranteed to them in the Quran.

### **Evolution of Tamil Nadu Muslim women jamaat**

The question is often asked: How did the jamaat evolve? As we started we found many women coming to us. Soon, we had to meet often – and so we started to meet once a month. We realized that we were all really upset about two things:

- 1) The Quran was being understood and interpreted in a manner that suited male interests and authority. They were taking advantage of women's ignorance to tell them what was Islamic and what was not. While they found fault with women about not wearing a hijab or a head scarf, they did not ask themselves if they were good Muslims.
- 2) Secondly, we realized that the so-called jamaats that were attached to mosques and which discussed community affairs were not really of the people – they were not elected. They were not even run by wise people, but were actually male spaces that discriminated against women.

Once we understood this, we realized that we had to teach ourselves, that we had to learn to read and understand the Quran. So this became an important point for us, and we started building our movement around this – that we would show the men how supportive of women's rights the Quran was; and how men, by not accepting this, were actually not taking the Quran seriously. This is how the women's jamaat evolved.

Of course, we are aware that there are also other laws that we live by – the Constitution of India, for instance, and the Indian penal code. We want our Muslim men to be good Muslims or good citizens – they either have to live by their faith, in which case they cannot ill-treat women; or by the laws of the land, in which case they have to accept

women as equals and do justice to them. They cannot remain chauvinistic and continue to call themselves Muslims.

#### **The women's jamaat is structured in the following way**

- A state level Muslim women's jamaat functions as a redressal forum in addressing the issues of Muslim women.
- The district-level Muslim women's jamaat addresses these issues locally and brings their cases to the state-level forum only if necessary.
- The district-level jamaat lobbies with local men's jamaats, works closely with local community forums, the government and the police.

#### **The women's jamaat does the following on a regular basis**

- Campaigns to assert the rights of Muslim women by fasting for one day have been conducted annually for the past four years.
- Workshops on the Sharia, Muslim personal law in India are held regularly, both formally and informally.
- Publishes the magazine *Women's Jamaat*.
- Conferences on the empowerment of Muslim women have been conducted at least once a year for the past five years in which scholars of feminism and Islamic feminism participate.

A set of demands of Muslim women is periodically sent to the government, Muslim institutions, such as the Wakf board and Muslim Personal Laws Board – these demands include the abolition of the triple talaq, an end to the practice of giving dowry, the insistence on meher, and the right of Muslim women to divorce.

#### **Impact of the emergence of Tamil Nadu Muslim women's jamaat**

The emergence of Tamil Nadu Muslim women's jamaat is considered a historical event in the era of the Muslim community. This has paved the way for reforms within the Muslim religious institutions at the state level and national level. Some of the male-headed jamaats have started looking at themselves and are more conscious in addressing the issues of Muslim women. When they know that one petition has reached the women's jamaat, they come forward to provide justice by themselves. They do not want any women to go and approach a women's jamaat to address the problems.

Today, we have men, especially poor, working-class men coming forward to women's jamaat and showing solidarity to the efforts of STEPS and women's jamaat in empowering Muslim women. The men who have understood the true purpose of women's jamaat are proud to be part of women's jamaat and render their whole-hearted support to it. The Muslim religious institutions in different names conducted bayans in the past on religious subjects; or they called these meetings to lecture women about how they should behave. Today, this has changed – bayans talk of International Women's Day, issues of talaq, dowry and the upholding of Islam. The functioning of women's jamaat / federation has attracted worldwide attention and jamaat representatives are being called to address meetings organized by feminists or women's groups in different parts of the world.

#### **Threats to women's jamaat**

Jamaat members are verbally abused, their morality is called into question. They are also sometimes boycotted by local community leaders. Death threats haunt the jamaat leadership. Local Muslim groups, especially young men in these groups, are severely critical of the jamaat and seek to lecture women on how they should dress and behave,

they question whether women should be in the jamaat at all. The local Muslim press is not supportive of the jamaat and in many cases has been hostile.

### **Future plans of Tamil Nadu Muslim women's jamaat**

From the beginning, jamaat members have been interested in building a mosque for women. This is a long-term objective. The mosque for Muslim women would combine a prayer hall for Muslim women, a centre for destitute women, a children's home for Muslim girls, a work space where women and children are taught a skill, a craft etc. It includes a counseling centre with women's jamaat for adjudicating the problems of Muslim women. Jamaat members also wish to tackle poverty in the community and encourage female literacy and campaigns against early marriage. To this end, they wish to set up a corpus fund that will assist Muslim women in starting small businesses, train them in modern technology and allow them to be both economically and socially independent.

### **Annexure On Muslim Personal Law in India**

In India, we have three types of Law:

- the Criminal Law, which is applicable to all citizens of India, irrespective of religion or community
- Civil Law, many aspects of which apply to all citizens
- and finally Personal Laws, which are laws that are followed by and are applicable to minority communities, such as Muslims and Christians
- Other than this, as citizens of this country, we all have a right to seek justice and equality for ourselves, on the basis of the fundamental rights given to us by the Indian Constitution

Now what are the Personal Laws that apply to Muslims? Most of us know or have heard that Muslims everywhere abide by the Sharia. In some countries where Muslims form a majority, the Sharia laws are the laws of that country. However, the Sharia is never applied as it is – it is always understood and interpreted by learned Muslims, who know the Holy Quran well and are aware of what Islamic legal scholars have said in the past. Thus there are four main schools of Islamic legal thought: Hanafi, Maliki, Shafi and Hanabali. Each of these schools have engendered their own methods of interpretation and offer different readings of the same Quranic precept or sura.

In the olden days, when Islamic rulers ruled over a greater part of India, these legal scholars were expected to be not only learned men, but also wise and humane persons, of good character and ethical soundness. Only if they were so, were their interpretations considered valid and right. Nowadays we know that even people who neither know the Holy Quran well nor are ethical in their attitudes argue that 'this is how it is according to the Sharia'. In countries like Bangla Desh and Pakistan, the Sharia is interpreted by the courts, and in many cases, the learned judges have approached the law in a spirit of justice and humility and with due respect to women.

Besides these four schools of law, Muslim communities are governed by local customs as well, for example, Tamil Muslim women wear a tali. This is not the case with Muslim women elsewhere. This is because Tamil Muslims, even if their religion is Islam, follow local customs. Muslims as we know comprise many groups: Sunni, Shia, Ahmadiya, Bohra and so on. Different laws are followed by different communities. Sometimes, people follow certain laws as laid down by one school, and other laws as found in other schools. For example, in the Hanafi system, if a man deserts his wife, she has to wait for nearly nine years before she marries again. This is obviously impractical, and so many

Muslims follow the Maliki system as far as this matter is concerned – according to this system, the wife only has to wait for three years before she marries again.

Sunni Muslims, who are the majority in India, follow the Hanafi school. Even here though they do not follow what the scholars of the Hanafi school have said in all cases. The meanings given to the Sharia by Hanafi scholars were put together to a code during British rule. It is called Anglo-Mohammedan Law – and this is what is applicable to Muslims in India today.

The laws applying to Muslims were framed during British times – the Shariat Application Act, 1937, noted that from now on, with respect to all matters except agricultural land, Muslims will be governed by Muslim personal law. As far as personal laws are concerned, there are two important acts: Dissolution of Muslim Marriages Act, 1939, and the Muslim Women's Protection of Rights to Divorce Act, 1986. When cases come to them, judges go by these acts, as well as previous case judgments and by what scholars of the Hanafi school or of Islamic law in general have had to say. This means that many aspects of Islamic law are yet to be fully defined in the Indian context and each time the courts pass a judgment, they do so based on the individual judge's readings and experience. What do we mean when we say things are not defined? For example, all Islamic legal schools insist that a woman's consent is absolutely essential for a marriage to be considered legal and valid. However, we do not have a law that defines consent or the procedures necessary to obtain it. Likewise, with the triple talaq: today we only have the Supreme Court judgment which declares the triple talaq illegal and against the spirit of Islam. We do not have a specific act on the triple talaq.