

**MUSLIM WOMEN'S ACTIVISM: A COMPARATIVE STUDY OF
THE EDUCATED FEMALE PERCEPTIONS IN MALAYSIA AND
PAKISTAN**

AURANGZAIB ALAMGIR

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Name of Candidate: Aurangzaib Alamgir —

Registration/Matric No: QHA080004

Name of Degree: Doctor of Philosophy

Title of Thesis: MUSLIM WOMEN'S ACTIVISM: A COMPARATIVE STUDY OF THE EDUCATED FEMALE PERCEPTIONS IN MALAYSIA AND PAKISTAN

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ABSTRACT

The status of Muslim women in society is one of the most contested subjects in the academic scholarship for the last couple of decades. This debate on the position and status of Muslim women can be traced to the 1980s Islamic revivalist movements throughout the Muslim world. These revivalist movements gave rise to political Islam and posed severe challenges to women's rights organizations involved in promoting democracy and respect for human rights, particularly Muslim women's rights. Since then, Muslim women groups have increased considerably in number and are at the forefront in countering the use of religion by Islamic activists to justify women's oppression.

Sisters-in-Islam Malaysia (SIS) and Women's Action Forum Pakistan champion women's rights in their respective countries based on an Islamic framework and believe that it is not Islam that discriminates against women but the male-dominated interpretation of the Qur'an and patriarchal social structures. They also believe that sometimes cultural practices that are justified in the name of Islam makes Muslim women inferior to men. An important approach that SIS and WAF employ in promoting women's rights is to reinterpret and reread the Qur'an historically and culturally. They attempt to reinterpret and understand Islam as one that is more affirmative of women's rights and status and focus at the essence of Islam as a religion that emphasizes equality, egalitarian and justice between genders

The study focuses on the perception of Muslim female educated elites about SIS, WAF and their strategies and programs. The study employs quantitative survey complimented by qualitative interviews. The respondents for the quantitative survey are final year female Muslim students from the University of Malaya, Malaysia (UM) and University

of Karachi, Pakistan (KU). The reason why students are chosen as respondents for the study is that they are the future leaders and after completing their education, they may occupy positions in government and private machinery and later on some may hold positions at the policy level. Stratified random sampling is used to identify the sample size for the quantitative survey. For in-depth analysis of the issues, qualitative interviews are conducted with 10 respondents and they come from various backgrounds such as academicians, *Shar'iah* lawyers and women's rights activists. The quantitative data is analyzed through SPSS for statistical findings while the qualitative data is analyzed to gain an in-depth understanding of the reasons for the support or the non-support of SIS's and WAF's strategy and programs.

The study finds that in some areas SIS and WAF are received well by the respondents of the study and in others they are criticized. In terms of field of study, Science students are more positive about SIS/WAF and their strategies and programmes, the Islamic Studies students are in the middle and Social Science Students are negative in their perception. Although, the interview respondents agree with the issues of advocacy of SIS and WAF yet they make varied conclusions of how these issues should be addressed.

There are different factors that shape this perception, for instance, the choice of words SIS and WAF use while doing advocacy on women's rights, their eligibility and expertise in interpreting the Qur'an and making *Ijtehad* on priority basis. In addition, some believe that if the existing interpretations of the Qur'an are male-centred, with the involvement of women it would be women-centred. Furthermore, the double standards of the Muslim women in both Malaysia and Pakistan also shape this perception as they literally agree that polygamy is Islamic and favor its practice but practically they do not prefer it for themselves.

ABSTRAK

Status wanita beragama Islam dalam masyarakat telah menjadi salah satu subjek yang hangat diperdebatkan dalam dunia cendekiawan akademik untuk beberapa dekad yang lepas. Perbahasan mengenai kedudukan dan status wanita beragama Islam ini boleh dikesan kepada pergerakan kebangkitan Islam tahun 1980an yang berlaku di seluruh dunia Islam. Pergerakan kebangkitan sedemikian telah melahirkan agama Islam yang bersifat politik dan menimbulkan cabaran-cabaran yang mendugakan untuk organisasi hak wanita yang terlibat dalam mempromosikan demokrasi dan penghormatan kepada hak asasi manusia, terutamanya hak wanita beragama Islam. Sejak masa tersebut, para kumpulan wanita Islam telah bertambah dengan ketara dan berada di barisan hadapan dalam mempersoalkan penggunaan agama oleh para aktivis Islam untuk menjustifikasikan penindasan wanita.

Sisters-in-Islam Malaysia (SIS) dan Women's Action Forum Pakistan (WAF) berjuang untuk hak wanita dalam negara masing-masing berdasarkan kerangka Islam dan mempercayai bahawa ia bukannya agama Islam yang mendiskriminasi terhadap wanita, tetapi interpretasi Al-Quran yang didominasi oleh lelaki serta struktur sosial patriarki. Interpretasi sedemikian turut percaya bahawa kadangkala amalan budaya adalah diwajibkan atas nama Islam dan ini menjadikankedudukan wanita beragama Islamlebih rendah berbanding lelaki beragama Islam. Satu pendekatan penting yang digunakan oleh SIS dan WAF dalam mempromosikan hak wanita adalah untuk menginterpretasi dan membaca semula Al-Qur'an dalam konteks sejarah dan budayanya. Mereka cuba untuk menginterpretasi semula dan memahami Islam sebagai suatu agama yang lebih mengiakan hak dan status wanita, dan memberi fokus kepada intipati Islam yang menekankan kesamaan, egalitarianisme, dan keadilan antara kedua-dua jantina.

Kajian ini tertumpu kepada persepsi para pelajar Muslim perempuan di peringkat Sarjana Muda mengenai SIS, WAF serta strategi dan atur cara mereka. Tambahan juga, ia turut cuba menyelidik sama ada bidang pengajian para pelajar mempengaruhi persepsi mereka mengenai SIS dan WAF. Kajian ini menggunakan kaji selidik kuantitatif diiringi soal selidik kualitatif. Responden untuk kaji selidik kuantitatif merupakan pelajar Muslim perempuantahun akhir dari University of Malaya, Malaysia (UM) dan University of Karachi, Pakistan (KU). Golongan pelajar dipilih sebagai responden untuk kajian ini kerana mereka merupakan pemimpin masa depan dan selepas tamat pengajian, mereka berkemungkinan menduduki jawatan di dalam sektor awam dan sektor swasta, dan pada masa akan datang, sesetengah mungkin memiliki jawatan di tahap polisi.

Persampelan rawak telah digunakan untuk mengidentifikasi saiz sampel untuk kaji selidik kuantitatif. Untuk analisis yang mendalam tentang isu-isu, soal selidik kualitatif telah dilaksanakan dengan 10 responden dengan latar belakang yang pelbagai seperti ahli akademik, peguam Shar'iah dan aktivis hak wanita. Data kuantitatif dianalisis dengan menggunakan SPSS untuk penemuan berbentuk statistik manakala data kualitatif dianalisis untuk memahami secara mendalam sebab mengapa mereka menyokong atau tidak strategi dan program SIS dan WAF.

Kajian ini mendapati bahawa dalam beberapa bidang seperti usaha untuk menangani isu prosedural dan pentadbiran dalam sistem Syari'ah, SIS dan WAF telah diterima dengan baik oleh responden. Dalam bidang yang lain seperti usaha untuk menafsirkan semula Qur'an dan rekomendasi untuk melarang sama sekali amalan poligami, mereka dikritik. Dari segi bidang pengajian, didapati pelajar Sains lebih positif mengenai SIS dan WAF termasuk strategi dan atur cara mereka, pelajar pengajian Islam terletak di tengah-tengah dan pelajar Sosial Sains adalah bersikap negatif dalam persepsi mereka.

Walaupun responden soal selidik bersetuju dengan isu-isu advokasi yang dibangkitkan oleh SIS dan WAF, mereka telah memberi pelbagai kesimpulan tentang bagaimana isu-isu tersebut patut ditangani. Sebagai contoh, lebih responden yang ditemuramah di Pakistan dan Malaysia tidak bersetuju bahawa undang-undang Syari'ah mendiskriminasikan wanita. Sebaliknya mereka percaya bahawa masalah berkaitan dengan undang-undang Syar'iah adalah bersifat prosedural dan pentadbiran. Tambahan pula, sesetengah responden di kedua-dua negara percaya bahawa poligami adalah isu yang serius dan mereka prihatin terhadapnya. Namun begitu bagi mereka tidak membenarkan amalan poligami sama sekali bukanlah satu pilihan sebab ia melanggar apa yang termaktub dalam Qur'an.

Terdapat pelbagai faktor yang mempengaruhi persepsi ini, contoh nya istilah atau pendekatan yang digunakan oleh SIS dan WAF semasa melakukan advokasi terhadap hak-hak wanita, serta kelayakan dan kepakaran mereka dalam menafsirkan Al-Quran. Selain daripada itu, sesetengah pakar menyatakan bahawa jika penafsiran Qur'an yang sedia ada berpusatkan lelaki, dengan terlibatnya para perempuan, penafsiran tersebut akan berpusat kepada perempuan. Tambahan pula, piawaian wanita Islam di Malaysia dan Pakistan yang berbeza juga mempengaruhi persepsi mereka. Walaupun mereka menganggap bahawa kewujudan poligami adalah bersitat Islamik dan perlu diamalkan, namun secara praktikal poligami bukanlah pilihan peribadi mereka.

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LIST OF ABBREVIATIONS

ABIM	Angkatan Belia Islam Malaysia
AWAM	All Women Association Malaysia
AWL	Association of Women's Lawyers
CEDAW	Elimination of All Forms of Discrimination Against Women
CMRA	Child Marriages Restraint Act
JAIS	Selangor State Religious Department
JIM	Jamaah Islah Malaysia
MFLO	Muslim Family Law Ordinance
NEP	New Economic Policy
PAS	Parti Islam Se-Malaysia
PPP	Pakistan's People's Party
SIS	Sisters in Islam
SPSS	Statistical Package for Social Science
UN	United Nations
UNICEF	United Nations Children Fund
UMNO	United Malays National Organization
WAF	Women's Action Forum
WAO	Women's Aid Organization

CHAPTER 1

INTRODUCTION

The emergence of politicized Islam¹ has posed a challenge to civil society groups determined to uphold democracy, human rights, and women's rights (Afary, 1997; Mahnaz, 1995; Shaheen, 2000). Women groups in many Muslim countries are at the frontline in challenging the religious establishment and their justification for the subordination of women and the discrimination against them in the name of religion (Anwar, 2005; Sleboda, 2001). These progressive Muslim women, for the most part, do not believe that Islam promotes any injustice and mistreatment towards them (Othman, 2006; Foley, 2004; Anwar, 2005, 2001).

In the broader context, Islam has been denounced for its ill-treatment of Muslim women not only in the West but to a certain extent also in Muslim countries since the nineteenth century (Moaddel, 1998). However, many Muslim activists have emerged to counter this perception, and they mainly fall into two groups: the reformers and the traditionalists². The reformers believe that in order to create a solid defense against the West and its civilization, it is necessary to engage in new discourses to bring out the dynamics of social change within the framework of Islam. The traditionalists, however, reject the notion of new discourses and strictly adhere to the classical Islamic tradition as they believe that any divergence would threaten the very social structure of Islam. Regardless of their allegiance, women remain at the center of the debate in this clash between old and new religious ideals (Shehadeh, 2003).

¹ The term "politicized Islam" appears in Jeffery & Basu's work on women's activism in South Asia. They use this term to ascertain the politics of the Islamic elements in justifying women's oppression. See, Jeffery, P., & Basu, A. (Eds.). (2012). *Appropriating gender: Women's activism and politicized religion in South Asia*. Routledge.

² Both these terms (Reformers and traditionalists) appear in Shehadeh's work "The Idea of Women in Fundamentalist Islam". She divides Muslim women's activist groups in two categories namely reformers and traditionalists. Based on her definition, traditionalists adhere to classical Islamic tradition and believe that any change would threaten the social structure of Islam. In contrast, reformers engage in the reinterpretation of the Qur'an in order to bring out the dynamics of social change within the framework of Islam. For detailed explanation see, Shehadeh, Lamia Rustum. (2003). *The idea of women in fundamentalist Islam*. Gainesville: University Press of Florida, page xi.

The views advanced by the traditionalists and the reformers vary greatly. According to the traditionalists, the West should be denounced for its hedonism. In this approach, there are specific instructions for Muslim women regarding their dress: particularly to adopt *hijab*³ (Veil) (Alamgir, 2014). In addition, Muslim women are discouraged from being participants in various social activities (for example, in sports, media and the film industry) which makes them unequal to men. More importantly, they are moralized to regard polygamy as a legitimate Islamic institution (Anwar, 2005). In contrast, the reformers advanced a modern exegesis of the Qur'an that affords equality and fair treatment to Muslim women. These scholars questioned the imposed restrictions on women, reject polygamy and oppose the mistreatment of women (Moaddel, 1998; Moaddel & Talattof, 2002). Both groups arrived at a quite different Islamic notion of what constitutes women's rights and status in a given society; but both maintained that their opinions are rooted in Islam.

This debate on the position and status of Muslim women can be traced to the 1980s Islamic revivalist movements throughout the Muslim world. These revivalist movements gave rise to political Islam and posed severe challenges to women's rights organizations involved in promoting democracy and respect for human rights, particularly Muslim women's rights. Since then, Muslim women groups have increased considerably in number and are at the forefront in countering the use of religion by Islamic activists to justify women's oppression (Anwar, 2005). In fact, many Muslim women challenge the subordination of women justified in the name of Islam. Instead, they fault the patriarchal interpretation of religious texts that discriminates against women and relegates women to an inferior position. Sisters-in-Islam Malaysia (SIS) and Women's Action Forum Pakistan (WAF) are two examples of Muslim women's organizations that address women's discrimination justified in the name of Islam and

³ *Hijab* is an Arabic word meaning a headscarf worn by Muslim women. *Hijab* also means "the veiling or seclusion of women in some Islamic societies, customarily practiced in order to maintain standards of modesty". (Latiff & Alam, 2013: 1).

promote a modern exegesis of the Qur'an that challenges this discriminatory interpretation.

This study is grounded in a comparative analysis of SIS and WAF. It will analyze their programmes and discourses to ascertain the extent to which it is translated into the local cultures of Malaysia and Pakistan. The study will also examine the perception of the educated public comprising of university undergraduate final year students in the Faculty of Arts and Social Sciences, Faculty of Science and Academy of Islamic Studies of University of Malaya, Malaysia (UM) and Faculty of Arts, Faculty of Science and Faculty of Islamic Studies of University of Karachi, Pakistan (KU). As such the study is located in the context of Malaysians' and Pakistanis' experience with Islam, Islamic laws and Islamization policies particularly, in relation to Muslim women's rights. In addition, I also outline the links between religion, state and women's rights organizations in determining women's lives and status. In the process, I will examine the role of the state in Malaysia and Pakistan in formulating and promoting a specific definition of womanhood.

Women's position in both 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 organizations have become very important agents in the struggle for equality. Through a comparative analysis of SIS and WAF, I will analyze the role of women's organizations in transforming society and how they are perceived by educated Muslim women in their respective countries.

Throughout the thesis, I will highlight the tensions between feminist ideals and the socio-cultural and religious context in which they exist in both Malaysia and Pakistan. I will outline the broad contours of the struggles, dilemmas, and tensions faced by women activists and shed light on Muslim women's issues in these two countries.

1.1 Research Objectives and Questions

Table 1.1 presents the objectives and the research questions. There are three objectives for this study and each objective has four questions.

Table 1.1 Research Objectives and Questions

Research Objectives	Research Questions
Objective 1: To analyze by location if there is any difference of perception between University of Karachi, Pakistan (KU) and University of Malaya, Malaysia (UM) female Muslim students on issues of Islamic <i>Shari'ah</i> law, polygamy, interpretation of the Qur'an and ultimately, of SIS and WAF.	<ol style="list-style-type: none">1. Is there any difference of perception between KU and UM female Muslim final year undergraduate students' on the reform of the Islamic <i>Shari'ah</i> law?2. Is there any difference of perception between KU and UM female Muslim final year undergraduate students' on the practice of polygamy?3. Is there any difference of perception between KU and UM female Muslim final year undergraduate students' on the reinterpretation of the Qur'an?4. Is there any difference of perception between KU and UM female Muslim final year undergraduate students' on SIS and WAF efforts to promote women's rights in their respective countries?
Objective 2: To compare if the field of study of female Muslim students in both UM and KU influence their perception on matters related to the Islamic <i>Shari'ah</i> law, polygamy, interpretation of the Qur'an and ultimately, of SIS and WAF.	<ol style="list-style-type: none">1. Does field of studies influence the perceptions of UM and KU female Muslim final year undergraduate students' on Islamic <i>Shari'ah</i> Law?2. Does field of studies influence the perceptions of UM and KU female Muslim final year undergraduate students' on polygamy?3. Does field of studies influence the perceptions of UM and KU female Muslim final year undergraduate students' on interpretation of the Qur'an?4. Does field of studies influence the perceptions of UM and KU female

	Muslim final year undergraduate students' on SIS and WAF?
Objective 3: To compare and analyze the perception of key informants (academicians, <i>Shari'ah</i> lawyers and women's rights activists) both in Pakistan and Malaysia on issues related to the Islamic <i>Shari'ah</i> law, polygamy, interpretation of the Qur'an and ultimately, of SIS and WAF.	<ol style="list-style-type: none"> 1. What is the perception of key informants on the interpretation of the Qur'an? 2. What is the perception of key informants on polygamy? 3. What is the perception of key informants on the reformation of the Islamic <i>Shari'ah</i> law? 4. What is the perception of key informants about SIS/WAF?

1.2 SIS and WAF: Origins, Philosophy and Advocacy Methods

Sisters-in-Islam (SIS) is an organization in Malaysia which aims to promote women's rights within the framework of Islam (SIS, 2006). The mission of SIS is "to promote awareness of the true principles of Islamic equality, justice, freedom, and dignity within a democratic" state and its objectives are: "to promote and develop a framework for women's rights in Islam, which takes into consideration women's experiences and realities; to eliminate injustice and discrimination against women by changing practices and values that regard women as inferior to men; to create public awareness, and reform laws and policies within the framework of justice and equality in Islam" (SIS, 2007).

The philosophy of SIS is 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, SIS offers a reading of the Qur'an that raises awareness of equality, justice, democracy and freedom in Islam for Muslim women. SIS believes that the role of the female as full-fledged members of the *Ummah* (Muslim nation/community) in issues concerning social development and progress can no longer

be denied. It is of utmost importance that women's experiences, thoughts and voices are part of the Qur'anic interpretation and implementation of Islam (Ibid).

SIS was initially formed in 1987 within the Association of Women Lawyers (AWL)⁴ when some women lawyers came together under the Association's Syariah subcommittee to research and find solutions to the problems in relation to the implementation of the new Islamic Family Law – that was legislated in 1984 and enforced in 1987 (SIS, 2006: 2). The motivation behind this decision lay in their personal experiences of marital issues and the obstacles they encountered in seeking 'legal redress from the religious authorities' (Ibid). For this purpose, the group organized a workshop in 1988 by involving various government departments including the Federal Government's Women's Affairs, the National Council of Women's Organizations and the Islamic Centre of the Prime Ministers Department. The aim of the workshop was to convey their concerns towards the implementation of the new Family Law and the problems it could create for women. The group also suggested legal and procedural reforms to the authorities that could ensure that women's rights are protected under the law (SIS, 2006).

Law reforms though important was not the only issue, the members of the group also recognized that the re-reading of the Qur'an and its broader understanding is essential to support women's development within the framework of Islam. This decision was based on the fact that the image of Islam "was being increasingly referred to as a source of injustice and oppression" (SIS, 2006: 2). To counter this image, the group began to analyze the Qur'an to determine whether it really maintained the domination of men over women.

⁴ AWL is an organization of women's lawyers in Malaysia committed to eliminate discrimination against women's lawyers and ensures their full and equal participation in the legal and related fields. It promotes the rights and welfare of women's lawyers in Malaysia.

The nature of their early meetings thus changed from law reform to the interpretation of the Qur'an. They began to look afresh at the text that was often interpreted as a source of discrimination against women. The group focused on issues like women's inferior position to men, domestic violence, polygamy and other issues related to gender inequality. Under the guidance of Amina Wadud⁵, the group involved in examining the text from a "socio-historical context of Revelation" (SIS, 2006: 5). Empowered with the Qur'anic knowledge, SIS started to share its findings with the public in an effort to break the belief that Islam discriminates against women. Since then, the group has been active in research and interpretation of Qur'an⁶ on issues of women's concern such as Islamic Family Law, polygamy, inheritance rights and women's subordination to men.

Central to SIS's advocacy strategy is its research and publications on the interpretation of the Qur'an. It serves two different purposes; first to encourage change within the framework of Islam and secondly to convey the message that the Qur'an supports the universal values of justice, liberty and equality. In addition, this also enables SIS to stand firm and argue with those who support discrimination against Muslim women in the name of Islam (Murat 2004).

The knowledge and findings obtained from the research work are disseminated in the form of booklets, letters to the editors, memorandums to the government and in the form of lectures during public awareness programmes. As part of its advocacy programme, SIS has submitted numerous memorandums to the government for policy reforms, for example, reforms on the Islamic Family Law, the Domestic Violence Act

⁵ Wadud is a prominent scholar of Islam with a liberal motivation on the interpretation of the Qur'an. She received the Danish Democracy Prize in 2007. She has written extensively on Muslim women's issues. Her famous works include: *Qur'an and Woman: Rereading the Sacred Text from a Woman's Perspective* (1999) and *Inside the Gender Jihad: Women's Reform in Islam* (2006).

⁶ A common perception about SIS is that none of their members is a trained theologian and therefore they look for guidance from other scholars notably Amina Wadood, Asma Barlas and Riffat Hassan who are Muslim women and reread and reinterpret the Qur'an as Muslim women and Muslim feminists. Throughout the literature review, I also discovered that the interpretations explained in the booklets of SIS mainly come from the writings of Amina Wadud. However, Amina Wadud has been regarded as a member of SIS group and her name appears as a member on SIS website and other booklets published by SIS. See, SIS Annual Review 2006 and Annual Review 2007.

and laws related to polygamy. In addition, it has also submitted a memorandum to the government on the issue of women's appointment as judges in the *Shari'ah*⁷ courts. Public education is achieved through columns in the newspapers and training programmes that discuss these issues. In these training programmes, women are made aware of their fundamental rights.

WAF is a women's rights group in Pakistan committed to empower women to fight for their rights. It was established in 1981 in Karachi and soon after its branches were opened in all major cities of Pakistan, namely Lahore, Peshawar and Hyderabad. Its mission is to lobby and advocate for women's rights in Pakistan in order to create a just and peaceful society imbued with democratic values. WAF works against discriminatory legislations, women's absence in government policies, their invisibility and prohibition in the media, sports, cultural activities and all forms of violence against women in Pakistan (Jafar, 2007).

The emergence of WAF was based on an urgent need to unite women to resist against General Zia-ul-Haq's (1977-1988) martial law regime and its decision to enforce the *Hudud* Ordinance⁸. In 1981, when the first incidence of a sentence by the *Hudud* Ordinance took place, women reacted strongly against it. The case was of Fehmida and Allah Bux who married legally but without the consent of their parents. The punishment under the *Hudud* Ordinance was alarming as both of them "received the penalty of stoning to death and a hundred lashes each" (Mughal, 2011; 33). Women organizations and activists came together to "discuss the ways of countering the reactionary onslaught" (Mumtaz, 1991: 104). Their informal meetings thus led to the creation of WAF. The case of Fehmida and Allah Bux motivated WAF to stand firm

⁷ There are varied spelling used for this term in the academic literature, for instance, it is spelled Shariah in (Boykin et al., 2010); Sharia in (Quraishi-Landes, 2012) and *Shari'ah* in (Kamali, 2008). Throughout the disseration, I will stick to Kamali's spelling that is *Shari'ah*.

⁸ The *Hudud* Ordinance was a law ratified in 1979 and include laws related to adultery, theft and the use of alcohol. Since then, the law has been criticized based on several evidences that women who were raped were accused of adultery.

against the discriminatory laws and educate women about their rights as Muslim and as citizens of Pakistan. During Zia's martial law government, WAF became a model of resistance and activism with the realization that women's rights can only be guaranteed if they are aware of their rights.

In a broader context, the formation of WAF was in reaction to two main trends; one was the rising trend to segregate women (to move women back to their homes) and the other was based on discriminatory laws being enforced in the name of Islam (Mumtaz, 1991). This is the reason that the initial campaigns of WAF demanded for women's protection while in police custody, lifting of the ban on women's participation in sports, education rights for women, and their inclusion in social and cultural activities.

One of the important areas of advocacy for WAF has been the inclusion of women in politics. This is due to the realization that the main reason for women's oppression has been their elimination from power politics and decision making processes; there is emphasis to break the old social barriers and cultural practices to enable women to enter politics by contesting elections (Khan, 2000). Thus, WAF started to support and advocate for a democratic process that provides equality to women in the national set-up. Although all these demands are difficult to meet within the existing socio-religious context of fundamentalism and their influence in society, two important achievements can be highlighted. Firstly, women in Pakistan are now qualified to participate in elections based on the same criteria required of men. Secondly, policies regarding sports and employment for women have been reversed (Kazepis, 2014). Women can now participate in sports and qualify for internal and foreign services. This is borne of the long struggle and advocacy of women's rights organizations so much so that women in Pakistan are now recognized as a potential strength in spite of discrimination by Islamic laws.

Central to WAF's advocacy strategy is its awareness campaigns about women's rights. It stages demonstrations, its members appear on television programs, they write articles and columns both in newspapers and academic journals and present papers at national and international conferences. The charter of WAF emphasized on the following points: women's right to life, liberty, and dignity; women as equal participation in all spheres of life and no enforced segregation; no sexual abuse and exploitation of women.

1.3 Common Grounds between SIS and WAF

SIS and WAF can be categorized as liberal reformers or modernists who believe that the portrayal of Muslim women as inferior to men is rooted in cultural practices that have been justified in the name of Islam. Both organizations advocate for the correct interpretation of women's rights in Islam to ensure justice for women. Since their formation, SIS and WAF have attempted to endorse Muslim women's rights in the context of their respective societies that are influenced by Islamic revivalism and subsequently the Islamization policies of their governments in the late 1970s and early 1980s (Othman, 2006; Mehdi, 2013).

Both SIS and WAF 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. As mentioned by Vaudine England, a woman has to wait years before her plea for a divorce is heard in a *Shari'ah* court (England, 2010). 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. As a result, many doubt that the system can dispense justice. 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 woman 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). Not only that, in the case of a woman asking for divorce, the *Shari'ah* Courts appear to be insistent and even fanatical to preserve the marriage at the expense of justice. However, this may not be the case when a man initiates a divorce – there appears to be modest endeavor to save that marriage (Alston & Alamgir, 2012). This simply means that a man's request for divorce is generally acceded in immediate inquiry.

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, SIS denies this claim and maintains that polygamy is not Islamic and that Islam neither invented nor encouraged polygamy. They further argue that polygamy is a pre-Islamic practice and 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. SIS and WAF 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, SIS and WAF 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). Nonetheless, in Malaysia PAS, (political party in power in Kelantan and Terengganu) has proposed the implementation of the *Hudud* law.

The Islamic inheritance law is also regarded as controversial. Islam endows women the shares in property which was denied to them in the pre-Islamic societies. However, the current formulation of the inheritance rights under the *Shrai'ah* is such that males be given double share in inheritance that of a women. The rationale given is that man is responsible for providing maintenance to women. This may not apply in today's context as many women earn their own living, fulfill their own needs and divorced mothers can provide for their children's needs. Therefore, provisions are possible in the Islamic inheritance law for equal inheritance rights. In the Malaysian Distribution Act 1958 amendments have been made and non-Muslim women are now entitled to equal property that of a man (Engineer, 2008). SIS and WAF have always maintained that Islam is a religion of compassion and mercy, and celebrates the diversity, rights and dignity of individuals and minorities. At the same time, SIS and WAF acknowledge that Muslims from different socio-political contexts have interpreted Islamic sources according to specific historical circumstances. It is within this framework that SIS and WAF advocate for justice for Muslim women. Nevertheless, laws and public policies made in the name of Islam have eroded and jeopardised this fundamental liberty. Therefore, SIS and WAF believe that citizens have the right to question and criticise such human-made laws and policies according to their conscience.

Contextualizing women's rights within Islam and particular cultural contexts is of primary importance. As a consequence of the colonization of Muslim countries by western nations, there is cultural defensiveness towards the West. Therefore, the struggle for justice for Muslim women has to tread carefully and avoid from conveniently being denounced as being influenced by the west. In addition, the

“problems of separating identification with Islam from other dimensions of cultural identity” has pushed Muslim women to search for a “politics of women’s liberation within Islam” (Ramazanoglu, 1986: 260).

Thus, Muslim women activists have the monumental task of negotiating the complex interactions of identity politics, anti-western sentiments, Islamic revivalism, gender dynamics, national agendas and various cultural, economic and political contexts when they approach women’s rights issues and plan strategies for advocating these in their particular societies. Above all, they are concerned with creating “workable formulas in their daily battles against oppressive rules,” (Tohidi, 1998: 287) so that the argument that feminism and Islam are contradictory sounds like “secular arrogance or an irrelevant academic concern” (Ibid).

An important approach that Muslim feminists employ in promoting women’s rights is to interpret the Qur’an historically and culturally by referring to the early years of Islam particularly the Prophet Mohammad’s period. They reinterpret and reread the Qur’an as women and Muslim feminists and attempt to purify⁹ Islam as one that is more affirmative of women’s rights and status (Sleboda, 2001). In other words, Muslim feminists commonly deploy verses of the Qur’an that supports women’s rights. Viewing the verses of the Qur’an that is revealed in a specific historical and cultural context, Muslim feminists focus on the essence of Islam as a religion that emphasizes equality, egalitarianism and justice between men and women.

This approach is well demonstrated in the activities and philosophy of SIS and WAF. By reinterpreting the text they seek to universalize the message of the Qur’an which is appropriate to contemporary cultures and diverse traditions. SIS and WAF believe that it is not Islam that oppresses women but this oppression comes from the

⁹ The phrase to purify Islam refers to the idea of returning to the original sources of Islamic knowledge based on Muslim women’s own reading and interpretation.

interpretation of the text made by men. Thus, as Nagata writes, “Sisters makes clear that it is not Islam which is oppressive but human beings in their weaknesses, who fail to fully understand Allah’s intentions as revealed in the Qur’an but who are bound in male peer pressure groups and build on each other’s commentaries without going back to the original source” (Nagata, 1994: 80).

Using this approach Muslim women have been able to insist that Islam as a religion has always had to accommodate women’s specific needs (Afshar, 1996). They are successful at forging “an identity for themselves that is not manipulated by the discourses of modernity or religious authenticity” (Majid, 1998: 338).

1.4 Critics of SIS and WAF

When groups like SIS 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 (Alston & Alamgir, 2012). Islamic activists constantly undermine the authority of such organizations to discuss religious issues by questioning if SIS and WAF in Malaysia and Pakistan respectively is the legitimate authority to discuss them. The established tradition is that only the *Ulema* may engage in public discourses regarding Islam. Those who lack a traditional, religious education are not seen to have the authority or the right to discuss religion.

As a result, only very few Muslim women dare to question or challenge issues related to religion, even though many are aware that the men-made interpretations of the holy text seem unfair or unsuitable in today’s age. Muslim women have been socialized and moralized to accept that the only legitimate body that can engage in religious debate are the figures of religious authority. As the opinion of these figures of authority is taken to be law, polygamous marriages are also justified in the name of religion. Due to

this, both SIS and WAF face strong and constant criticism that they misinterpret Muslim women's rights in Islam and their critics also claim that their advocacy and ideas cannot be located and translated into local cultures (Alston and Alamgir, 2013). According to their critics, there are rules of interpretation of the Qur'an to be followed and those involved must have knowledge and command of the Arabic language. Critics point out that women activists in both SIS and WAF involved in the interpretation work lack the said criteria; therefore their interpretation is questionable.

In response to such critics, SIS 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. SIS raises the questions of why citizens have the right to speak on political, social and economic matters that impinge on their well-being and rights but when it comes to matters of religion, it is a must to refer to the *Ulema*. 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).

Furthermore, not all *Ulema* are traditional in their approach to women's rights in Islam. There are those who are progressive – thereby SIS seeks guidance from several religious scholars such as Grand Mufti of Egypt, Sheikh Ali Gomaa¹⁰. In view of the above facts, SIS and WAF are keen to push for women's liberation within Islam.

1.5 Limitations for Comparison

What it means to be a "Muslim woman" may differ within each country as well as between both countries as each Muslim woman may have different knowledge and

¹⁰ Ali Gomaa is well known scholar and well respected Islamic jurist. He is also known as the 'highly promoted champion of moderate Islam'. He specializes in Islamic law and has written some 22 books and various articles in the same field.

experiences. In the course of the comparative analysis, I will seek to distinguish the varied meaning of gender identity and politics through time, location and according to political context. For example, Muslim women in Pakistan have been caught in the dilemma of being secular and fundamentalist depending on the policies of the ruling governments. In the 1970s, women were totally sidelined and limited to their houses with the Islamization policies of General Zia-ul-Haq, the then President of Pakistan (Jafar, 2007). In contrast, in 1999 when Pervaiz Musharraf took over the reins of the government, he allowed greater freedom and political participation for women in Pakistan (Alamgir, 2014).

In the context of Malaysia, it is a country that perpetually strives to strike a balance between secular modernity and Islam (Ong, 1990). However, Muslim women's experiences may vary based on location, for example, Muslim women in Kelantan may tend to be more Islamist and conservative compared to Muslim women residing in Kuala Lumpur and Penang. In short, these varied interpretations of "Muslim woman" may not allow generalizing the term or an indication of the diversity of what it means to be a Muslim woman.

In order to understand SIS and WAF approaches and influence, it is essential to contextualize the groups historically, politically and culturally. Taking these multiple and overlapping contexts into account, I will explore how SIS and WAF have been able to generate discourses in the Malaysian and Pakistani society respectively and what perception they creates among educated Muslim women. In the process, the research will also illustrate how it contributes or illuminates new insights into the debates on gender relations in Malaysia and Pakistan.

1.6 Significance of the Study

Several research works exist on SIS. For instance, Sleboda (2001) and Nagata (1994) analyses 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. These studies make an important contribution not only in analyzing the nexus of the state, society and Muslim women but also towards the socio-historical context of the women's development in Malaysia.

Studies are available on both the advantages and disadvantages of polygamy. For example, polygamy is seen as beneficial in a sense that it allows men to have many children and help society (White & White, 2005; Naik, 2005); while it is not advantageous because it bring with it women's oppression (Altman, 1996). In the case of Malaysia, Sultana's (2010) study is close to mine in one aspect; her study focuses on Universiti Pendidikan Sultan Idris Malaysia (UPSI) students' perception on the issue of polygamy in Malaysia. She finds that 53 per cent respondents agreed that polygamy is an important and a thought provoking issue in Malaysia. Furthermore, 86 per cent respondents showed concerns on the negative aspects of polygamy on family and society. Overall, 60 per cent is against and 40 per cent in favor of the practice of polygamy (Sultana, 2010). Turner's (2007) study on polygamy in Malaysia based on qualitative interviews finds that the majority of the respondents accepted the practice of polygamy simply because they believed polygamous marriages are destined by Allah.

Studies on the reform of the Islamic law in Malaysia, for instance Foley (2004) draws lessons from women's activities in Malaysia struggling to reform the Islamic

Shar'iah laws. She explains two different strategies (equity and equality) in women's struggle for the reform of religious interpretation and *Shar'iah*. The most important lessons she draws are: women have used Islam as a foundation for women's activism and they have engaged with progression without becoming western.

Similar studies have been conducted in the context of WAF. For instance, Jailani (1986) argues that the creation of WAF was in fact the beginning of the women's movement in Pakistan. They look into the different phases of the WAF and its development as an organization. Furthermore, the historical and political achievements of WAF have been documented in several works (Weiss, 1986; Haq, 1996). These studies make important contributions by focusing on the role of women in the formation of the country and the marginalization of women from the state and other quarters of the society. Furthermore, several works focus on the role of NGOs (including the Women's Action Forum) on Islamic laws and their impact on women in Pakistan (Weiss, 1986; Mehdi, 1997, 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. Nor is there any study that comparatively analyses SIS and WAF. Furthermore, the above mentioned works are purely qualitative in nature (except Sultana, 2010) and no quantitative study exists to support their results. Most importantly, these studies look at the nexus of the state, society and women's group; but the perception that SIS and WAF create among the educated female Muslim is not yet known.

Keeping in view the above mentioned points, this study is significant in a variety of ways: (1) it is a comparative study of Muslim women's activism in Malaysia and Pakistan; (2) the quantitative research is useful to evaluate the extent to which, for example, SIS and WAF are well received by educated Muslim women in their

respective countries; (3) focuses on the perceptions of educated Muslim female from the universities who may occupy decision making position in future, so their point of view is important; (4) the research looks into the broader perspective of women's rights both in Malaysia and Pakistan, it analyses the groups politically, historically and culturally and examine the Islamic feminist approaches being deployed.

The representation of Muslim men in the Islamic world as religious fundamentalists and women as the victims of fundamentalist patriarchy through cultural practices like honor killing, forced marriages and dowry has emerged as a very important topic for research and scholarship. Men-made interpretations seem intimately tangled with patriarchal principles, instilling bias spiritual understandings at the expense of women's rights and parity. Therefore, it is necessary to support and engage in progressive religious scholarship – one that guarantees fair and equal treatment of women particularly Muslim women. It is equally important to outline instances of how men can also become victims of such narrow explanations/interpretations and how women can contribute to maintain this patriarchal system. A realization on the part of men is important to recognize and comprehend their role in the struggle for gender justice and for women to understand their role in unintentionally contributing to patriarchy and fundamentalism.

In fact, many women who join SIS and WAF face intense resistance from various groups in society depicting them as deviating from the Islamic faith and tradition. This research will examine what final year Muslim female undergraduate students of the University of Malaya and University of Karachi think about such organizations and their activities namely, do they support them and find some logic in their arguments, or do they just blindly support the calls from religious political parties to ban these women organizations and/or their activities.

This research takes into consideration the secular and religious activism of Muslim women in general and in relation to Islam in particular, covering issues like *Shari'ah* law, polygamy, interpretation of the Qur'an and educated Muslim women's perception about Muslim feminist organizations. This research also offers a critical contribution to feminist activism in the multicultural society of Malaysia and Pakistan and analyzes how Muslim feminists construct images of self and society and the religious based frameworks utilized in these constructions. The findings of the research will benefit activists, academicians, policymakers and practitioners in understanding the tension for policies and programmes of any organizations/institutions to challenge yet at the same time be accepted by the public as it works towards transforming gender relations for the better.

1.7 Research Design

The study proceeds by examining the existing literature in the area of Islam and Muslim women's rights in general and Malaysia and Pakistan in particular to set a foundation for the theoretical perspectives and context for the study. The literature review also identifies how this study fits with existing literature and identifies relevant issues pertaining to the research objectives set by the study.

Experts suggest that there is no definite right and wrong approach for any one research task. What is important is for the researchers to adopt an approach that would best provide them with the answers to their research questions and/or issues under investigation (Gerson, & Horowitz, 2002).

Bearing this in mind, I have strategically employed what is referred to as quantitative survey complemented by qualitative interviews. Indeed, the combination of the quantitative and the qualitative method has appeared as an important research method. Specifically, this is due to the influence of contemporary social science for

multiple and different sort of information to approach their research problems in order to have useful findings. In addition, research findings based on this combination are likely to be better and with greater theoretical scope (Brewer & Albert, 2006) because they are grounded in different ways of observing social realities. This method makes use of a survey and interviews to address the research questions. The target participants are undergraduate Muslim women students and staff from the University of Malaya, Malaysia and University of Karachi, Pakistan. They are chosen because as the educated elite they are likely to be leaders and bring changes to society and also because the issues discussed are directly relevant to them. Since the respondents of the survey come from three faculties namely Sciences, Social Sciences and Islamic Studies, stratified random sampling is employed because of its ability not only to deal with a population that is divided in groups/strata but also its ability to make representation within subgroups (in the case of this thesis, the subgroups are departments within each faculty). The instrument was designed using the Likert-Type Scale. The Likert introduced the ever-popular 5 points scale; Strongly Agreed, Agreed, Undecided, Disagree and Strongly Disagree.

1.8 Chapter Outline

There are seven chapters in this thesis. Chapter 1 begins with the introduction to the background of the study. It then highlights the objectives and significance of the study and provides a brief overview of the study's research design. The chapter also explains and highlights the philosophy, origins and advocacy methods of SIS and WAF.

Chapter 2 discusses some important concepts and approaches relevant to this study. It also provides a political, historical and cultural overview of women's status both in Malaysia and Pakistan.

Chapter 3 starts with a detailed discussion on the methods adopted for the study to explore and analyze issues associated with Muslim women's rights, advocacy and activism in both Pakistan and Malaysia. The strengths and weaknesses of each method is analyzed and the relevance of the method adopted is discussed.

Chapter 4 presents the results and findings from the quantitative survey. Chapter 5 presents the results and findings from the qualitative interviews.

Chapter 6 provides a discussion of the findings both from the quantitative survey and the qualitative interviews. Chapter 7 is the concluding chapter.

University of Malaya

CHAPTER 2

LITERATURE REVIEW

2.1 Introduction

This chapter begins with a brief analysis of the Islamic *Shari'ah* Law and its formulation in the context of Malaysia and Pakistan. This is followed by issues, programmes and strategies of SIS and WAF. This chapter also discusses the extent of their impact and achievements while promoting women's rights in their respective countries. Some important concepts and approaches relevant to this study are discussed and these include; religion and social change and Islamic feminism with a particular focus on SIS and WAF. The chapter also situates the discussion of women's rights and Muslim women in the historical, cultural and political context of Malaysia and Pakistan.

2.2 Islamic *Shari'ah* Law and its Formulation in the Context of Malaysia and Pakistan

Shari'ah is an Arabic word literally means a comprehensive code of *aqaid* (faith) and *amal* (practice) (Akhtar, 199). It is composed of primary and secondary sources – the primary sources are the Qur'an and the *Sunnah* and secondary sources are *Ijma* (consensus) and *Qiyas* (analogy). The religious character of *Shari'ah* derives from the above mentioned sources that outline a proper order for human behavior and conduct.

Qur'an is the most important source of *Shari'ah* which is the divine source revealed to Prophet Muhammad (S.A.W). Qur'an contains in it theological and philosophical issues and socio-economic laws. The knowledge contained in the Qur'an is categorized in three and these include theology, human conduct and ethical principles (Abrar, 2004).

The second most important source of the *Shari'ah* is *Sunnah* (the tradition of the Prophet Muhammad) which refers to the actions, words and other examples that the Prophet set throughout his entire life, for instance, his teachings, sayings, expressions and stances on issues concerning Muslims everyday lives. The Qur'an also commands humans to follow Prophet Muhammad (Al-Quran 68:4 and 33:21). Therefore, following the tradition of the Prophet Muhammad is an important supplement to the interpretations of the Qur'an. The third source of Islamic law is *Ijma* (consensus). *Ijma* deals with the consensus of the Muslim jurists to a specific legal problem. Its legitimacy as a source of legislation is provided in several verses of the Qur'an as outlined by Muslim jurists (Abdal-Haqq, 2002). *Ijma* is an important source of *Shari'ah* as it not only defines and adds concise meaning to the other sources of the *Shari'ah* but also facilitates the doctrine of human behavior and conduct.

The fourth source in the formulation of the *Shari'ah* is *Qiyas* (analogy) that formulates analogies on previously established consensus. *Qiyas* is mainly used as a process of legal deduction when Islamic jurists face an exceptional case. For instance, in exceptional cases, Muslim jurists base their arguments on logic by referring to the Qur'an and the *Sunnah*. In doing so, they identify verses from the Qur'an referring to an application of a comparable method previously adopted by Muslim communities (Hassan, 1986). The basic features of the Islamic law comprised of the Family law and the Criminal law. Family law deals with cases such as polygamy, divorce, maintenance, inheritance and dowry. Criminal law deals with the cases of adultery, robbery, theft and drinking wine. In the context of this study we will focus on the Islamic Family Law.

Although, *Shari'ah* Law applies to all Muslim societies its understanding differs based on a specific school of thought, sectarian group and its relevance to modern times – thus generating debates on its interpretation (Hefner, 2014). The requirements for the interpretation of *Shari'ah* are contained in the *fiqh* (knowledge or understanding). In the

19th century, many Muslim societies were colonized by Western powers – that resulted in making Islamic law inferior to the civil law (Collier, 1994). In some instances, the status and powers of the Islamic courts were made confined - for example, when Britain colonized Malaysia, they established civil courts and limited the role and scope of the Islamic courts to family matters only (Abdullah & Khairuddin, 2009). In other instances, Muslim societies abandoned the Islamic law and adopted civil laws – Turkey is an example of this (Dagi, 2008).

In the context of Malaysia, the status of the Islamic law was first affected in the eighteenth century when the British intervened in Malaya. Britain exerted control on courts administration through setting up a court system (based on the English law) parallel to one that already existed in Malaya (Abdullah & Khairuddin, 2009). As a result, the decisions of the *Shari'ah* court (previously known as *Qadi* courts) could be challenged now in the High Court thus restricting the powers of the *Shari'ah* court. For instance, “the Mohammedan Marriage Ordinance 1880 provided that the *Qadi* held jurisdiction only on matters pertaining to marriage and divorce but not those concerning property and criminal matters” (Ibid, 24). These developments confined the role of the Islamic law to the personal lives of Muslims and limited its role to family matters only. Later in 1948, the *Qadi* courts were separated from both the Federal court system and also civil court thus positioning *Shari'ah* court as a state court – this was done with the passing of the State Islamic Administration Enactments (Abdullah & Khairuddin, 2009). Nevertheless, the applicability of the Islamic law was limited to personal matters only such as maintenance, custody, divorce, marriage and *Zakat* (Ibrahim, 1993). As a result, *Shari'ah* court occupied an inferior position in relation to the civil courts.

Furthermore, the High Courts in Malaysia exercised residual powers over every subordinate court in Malaysia until 1988 – as it could overrule the decisions of the

Shari'ah court. As a result, Article 121¹ of the Federal Constitution was amended as it “precluded the High Court and its subordinate courts from having jurisdiction over any matter that came under the jurisdiction of the *Shari'ah* Courts” (Abdullah & Khairuddin, 2009: 25). This was an important step to place *Shari'ah* law in a better position in terms of power and autonomy. Furthermore, proposals were also made to upgrade the *Shari'ah* Court into a Federal *Shari'ah* Court mainly in order to improve its secondary status.

Although, efforts have been made to overcome the issues associated with the *Shari'ah* law in Malaysia yet Muslim women's issues such as polygamy and divorce remain problematic in the *Shari'ah* courts. In 2003, the issue of polygamy once again dominated the debates on media for several reasons. Firstly, three states (Kelantan, Terengganu and Kedah) withdrew from the 1980s enactments in the Muslim Family Law aimed at bringing uniformity in the Islamic law; Secondly *Hudud* law was passed in Kelantan and Terengganu State assemblies; and thirdly the Perlis State Government proposed to ease conditions required for polygamy – leading to a development that consent is not required from the existing wives. The traditional perspective about polygamy is that a Muslim man can marry up to four wives under certain conditions – these include justice and equality between the wives and man's financial capability (Bakar, 2011). Nevertheless, there have been debates that the practice of polygamy has been abused because of still persistent non-uniformity of *Shari'ah* laws in Malaysia (SIS, 2010). Not only that the *Hudud* law that have been passed by the state governments under PAS control such as Kelantan and Terengganu contains in it provisions for punishments such as flogging, stoning to death and amputation.

Another reform enacted in the 1980s was the condition that a man needs written permission from a court when he intends to go polygamous (Abdullah & Khairuddin,

¹ Article 121 of the Federal Constitution provides, *inter alia*, "The courts decreed (1) shall have no jurisdiction in respect to any matter within the jurisdiction of the *Shari'ah* Courts."

2009). The court checks the conditions as outlined in Islam and gives its consent if these are fulfilled. Yet, criticism has been raised on the passing of the Islamic Family Law Enactment as Muhammad (1998) argues that the provisions of the Islamic Family Law Enactment contradict with the principles of Islamic jurisprudence. For example, the regulation that the divorce and polygamous marriages be permitted by the courts is contradictory because there is nothing mentioned in the Qur'an that a particular court has authority to permit or deny a second marriage to a husband (Muhammad, 1998). Therefore, the provisions restricting polygamy and divorce contradict the teachings of Islam (Muhammad, 1998). Furthermore, the regulations on divorce and polygamy are not grounded in the *fiqh* (Islamic Jurisprudence) (Horowitz, 1994). In this view, based on the understanding of the Qur'an it is self-regulatory as it is incumbent upon a person to decide and confirm his eligibility to polygamy. Other weaknesses in the *Shari'ah* Court in Malaysia include but not limited to ineffective administration, lack of professionalism, gender-biased judgments and unnecessary delays in the cases of women initiated divorce (Abdullah, 2006). For instance, there have been instances where the divorce cases have taken up to two years to settle – as ample time is provided to both parties to rethink of their decision. Whereas, the divorce cases in the civil courts are dealt much faster with an average of maximum six months (Ismail, 1999).

As part of the reform policies in the *Shari'ah* system, considerable efforts have been taken towards improvement. In the 1980s, various high level committees were tasked to study the *Shari'ah* systems of other Islamic countries and provide recommendations. Based on their recommendations, the *Shari'ah* judicial system in Malaysia has been upgraded, standardized, expended and made more independent (Hamayotsu, 2003). The Islamic Family Law Enactment was passed giving more powers and independence to the *Shari'ah* courts. Another important development has been the appointment of female judges in the *Shari'ah* courts to address the issue of

gender biasness (England, 2010). In addition, Muslim women having expertise in the Islamic law are involved in reviewing laws and suggesting amendments in government appointed committees – where previously only man could involve in such matters. Moreover, *Sulh* officers have been appointed to settle divorce proceedings in cases where both husband and the wife have reached mutual consensus – such cases are settled in only a few appearances with the *Sulh* office and not a *Shari'ah* judge (Zin, 2012).

Unlike Malaysia, the development of the *Shari'ah* law in Pakistan has evolved through a different period, time and political influences. Before the advent of Britain in the Sub-continent, the legal system was based on the *Shari'ah* and it continued to be the same during and after the British rule. Since independence in 1947, the status of the *Shari'ah* law in Pakistan has been a mixture of both codified and customary laws often justified as religious norms (Akhtar, 1999). Under the Shariat Application Act, Muslim family matters are dealt under Muslim personal law – leaving different portion of the personal law un-codified and subject to interpretation by courts (Yefet, 2009).

Keeping in view the gender disparities in the personal law, the Muslim Family Law Ordinance (MFLO) was promulgated in 1961 ensuring gender equality, inheritance rights and discouraging polygamy and divorce. While MFLO enforced strong administrative procedures for marriages and divorce – it could not bring any substantial rights to Muslim women (Awan, 2012). Subsequent commissions were set up in 1975, 1985 and 1994 to explore recommendations for improvements. The commissions' hard work bore some fruits when Amendments were made in the Family Courts Act in 2002 making it easy for Muslim women to acquire divorce (Haider, 2000). In addition, courts were also given the mandate to speed up the process and complete the cases of divorce and maintenance within six months.

However, after all the reformations discussed above, Muslim women are still discriminated on several grounds. For instance, while Family Courts Act 2002 safeguards women's rights, it also leaves space for Muslim men to escape their due responsibilities (Weiss, 2012). For instance, a man can reject women's plea to live together in the post-divorced period – thus leaving women dependent on their own families whether or not welcomed at their own parents' house (Ibid). In the Pakistani society, once a woman is married, she no longer belongs to her parents. Moreover, a divorced woman is considered a burden and divorce shameful denying them aid and assistance from their parents. Furthermore, child marriages, polygamy, minimum age of marriage for a girl remain controversial issues in Pakistan (Rehman, 2007). The conservative religious scholars and fundamentalist political parties block any moves towards a progressive legislation (Mehdi, 2013). Therefore, Muslim women remain vulnerable under the current regime of Muslim family laws greatly influenced by customs, traditions and the patriarchal interpretations of religion.

Unlike the *Shari'ah* law in Malaysia that is limited to family matters, *Shari'ah* law in Pakistan deals with both family and criminal matters as it contains in it provisions of the *Hudud* Ordinance enforced in 1979 by the then President General Zia-ul-Haq. One of the most critical provisions in the said ordinance is that a woman being victim of rape has to prove her innocence with four adult male eye witnesses – failure to do so ultimately places her at the risk of prosecution. Such provisions make women helpless at the hands of the Islamic law practiced in Pakistan.

2.3 SIS: Issues, Programmes and Impact

Since its formation in 1987, SIS has engaged to address issues like violence against women, polygamy, Islamic Family Law, marriage and divorce and dress code for Muslim women. In 1991, SIS made its visibility public by publishing two booklets

entitled, *Are Women and Men Equal before Allah?* (SIS, 1991) and *Are Muslim Men Allowed to Beat Their Wives?* (SIS, 1991). The purpose of publishing the booklets was twofold; firstly SIS wanted to introduce itself to the public and secondly to highlight Qur'anic clarifications on domestic violence. Subsequently, the Domestic Violence Act was passed in 1995 because of the powerful lobbying of SIS and many other women's organizations in Malaysia (SIS, 2006).

In 1993, SIS began to focus on the reformation of the Muslim Family Law. According to SIS, the Muslim Family Law defines the husband as superior and the wife as subordinate which is not an appropriate approach in the 21st century (SIS, official website). Today's realities are different than that of medieval times whereby a husband was seen as the 'provider' and the wife as 'submissive' (Ibid). Furthermore, the Qur'anic principles itself generate ideas like equality and justice in family matters. For SIS, reforms are possible for two reasons. First, the Qur'anic principles support equality between men and women as well as between husband and wife. Therefore, the present codified law is not *Shari'ah* but a product of human interpretation and engagement (Shukri & Owoyemi, 2014). Secondly, there are provisions in the Federal Constitution Article 8 (2)² that discourages gender-based discrimination. Thus, there is clear flexibility to reform some sections of the *Shari'ah* family law that discriminates against women.

In terms of discriminatory provisions, SIS argues that the proposed law is a product of human engagement (*fiqh* – jurisprudence) and is not immutable and divine. Thus, the codified law is not the sacred *Shari'ah* but human made. For example, the discriminatory provisions are: "giving men more grounds to divorce their wives, greater freedom to enter into polygamous marriages, and more power to freeze their wives

² Article 8 (2) federal Constitution of Malaysia states that "Except as expressly authorized by this Constitution, there shall be no discrimination against citizens on the ground only of religion, race, descent, gender or place of birth in any law or in the appointment to any office or employment under a public authority or in the administration of any law relating to the acquisition, holding or disposition of property or the establishing or carrying on of any trade, business, profession, vocation or employment."

assets in order to claim a share of the matrimonial property when a polygamous marriage or divorce takes place” (SIS, 2006, p. 40).

In 1993, SIS sent a memorandum to the then Prime Minister of Malaysia, Dr. Mahathir Mohamad, showing concerns on the issue of Islamic Criminal Law. The purpose of the memorandum was twofold; first to point out that the proposed Islamic Criminal Law was prejudicial to women and secondly the fear that it would be abused in a variety of ways. Some of the abuses are that “women be wrongly prosecuted under the law; they would not be able to get justice in cases of rape (that requires four male eyewitnesses); two women witnesses would be considered to one man; and that the law would be unfairly applied to non-Muslims” (Sleboda, 2001; 119).

Through this memorandum, SIS sought a rationale for the implementation of the Islamic Criminal Law and took a firm stand that it should not be enforced in Malaysia as “the provisions of the code have no clear mandatory foundation within the Qur’an”, rather they are grounded in human-made interpretations and not divine injunctions (Engineer, 1994).

In addition, SIS also published a book entitled *Hudud in Malaysia: The Issues at Stake* (Ismail, 1995). The book outlined the impact of the Islamic Criminal Law and the instances of its abuse in other countries. For example, in studying the abuse of Islamic Criminal Law in other countries, they outlined the cases where women were raped but were then convicted of adultery.

SIS contends that it is not against Islam or Islamic penal laws but it believes that “the current state of *Hudud* laws is the result of the manipulation and misuse of Islamic verses to oppress women. The *hadith* of the Prophet makes it clear that the Islamic authorities must take the women’s accusation of rape very seriously. The current formulation of the *Hudud* on *zina* (adultery) shields rapists from conviction and contradicts the high value Islam places on a women’s virtue” (Neo, 2007: 64).

Furthermore, in 1997 SIS began to focus on the issue of polygamy. The reason lies in a ruling by the Selangor State Religious Department (JAIS) stating that the “husbands no longer require permission from their first wives to marry a second, third, or fourth time” (Sleboda, 2001; 120). SIS criticized this decision by stating that it contradicted existing Islamic Family Law (Ali, 1996). The Islamic Family Laws in Malaysia were modified in the 1980s in order to restrict polygamy. In fact, JAIS ruling would serve to increase polygamous marriages. Furthermore, SIS states that polygamy is a privilege and not a right in Islam, therefore its practice should be restricted (Ismail, 1995). In fact, the notion of marriage in Islam is monogamous and not polygamous; the practice of polygamy is allowed only in situations of “extreme duress such as the wife’s infertility and/or fatal illness that prevent the men from leading a normal life” (Sleboda, 2001: 121).

The former Prime Minister of Malaysia Dr. Mahathir Mohamad (1981-2003) also supports SIS’s view that though Islam allows polygamy, it does not encourage it. According to him “Islamic sanctions of polygamy must be interpreted according to the era in which the Qur’an was revealed. During those turbulent times, frequent wars reduced the male population and many women were without husbands. Hence, polygamy was a way of caring for those women. Islam he reasoned, effectively discouraged polygamy by restricting the number of wives to four and by imposing the condition to be just and fair to all wives, taking into consideration factors such as financial capability, fairness, and the status of the potential wife” (Mahathir cited in Neo, 2003: 59).

In 2003, SIS launched a public campaign entitled “Monogamy: My Choice”. The campaign aimed at creating awareness among the Malaysian women about the importance of monogamy in Islam (one husband – one wife) with particular emphasis on Surah an-Nisa' 4:3 which states that "if you fear that you shall not be able to deal

justly (with your wives) then marry only one". The message conveyed through this campaign was that the Qur'an enacts restrictions on the practice of polygamy and Qur'an is the only scripture that contains the phrase "marry only one". Furthermore, it was also conveyed through the campaign that a great-granddaughter of the Prophet (S.A.S), Sakinah binti Hussein included a non-polygamy clause in her marriage contract (SIS, official website). In fact, many Muslim women in Malaysia were not aware of these facts and the campaign played a vital role in educating Muslim women in Malaysia about the importance of monogamy in Islam. After the campaign, the number of Muslim women in SIS activities like workshops, trainings and legal clinics increased considerably (SIS, 2003).

At the same time planned to conduct a study on the effects of polygamous marriages on Muslim women (SIS, 2006). The pilot study was conducted in 2004-2005 in Klang Valley and the nationwide research began in 2007 with the involvement of academicians and women's rights activists. The study was completed in 2010 and the findings were revealed at a forum in Universiti Kebangsaan Malaysia. The study found that 80% of the polygamous wives disagreed that their husbands treat them fairly.

SIS receives its support from certain quarters of the society. It certainly has a high media profile in Malaysia. SIS has also received support from international media, as there have been articles written about the group in the *New York Times*, *Chicago Tribune*, *The Economist* and *Time* (Sleboda 2001). In addition, SIS works closely with other women's rights organizations in Malaysia namely All Women's Action Society (AWAM), Women's Aid Organization (WAO), and the Association of Women's Lawyers (AWL), among others.

The success and impact of SIS has been documented in academic literature and their efforts to promote women's rights had received attention from scholars both at home and abroad. For instance, their efforts to promote women's rights by

reinterpreting the Qur'an is seen by Nagata as a milestone. She states that "Sisters have prepared a meticulously documented and analysed reinterpretation of the Qur'an, which takes the text as a whole and in context, in an attempt to trace the evolution of ideas, and to extract the spirit of the message, in contrast to the customary exegetical method of selecting isolated verses to suit the argument of the moment" (Nagata, 1994: 80). In fact, SIS interpretation is based on reason and rationality which is vital to establish power and agency for women in a male-controlled religious society that views women as more sensitive and emotional than men.

Sleboda considers SIS successful because of the characteristics of its educated and professional members having access to media, political elites as well as government institutions. She argues that the success of SIS is based on several factors that are cultural and historical and "related to the current socio-economic and political situation in Malaysia and its position in the global capitalist economy" (Sleboda, 2001; 131).

Moreover, the philosophy, issues of advocacy and activities of SIS are favourable to the government's economic policies. The government economic policies uphold a balance between preserving a secular state inviting foreign investment and at the same time maintaining the value of Islamic difference. Keen to attract foreign capital, the government does not want to portray Malaysia as an Islamic fundamentalist state. In fact, the government wants to portray Malaysia as a country that is progressive, moderate as well as supportive of women's rights and equal status. This portrayal of progressive Islam in Malaysia will not scare away foreign investors (Ong 1997). The role of SIS is crucial in this scheme as it adheres to Islamic tradition as well as represents Malaysian modernity.

At the same time, SIS has been criticized on various grounds; for instance, Osman (2006) notes that liberal groups like SIS although portraying themselves as 'alternative voice of Islam' in fact promotes Western style of women's rights not

relevant to Muslim countries. They receive massive funds from western governments and agencies to further their cause. He also argues that their network is limited and the activities are confined to seminars and conferences and thereby they leave no impact on larger audience (Osman, 2006).

SIS most serious critics emerge from its efforts to reinterpret the Qur'an. On this account they are accused of deviating from the Islamic faith (Anwar, 2005; 12); and 'questioning the world of God' (Alston and Alamgir, 2012; Othman, 2006). Furthermore, the way SIS interprets the Qur'an is also questioned as they do so through logic and reason without "referring to classical exegetical and jurisprudential texts of the early centuries of Islam" (Anwar, 2005; 12). Furthermore, the critics also suggest that SIS efforts to interpret the Qur'an is dangerous as they are not the legitimate authority to do so – as the interpretation work should only be performed by the *Ulema* who are well learned about Islam. Others should not be involved in the sensitive work of interpretation (Anwar, 2005; Othman, 2006). In this context, SIS counter argument has been highlighted in chapter 1.

2.4 WAF: Issues, programmes and Impact

In tandem with the Islamization process in the 1970s, Muslim women became oppressed by the so called 'religious reforms' such as *Nizam-e-Mustafa* (literally means system of the prophet): a system that is the reverse of the predominantly British secular law – taken as a measure to promote the true Islam in Pakistan (Jilani, 1996: 107). As a result, WAF started a national campaign to reach Muslim women throughout the country. They send a petition to the then President of Pakistan, General Zia-ul-Haq. More than 7,000 signatures were collected and presented to the President showing concerns about discrimination against Muslim women. The petition did not bring the

expected results. Consequently, WAF decided to broaden its advocacy campaign by organizing symposiums and conducting workshops on women's rights.

The Islamization process was further evident in 1979 with a new legislation called *Hudud Ordinance*, a law in Pakistan enacted to impose penalties in the light of Qur'an and the *Sunnah*. These punishments were related to issues like adultery, theft, murder, rape and the use of alcohol. In reality, the said ordinance has led to "hundreds of incidents where a woman subjected to rape, or even gang rape, was eventually accused of *zina (adultery)*" (Suleiman, 2010: 49). A prime example of this was a blind girl, Safia Bibi, who was raped and later put on trial for committing *zina* (Quraishi, 1999). Following the case, WAF played a role in publicizing the case nationally and internationally. The strategy worked and the case of Safia Bibi was quickly reviewed and the verdict annulled in favour of Safia Bibi (Jafar, 2007).

Apart from the Safia Bibi's case, there were also other issues associated with the *Hudud Ordinance*. For instance, women were declared as incompetent and untrustworthy as witnesses. In cases of rape and adultery, the testimonies of four Muslim males are required whereas in all other type of cases only two Muslim males are required. The ordinance not only denied women the right to give testimony but also put them in a critical and dangerous situation. For example, if the prosecution is unable to prove a woman's complaint of rape, she could be assumed to have confessed to *zina* and can be stoned to death. The compensation for the family of a person being murdered is also set. If the person being murdered is a woman, the compensation allocated to her family is half that of a man. The above examples clearly demonstrate that women in Pakistan are treated as half human beings.

WAF responded to these issues by educating women about their rights and that the above laws are discriminatory to them. They also published a book entitled *The Hudud ordinances: a divine sanction?* (Jahangir & Jilani, 2003). The book delved

into the matters of discrimination of women through Islamic laws, in particular, *Hudud Ordinance*.

As a response to WAF's activism and firm stand against the male-dominated interpretation of the Qur'an that discriminates women, the group received the title of "western agent" and illegitimacy in the context of Islam and Pakistan. As argued, "as long as Islam plays a central role in Pakistani culture, an Islamic framework is a necessity and not a choice for social change" (Mumtaz & Shaheed, 1987; 158). However, such labels could not affect the mission of WAF and there was no turning back for them but to further women's empowerment in Pakistan.

Moreover, in 1986, WAF initiated a debate on the *Shari'at* Bill passed in the national assembly which commanded that all existing laws in the country should imitate the Islamic law. WAF responded to this act by arguing that the law would "undermine the principles of justice, democracy, and fundamental rights of citizens and that the Islamic law would become identified solely with conservative interpretations" (Weiss in Blood, 1996: 123). In late 1991, a negotiated form of the *Shari'at* Bill was enforced in the country and it is still debated by WAF and other activists in Pakistan.

In 1988, the efforts of WAF and other women organizations bore fruit when Benazir Bhutto became the prime minister of Pakistan. In fact, WAF played a pivotal role in her success; they campaigned for her and provided massive support within limited resources. During her tenure (1988-1990) Benazir Bhutto initiated the First Women Bank to address women's financial needs (Bhutto, 2014). During her second tenure (1993-1996) Pakistan acceded to the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW).

During the tenure of Pervaiz Musharraf (1998-2007), WAF was able to achieve some of its unmet goals. Achievements were seen on issues that WAF advocated since 1981. For instance, in 2006, the government passed the Women's Protection Bill by

abolishing *Hudud* Ordinance. In the same year, the President also increased the women's quota to 10 per cent in the Central Superior Services (elite bureaucratic authority that moves the entire engine of the state) which was previously only 5 per cent (Ministry of Women Development Pakistan, 2006). Since the above achievements, WAF focus has now shifted from being reactionary to government legislations to two important goals namely; increasing women's political representation in the national and provincial assemblies, and also increasing women's capacity on issues like family planning.

Many women organizations existed before the formation of WAF such as the Women's Voluntary Service (1948), the Women Naval Reserve Force (1948), the Pakistan Women's National Guards (1948). However, it was WAF's considerable success that placed women on the national agenda in Pakistan. As its activism grew, women issues were taken seriously by politicians and policy makers (Mumtaz & Shaheed, 1987; 107). In fact, the formation of WAF was not only the beginning of women's movement in Pakistan but also the beginning of their participation in the state affairs of Pakistan. As argued by Yusuf, "to a great extent, the struggle for women's emancipation that WAF embodied released a fair amount of creative energy" (Yusuf, 2006).

Furthermore, the actual achievement of the WAF has been that the government has overturned some of its policies implemented in the 1980s in many fields. These include lifting the ban on women's participation in sports, lifting restrictions on women to occupy positions in Foreign Service and more importantly is the government's realization to recognize women's strength and empowerment. The famous novel and drama writer, Fatima Suraiyya Bajjia, argues that WAF laid the foundations of women empowerment in Pakistan and its impact can greatly be seen in the lives of Pakistani women today (Bajjia quoted in Mughal 2011). In fact, for the last three decades, WAF

has raised many issues related to women that are of utmost importance and they have received support nationally and internationally. As quoted in the *Daily Times*, WAF has achieved a great deal over the last 30 years and the most important is “raising awareness on all these issues, particularly on discriminatory laws against women and non-Muslim Pakistanis, and the promotion of zero-tolerance for any form of violence against women” (*The Daily Times*, 2006).

However, scholars like Nurul Huda Shah have shown reservations on the role of WAF including other women groups in Pakistan by arguing that “really speaking, nothing is being achieved. Probably urban women are aware of their rights. Otherwise, women’s issues are being discussed in plush conference rooms, covered by the English language press. What kind of an impact is that going to have on all those women who toil away in our villages? That is 80 per cent of the country’s women. Who speaks for them?” (Shah quoted in Kothari, 1997: 96). Shah’s concern is relevant in a sense that a majority of the women’s rights organizations exist in the urban areas whereas the majority of women in Pakistan live in the rural areas. They are the least educated and the most marginalized, so who would speak for them? The issue has perhaps been realized by WAF as they are doing membership campaigns in rural areas and WAF works from three different fronts namely; WAF Karachi Chapter, WAF Lahore Chapter and WAF Peshawar Chapter. This is aimed at reaching women at the grass root level.

While in Pakistan, I also observed that WAF central members are influential and attached to various political parties. For example, the most important figure in WAF is Asma Jahangir, who is a lawyer by profession but a strong proponent of Pakistan’s People’s Party (PPP). She was also shortlisted for interim Prime Minister of the Punjab Province (*The Indian Express*, 2013). The same view is also shared on women NGOs in Pakistan by a newspaper in Pakistan, “Most of these NGOs are headed by influential, politician, bureaucrats and rich people/elite” (*The Nation*, 2013).

2.5 Religion and Social Change

Religion is an uncertain expression which suffers from a comprehensive vocabulary. For instance, as an inclusive term, religion can be defined as a conviction that unites a society/community, a structured collective of people with the same belief and a set of standard actions and practices (Taylor, 1996). In contrast, the exclusive view of religion is that of a belief in God which recognizes religion as a subject of study and a potential force of generating social change (Giddens, 1994). The connection between religion and social change is not permanent and may differ depending on the character of a particular religion, the society in which it is practiced, and the kind of social structures at any particular time and place. Anthony Giddens also argues that a social construct and structure influences a particular society in many ways; therefore, the argument of whether or not religion brings about social change or not is not conclusive because the relationship between religion and social change is a two-way street (Giddens, 1984).

Among feminists there is a diversity of views towards religion and social change. For instance, Anderson (1998) offers a valuable scholarship on feminist understanding of religion. She argues that feminist understanding of religion is an informed perspective based on the experiences of women who have been oppressed and exploited. Feminist discourses on religion evolve from the perspective of women oppressed by specific monotheistic religious beliefs. In that direction, feminist scholarships on religion and social change is important because it provides a critical understanding of religious practices, beliefs, rituals and cultural practices that sometimes challenge gender roles and gender-inflected representations.

In the same way, Islamic feminists engage in discourses concerning the reinterpretation of the Qur'an, the Arab Muslim culture, and modern Muslim society that is facing global challenges and demands change. Islamic feminists engage in discourses within the framework of Islam that 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). For Islamic feminists, neither religion nor its practice is problematic but the problem is male-dominated interpretation of the text (Barazangi, 2004; Anwar, 2005). For example, in Islam, the repressive nature of religion towards women was not intended, as issues like forced marriages are not written in the Qur'an but come from the cultures that Islam was practiced in.

Furthermore, religion contains in it a dimension of the public and this is the reason why research on society and gender has to take this dimension into consideration. Not only that, gender as an analytical tool also provides significant perspectives for analyzing issues pertaining to women's rights. Therefore, the significance of religion in women's everyday life has been acknowledged and emphasized in scholarly literature (Sarkar, 2002; Amien, 2006; Jeffery & Basu, 1998). As noted by Randi Warne, "Gender as an analytical category, and gendering as a social practice, are central to religion, and the naturalization of these phenomena and their subsequent under-investigation have had a deleterious effect on the adequacy of the scholarship that the scientific study of religion has produced" (Warne, 2000: 153). In fact, clarity is needed when gender issues are debated in a particular religion as their practice may differ. However, the commonly discussed gender issues which may be the product of religion are values regarding family and sexual norms, as well as beliefs about the gender of divinity and the meaning of the human gender.

Until recently, women in the Third World Countries were all perceived as backward and oppressed while Western women were perceived to be forward, modern and liberated (Lindsay, 1980; Jeffery, 1979). This perception is created by the media and the education system. An example of this is *Not without My Daughter* – a popular film and book which exaggerates the implication of veiling as a fence and how it

distinguishes between Muslims and non-Muslims. The movie replicates a different observation of Muslim women against the authenticity of Muslim women's everyday lives. This is what Said names as "orientalism" (Said, 2001; 1979). The discourse of Orientalism shapes an orient – which is discursive and linguistic and not merely practically experienced. This contains in it, dual functions: (1) it asserts the notion of western dominance and (2) describes "West's normality by attributing the foreign, the forbidden, and the dangerous to the orient" (Ibid).

However, such kinds of writings have been criticized. For instance, Chandra Mohanty argues that such scholarship portrays Muslim women as oppressed by characterizing Third World disparities to gender relations. This portrayal is envisaged by a perception that women in the west are open-minded, secular, enlightened and exercise control on their life, which is not the case in the Third World Countries. However, it is apparent that this liberation and secularization is not the case for every women in the west, as not all western women are liberated – just as not – all women in Islamic societies match the preconceived image of the Muslim women (Mohanty, 1988; 2003). Similarly, Islam is not equally perceived by all Muslim women, as the perceptions of Muslim women about Islam is subjective to their educational level, background and position in a particular society. Mohanty further argues that there are many feminist scholars who write and portray Muslim women as immobilized and had their rights subjugated but unfortunately only few researchers engage and explore Muslim women's preferences, liberty, and autonomy. They are agents of change in their respective communities and acquire power and agency within the family and society. Similarly, feminist theory also represents Muslim women as immobilized persons lacking political maturity and therefore can be directed/ guided by Western feminism. In short, it is not fair and impractical to see all Muslim women as a homogenous group and overlooking the historical, economical and geographical dissimilarities between them.

Moreover, 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). As a matter of fact, gender relations and feminist issues have always been central to religious and political discourse in the majority of Muslim countries. 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). However, it should be noted that gender and Islam are vast and deep topics of discussion, both subject to multiple discourses with wide perspectives.

My point of view is closer to Abdul Hamid Abu Sulayman’s approach that Islamic societies are facing multi-dimensional crises – encompassing education, economic, political and social dimensions (Sulayman: 1982). Following his approach, I would argue that the above mentioned crises have anticipated a pessimistic thought about Islam in the Western world. As a result, there is a sense of understanding that Islam is a religion that opposes social change and that causes the backwardness of Islamic societies. This view mainly comes from orientalist who may not be familiar with the ways social change is encouraged in Islam. Therefore, they regard Islam as a “tradition-bound system” (Walters & Timothy, 2005; Tuğal, 2002; Cook, 2011). Max Weber is one of the scholars who argues that “Islam with its thoroughly traditionalistic ethic directed in the conduct of life into paths whose effect was plainly opposite to methodical control of life found among puritans” (Weber, 1968: 627). What is missing in Weber’s analysis is the realization that Islam in reality shows flexibility and provides guidance to transform the social formation of a society if necessary. Its teaching and revelations are aimed at employing and modifying change in society. Therefore, social change and transformation should take place within the parameters of Islamic laws

particularly *Shari'ah* laws. *Shari'ah* laws can be categorized into two: (1) fundamental principles, not subject to change in any circumstances such as the inheritance laws, (2) supplementary principles subject to change based on the need and progress of the society (Shariati, 1979: 47-50). These laws work in tandem with our lives. In such circumstances, *Ijtihād* (independent reasoning) is used as a method in decision making (Jameelah, 1981: 153). Based on the definite nature and rules of Islam it can be concluded that there may be other reasons for the backwardness of Muslim women and not only attributed to the religion per se. (Ibid).

Islam's way of change is linked with the essential and everlasting concept of *Tawhid*³ (doctrine of oneness of Allah). Therefore, social change in Islam is conditional and must occur within the fundamental principle of *Tawhid* (Mohamed & Baqutayan, 2011). Along with the fundamental principle of *Tawhid*, Islam also introduces other concepts pertaining to social change and these include: *Islāh* (reform) and *tajdid* (renewal). These concepts define material, religious, and ethical transformations that take place in a given society (Mohamed & Baqutayan, 2011). In Islam, things that are subject to change can be categorized as deviation from the absolute, parallel to the absolute or return towards the absolute (Rosser-Owen & Sardar, 1976). For convenience, we can categorize them into two: (1) change for the good and (2) change for the worst. Change for the good prescribes a case that how far the prescribed change matches the Divine law and change for the worst prescribes how far it deviates from the Divine law.

While explaining the Islamic way of social change, it is important to make some clarifications that sometimes the cultural obstacles to social change are also associated with religion, even though they are not Islamic. Therefore, there is a need to recognize tangible norms and customs that shape religious perceptions. For instance, pre-existing

³ *Tawhid* implies that there is no God, but Allāh Who knows about everything that happens in the universe and the only one who knows what is useful and what is harmful for all human beings and their societies (Mohamed and Baqutayan, 2011: 25).

social structures and power relations are important factors in formulating social and religious practices. As a result, social practices not associated with religion are probably in disagreement with the religious text but often justified as religious norms. Therefore, religion as an ideology has not only the potential to legitimize existing structures and power relations but can also be used to challenge them.

From the above discussion, we assume that Islam encourages social change but within a specific framework namely, the foundation of *Tawhid* is maintained and the change is driven from the Qur'an. Both these essentials of social change as prescribed by Islam are demonstrated in the philosophy of SIS and WAF. They are devout Muslims and use the primary source of Islam namely, the Qur'an to argue for women's rights. For instance, SIS draws support from the Qur'anic verse -- Al-Quran, Surah an-Nur, 24: 30-31 -- on the subject of modesty. This particular verse instructs Muslim men to protect their modesty by lowering their gaze. This implies that preventing immorality is the equal responsibility of both men and women (Neo, 2007).

SIS employs a contextual reading of the Qur'anic verses that uphold the principle of justice in Islam. SIS believes that while Islam allows polygamy, but at the same time discourages it because the condition of justice seems almost impossible. SIS believes that the practice of polygamy can be reduced through education and awareness. Therefore, SIS educates women on the inclusion of non-polygamy clause in their marriage contracts by referring to the example of Prophet's grand-daughter -- who included a non-polygamy clause in her marriage contract (Neo, 2007). By referring to examples from the Qur'an and the *hadith*, SIS has shown that support can be drawn for Muslim women from the Islamic text and this is what they call 'an Islamic framework'.

Similarly, WAF also engages in highlighting passages from the Qur'an that are supportive of women. They challenge the patriarchal structures and cultural practices

that are justified in the name of Islam. For example, ‘marriage with Qur’an’⁴ is a practice in some areas of Pakistan often justified in the name of Islam but there is no evidence that marriage with Qur’an is permissible in Islam.

2.6 Islamic Feminism

The concept of Islamic feminism first emerged in Iran following the Islamic revolution in 1979 that attacked the existing gender relations then, resulting in women’s oppression and discrimination with the imposition of strict Islamic laws. The term first appeared in *Zanan* (Tehran Women’s Journal) in 1990 describing it as “an Islamic project of rereading the Qur’an, women-centered readings of religious texts” (Wade, 2007: 24). This magazine aims to provide a platform for believing women to generate new ideas and discourses on the life and status of Muslim women in Iran. Women scholars became active and started to explore phenomena such as Islam’s compatibility with feminism and feminism as an alternative to fundamentalism – thus generating debates on religious practices and doctrines in Iran. Later in 1996, the term appeared in Saudi Arabian Scholar Mai Yamani’s book, “Feminism and Islam” (See Yamani, 1996).

The notable scholars in this field are Shahla Sherkat, Azzam Taleghani, Amina Wadud, Asma Barlas, Riffat Hassan, Azizah al-Hibri, Leila Ahmed, Margot Badran, Ziba Mir-Hosseini and Fatima Mernissi. Islamic feminists question women’s status in Muslim societies and provide an alternative concept of women’s rights by returning to the original sources of Islamic knowledge based on Muslim women’s own reading and interpretation.

The scholarship in this field displays a diversity of approaches, methods and strategies to challenge patriarchal strongholds over the fabrication of Islamic

⁴ Marriage with the Qur’an is a custom in the province of Sindh Pakistan. When members of a family failed to find a husband for their daughter within their own family, they will instead tie her bond with the Qur’an. After this bond, the daughter cannot marry and her life is centered on the Qur’an. She reads the Qur’an much of the day, teaches it to others and spread its messages to the female members of the community.

understanding. Mir-Hosseini defines Islamic feminism as “a term that continues to be contested by both the majority of Islamists and some feminists, who see it as antithetical to their respective positions and ideologies” (Mir-Hosseini, 2004: 3). In addition, Islamic feminists argue that the traditional interpretations of the Qur’an are man-made (Stowasser, 1998). Due to this the interpretation has 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 that oppressed women.

Amina Wadud argues 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. In this sense, the male interpretation of the *Qur’an* has effectively marginalized Muslim women to the extent that it has “been mistakenly equated with voicelessness in the text itself” (Waddud, 1999: 2).

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 feminist and human rights framework (Hassan, 1999). The above scholarship unveils the gendered political beliefs of knowledge production and these works are often categorized as examples of Islamic feminism. The term Islamic feminism refers to a movement that seeks discourses within an Islamic framework which offers equality between men and women.

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 leveled 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; Tibi, 1994; Lee, 2008), 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.

Indeed, over the years Muslim women scholars have engaged extensively to challenge ingrained patriarchal notion embedded in the interpretation of the Qur'an with the overall intention to critically investigate how such interpretations were perpetuated in the early centuries of Islam.

It is important to stress that the Qur'an does not discriminate against women. Still, the sad and bitter fact of history is that the cumulative (Jewish, Christian, Hellenic, Bedouin, and other) biases which existed in the Arab-Islamic culture of the early

centuries of Islam infiltrated Islamic tradition. Not only does the Qur'an emphasize that righteousness is identical in the case of man and woman, but it affirms, clearly and consistently, women's equality with men and their fundamental right to actualize the human potential that they share equally (Hassan, 2001: 63).

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 to deal with women's issues (Barlow & Akbarzadeh, 2006). Feminist scholars like Riffat 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. With the knowledge that Islamic sources depict a universal model of equality, justice and dignity for women, Muslim feminists challenge those who believe that genders (men and women) are unequal in Islam (Othman, 2006: 348).

This scholarship is consistent with SIS's philosophy that in Islam and religious text Muslim men and women are equal (Anwar & Rumming, 2007), but the problem is with the interpretation of the text and Islamic laws that serve the interests of men. For example, SIS has shown reservation on the nature of Islamic laws in Malaysia. As Anwar and Rumming argue that "the minimum age of marriage is lower for women than men; a woman can only marry with her guardian's consent, whereas a man does not need to get the consent of a guardian; a Muslim man can marry a non-Muslim woman but a Muslim woman cannot marry a non-Muslim man; a man may marry multiple wives (up to four), but a woman can only have a monogamous marriage; a man can divorce his wife at will, outside of the court system, but a woman must go to court and obtain a judicial divorce on one of a number of very specific grounds that require extensive evidence" (Anwar & Rumming, 2007: 1534). SIS make recommendations

for reform in the Islamic Family Law Act: minimum age for marriage should be eighteen years for both men and women; guardian consent (male) should not be required for a women's marriage; the practice of polygamy should be restricted and should be allowed in exceptional cases; women should be granted the right of divorce (Ibid).

Moreover, a common features in Islamic feminist discourses is the aspiration to maintain a mould of rights that deals with internal anxieties and variance between Islamic and the universal concepts of human rights. In doing so, they desire to undercut the relativist agenda that interprets the rights discourse as being majestic and irrelevant. They believe that this can be done through the development of a human rights concept comparable with that found in the Islamic framework.

It is important to mention that the issue of human rights in Islam is derived from various sources. For instance, the Qur'an (divine revelation), *Sunnah* (the practical tradition of the Prophet Mohammad), *Hadith* (the oral saying of the Prophet Muhammad) and *Shari'ah* (regulates the diverse aspects of human life). Although, these sources make the tradition of Islamic knowledge yet they are not identical and cannot be considered of equal weight. However, the primary, authoritative and most important source is the Qur'an. Two prominent scholars who receive inspiration from the Qur'an are Amina Wadud and Riffat Hassan. SIS's and WAF's inspiration also comes from the Qur'an. Their philosophy reflects Wadud's and Hassan's scholarship on women's rights based on the Qur'an and within the framework of Islam.

Hassan explains that "Qur'an is the Magna Carta of human rights and a large part of its concern is to free human beings from the suppression of traditionalism, authoritarianism, tribalism, racism, sexism, slavery" (Hassan, 2002: 3). She suggests that the Qur'an upholds the fundamental human rights such as; right to life, right to

respect, right to justice, right to freedom, right to acquire knowledge, right to sustenance and right to work.

In terms of right to life, the Qur'an upholds the value of human life and points out that the "life of each individual is comparable to that of an entire community and, therefore, should be treated with the utmost care" (Hassan, 2002: 3). The Qur'an also reasons that all human beings are worthy of respect because they are the super creator of God and they can exercise their freedom and will. What makes them different from other creatures is their ability to think and they possess the knowledge of right and wrong as well as good and bad. The Qur'an also upholds the value of justice – to do justice and to seek justice. The criterion for justice set in the Qur'an is not determined by "wealth, gender and worldly success but righteousness – belief and fair action" (Ibid). In terms of right to freedom, the Qur'an shows concerns on liberating human beings from every kind of oppression. For example, slavery was widely practiced in the Arabia. With the advent of Islam and the revelation of the Qur'an, it was ordered to free the slaves and if not they be treated in a just and human way.

The highest emphasis of the Qur'an is the importance of acquiring knowledge. The first revelation received by the Prophet Mohammad was *Iqra* (read). According to the Qur'an "knowledge is a prerequisite for the creation of a just world in which authentic peace can prevail" (Hassan, 2002: 5). The Qur'an also gives emphasis on the right of sustenance – all human being have the right to means of living. The Qur'an also commands that those who possess economic and political power must not deny others with the basic needs of life – as Allah has generated resources for all human beings in general (Al-Quran, 11: 6). The Qur'an also gives the right to both men and women to work (Al- Qur'an, 4: 32).

The discussion above demonstrates that the rights to human beings explained in the Qur'an are indeed impressive and women being human are also deserving of the

fundamental rights mentioned in the Qur'an. Moreover, Muslim men in their scholarships and debates confer that Islam has given more rights to Muslim women as compared to other religions but a close observation of Muslim history and culture suggests that women have been subject to diverse forms of oppression. Women are the most serious victims of human rights violations in Muslim societies. For instance, the killing of women by their husbands, brothers and relatives all in the name of honor-killing is a very dishonorable act practiced in Pakistan. Moreover, in certain Muslim societies, the birth of a son is regarded as an honor and the birth of a daughter as a disappointment. Many girls are forced to marry in the young age and often without their own consent. Even though, the Qur'anic principles as discussed above support the right of women yet in practice their rights are marginalized.

Furthermore, the issue of polygamy in the Qur'an is based on the logic to shelter widows and orphans but Muslim men have made it a right for them to exercise and put women under constant threat. Although, women's right to inheritance is explained well in the Qur'an but in practice it is disapproved. Even though, the idea of veil in the Qur'an is to make it safe for women to go along with their daily business but Muslim men have put women behind the veils and corridors protecting their chastity. Central to Hassan's scholarship is the idea that Allah has created men and women equal but they have become very unequal in practice in Muslim societies. Women's rights in the Qur'an are protected and explained in detail but in practice these rights are always marginalized. This happens because of the patriarchal traditions and male-dominated interpretations of the Qur'an. This is exactly the point where SIS's and WAF's philosophy is pertinent; as they argue that it is not the Qur'an that discriminates against women but the male-dominated interpretations that oppressed women.

From the Islamic feminist's 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 and the tradition of the Prophet (Ahmed, 1992). 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 (Misra, 2005).

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. The notion of equality is maintained in the Qur’an and the *Sunnah*. 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). For instance, the Qur’an instructs Muslim women to treat their husbands nicely and be obedient to them – the male centered interpretations of the Qur’an describe it as men’s superiority over women (Pickthall, 1985). Such interpretations encourage men to be involved in polygamy, divorce their wives at will and deny children and women custody rights.

2.7 Islamic Feminists Engagement with Islamic Fundamentalism

In this section, I look at the various responses of Islamic feminists to fundamentalism but first, let me start with fundamentalism. What is it? And how does it affect Muslim women? Helie-Lucas (1993) rightly points out that there is no one fundamentalism. In fact, there are multiple fundamentalisms. Fundamentalisms differ in the factors that lead to their emergence and/or encourage their proliferation, and in their relationship with

the state. But they do have some aspects in common. Some of these commonalities, as they relate to women and religious fundamentalism are the following: (a) emphasizing an authentic, universal, and a historical “religious identity,” that is perceived to be under constant threat; (b) presenting Muslim women as prime symbols of this religious identity; (c) mixing/overlapping the notion of tradition, religion and nationalism; (d) doing interpretation work selectively (Kumar 1997).

There are four common characteristics that represent Islamic fundamentalist groups throughout the world and these are: (1) their interpretation of the Qur’an is conservative; (2) non-pluralists, they only consider traditional views on Islam; (3) exercise control of religious interpretation and believe that their interpretation of the Qur’an is final and unchallengeable; (4) having traits of superiority, fanaticism, extremism and militarism (Munir, 2003). The notion of Islamic fundamentalism is further explained by Moghissi. She explains three characteristics that Islamic fundamentalist possess namely, anti-modern, antidemocratic, anti-feminist. Anti-modern in a sense that “Islamic fundamentalist movements share the view that the subjugation and subordination of Islamic societies are due to their deviation from “true” and authentic Islam” (Moghissi, 1999; 69); antidemocratic in a sense that they are always right and others are always wrong; anti-feminist in a sense that they feel threatened by changes to gender relations.

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). Similarly, women organizations

with the intention of researching women rights in Islam in favor of women are also seen as adversaries of Islam and Muslims (Ibid).

All of the above discussed aspects of fundamentalism can be seen at work both in Malaysia and Pakistan. 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. There is a sense that these forces are eager to Islamize Malaysia by promoting values which they believe represent a true and authentic Islam. 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, dutiful mothers, care-givers, nurturers and service providers for the needs of the male members (Ibid). Women always require the permission of a husband for outdoor activities, namely, for shopping,

visiting her parents or mingling with friends. The leader of PAS, Datuk Nik Abdul Nik Aziz Nik Mat once argued that Islam commands every Muslim women to wear *hijab* for their protection – failure to do so would increase the instances of their sexual harassment by lusty men. Women who do not cover up are responsible for the social and moral decadence of the Malaysian society (Neo, 2007).

In response to the Islamic fundamentalists, Zainah Anwar replied 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 gaze and prevent immorality in the society (Anwar cited in Neo, 2007). Furthermore, SIS 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*⁵, *Ahl-i-Hadith*⁶ and the *Barelvis*⁷ each with a large following are rivals and engage in debates on theological issues. These religious groups

⁵ Deobandi is a term used for a revivalist movement in Sunni Islam under the Hanafi School. It is centered primarily in India, Pakistan, Afghanistan and Bangladesh. The name derives from Deoband, India, where the school Darul Uloom Deoband is situated. The movement was inspired by the spirit of scholar Shah Waliullah (1703–1762), while the foundation of Darul Uloom Deoband was laid on 30 May 1866. Some 15 per cent of Pakistan's Sunni Muslims would consider themselves Deobandi and nearly 65% of the total seminaries (Madrasah) in Pakistan are run by Deobandis.

⁶ Ahl al-Hadith (*The people of hadith*) is a term that has been used to refer to many Islamic movements that emphasize the use of hadith in Islam. They consider themselves free to seek guidance in matters of religious faith and practices from the authentic hadith which, together with the Qur'an, are in their view the principal worthy guide for Muslims.

⁷ Barelvi is a term used for a movement of Sunni Islam originating in South Asia with over 200 million followers. Although Barelvi is the commonly used term in the media and academia, the followers of the movement often prefer to be known by the title of *Ahle Sunnat wal Jama'at*, a reference to their perception as forming an international majority movement. The movement is much influenced by Sufism and the traditional folk Islam practices of South Asia, having formed as a reaction to the reformist attempts of the Deobandi movement.

have also formed themselves into political parties. Jamaat-I-Islam's influence is by far the most widespread because of its large membership" (Tariq, 2011: 4).

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; their primary job is as 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 & Marie-Aimee, 1993). Clearly, the question of religion and a Muslim identity is not one that can be avoided by women organizations. After all, not only does it limit the scope of activism, but it defines its parameters and its terrain of struggle in many ways. I found that there are many different ways that women's organizations respond to fundamentalism and fundamentalist thought. Notable among these are: (a) reinterpreting the Quran and (b) engaging with the *Ulema*.

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).

Another common debate surrounds the issue in Islam is of polygamy. Both SIS and WAF have been campaigning to restrict the practice of polygamy. For instance, SIS states that polygamy is not an honour in Islam but rather a need based right (Ismail, 1996). That is why SIS’s and WAF’s efforts of reinterpretation often focus on convincing people that the Qur’an and its laws are contextual, and often descriptive of a certain time period instead of normative. Reinterpreting and clarifying common misconceptions about the Qur’an is a popular approach taken by activists in many Muslim countries (Bodman & Tohidi, 1998, Moghadam, 2003). These efforts attempt to reinvigorate the practice of *ijtihad* (independent reasoning) – a legitimate practice in Islam.

While doing the interpretative work, Muslim women activists often involve progressive religious experts for guidance such as the Grand Mufti of Egypt. Other than progressive religious experts, they also engage with traditionalists through writing, debates and capacity building programmes. While working with the UNICEF and the Poverty Alleviation Organization (PAO) in Pakistan, I have experienced this trend that NGOs often invite representatives from fundamentalist circles to attend their programmes and events and try to win them over. Despite these efforts, fundamentalists are still opposed to women’s organizations and there remains a communication gap between the two groups.

The barrage of *fatwas*, public speeches, and attacks on civil society are ample proof of that. But this antagonistic relationship exists not because these organizations are unwilling to build networks with the religious community. It is also a reflection of

the extent to which religious groups feel threatened by women's organizations. For instance, the establishment of the girls' schools is always opposed by the religious community in Pakistan. In the context of Malaysia, civil society like SIS comes under constant criticism and I remember a few years back there were great efforts made to ban SIS in Malaysia (Kassam, 2010). The matter thus may not be as simple as women activists' unwillingness to engage with local religious elements. In fact, I argue that most organizations recognize the need to do so. But the religious fundamentalists have to be willing to develop a relationship with Islamic feminists as well; only then can both have a meaningful dialogue.

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.

2.8 Islamization, the State and Muslim Women

In the past couple of decades, religion and gender have become more and more entangled in the political chaos that surrounds the Muslim world (Ahmed, 1992). Religion has provided the vehicle by which the state has sought legitimacy, and political parties have contested the state (Sardar and Masood, 2006; Islam, 2008). "The forces that are the most committed in politicizing gender have treated women as the reciprocities of religious beliefs and the keepers of the purity and integrity of the

community” (Basu in Jeffery, et al, 1998: 3). In response, women have engaged in activism within and against communal politics.

The affiliation of women to politicize religion is contradictory and multifaceted. Religious politics on the one hand provide ample opportunities for women’s activism yet on the other hand also dilutes their autonomy (Kandiyoti, 1991). For instance, Basu argues that “contrary to the hopes of most feminists, women have not always opposed religious nationalist appeals; contrary to the hopes of religious nationalists, religious identities have not negated women’s gender, caste, class, and regional identities; contrary to the appeals of nation states, women have often dispelled the assumption that their primary identities are as self-sacrificing mothers and wives” (Basu in Jeffery, et al, 1998: 4). To welcome the complexities of women gendered, religious and community identities, gender approaches engage in comparative analysis of women between management positions and of common women, of the local against the national state, and of textual religious traditions against everyday practices.

Indeed, women are connected to modernization and development in the political scheme. In other words, women are seen to be central to cultural reinvention and religious accepted beliefs. In Muslim countries, controversy regarding veiling and unveiling are attached to different perceptions of society and to approaches of state-building. In some illustrations, symbols of modernity and national growth have embraced the unveiled as being educated and liberated modern women, while the woman who is veiled represents cultural and economic backwardness (Ong & Peletz, 1995).

Moreover, there are two important features common among Muslim nations that link gender with politics and religion. One common feature is the presence of Islamic revivalist movements in the quest for a single Islamic identity throughout the world. Islamic revivalism began in the later part of the 18th century, and gained momentum in

the 1970s, as a result of greater religious piety, and a sense of community amongst Muslims (Antoun, 1989; Hunter, 1988; Anwar 1987; Kepel, 2002). The intensity of the revival was even greater in the 1980s as a result of the growing popularity of Islamic books and journals throughout the world, the cassette tape and also the repentance of many Egyptian and other Muslim celebrities who had left their professions as they perceived it to be shameful (Nieuwkerk, 2007).

The other common feature is the postcolonial status of many Muslim countries. As postcolonial states seeking to establish a national identity, embracing confrontation from 'communally-based interest groups' and representing themselves as modern nations, they are incessantly pre-occupied in signifying the composition and outward appearance of political society. Being postcolonial and Islamic states, Malaysia and Pakistan are among several Muslim countries sharing the history of Islamic resurgence. Revivalist organizations have nationwide appeal and their impact is being felt throughout the country, particularly at the socio-political level.

The geopolitical shift around the world began to reverberate in Malaysia in the 1970s. The ideological impact of the Arab-Israeli war and its triggering of the oil crisis in 1973, the rise of Middle Eastern countries as economic powerhouses, Muslim disenchantment with secular nationalism and the Iranian revolution of the 1979 began to alter the contours of the Malaysian political landscape (Chong in Swee-Hock & Kesavapany, 2006; Sleboda, 2001: 97). The consequences of these global shifts together with the rise of *Ulema* leadership positions in politics legitimized the political pursuit of a more dogmatic and narrowly defined Islam.

The Islamization process was further consolidated under the leadership of Dr. Mahathir Mohamed, with the establishment of the International Islamic University in 1983, the Islamic Bank in 1984, the Islamic Development Foundation and the Islamic Insurance Company in 1985. In addition, the government also started providing

scholarships as well as supporting activities like conferences on Islam. By doing so, the government aimed to direct the Islamic resurgence towards modernity and progression. The interpretation of Islam focused mainly in terms of the development of Malaysia (Ibid).

Another explanation of why Mahathir Mohammad adopted the Islamization agenda is explained as a need to compete with the *Parti Islam Se-Malaysia* (PAS) and more importantly to connect and provide more legitimacy to UMNO among the Muslim constituents who were supporting PAS. This was done with an intention to reassure the public that the government was working within an Islamic framework. Thus, this contestation for power between political parties raised issues like the need for an “Islamic state, the enforcement of *Hudud* law, discrimination against women, freedom of expression, freedom of religion, freedom within religion and freedom from religion had now entered the public sphere and into the consciousness of many of the Malaysian civil society organizations” (Othman, 2006: 341).

Malaysia can be considered a model Muslim state – a state where Islam and secularism exist and work side by side. Indeed, Malaysia offers a vigorous, fairly reasonable and pleasant environment for religious and ethnic coexistence. Since Islam is the official religion, the prime responsibility for the government is to sustain and preserve Islamic institutions. Regardless the claims that in Malaysia the religious liberty is definite and the institutions of the state are secular (Faruqi in Nathan and Kamali, 2005), the ethnic and religious lenience has constantly been threatened by various phases/ processes of Islamization. This can be seen in the State of Kelantan where the *Hudud* law was successfully passed in the 1990s in the State Legislative Assembly. Although, the law has passed it was not implemented as the enforcement of criminal laws (of which *hudud* falls under) comes under the administration of the federal government.

Apart from that, the long standing pressure created by the opposition Islamic political parties makes it difficult for the Federal government to sustain the fragile separation of religion and state. Like many countries, Malaysia has also experienced different chapters of Islamization since the 1980s. The calls for Islamization have mainly been influenced by the Islamic revivalist movements across the Muslim world and resulting in the growth and development of *dakwah* (call to Islam) clusters. It is often understood as an opposition to the economic, political and social domination of the West. For Malay women, *dakwah* was conceived as a “re-education or re-socialization process, whereby women can be rescued from the throes of Westernization which had permeated Malay culture” (Karim, 1992: 227). It is further explained as a symbol of the gulf between westernization and traditionalism (Ibid).

The *dakwah* movement in Malaysia is also considered as “women’s subjection to male authority and women’s domestic roles as wife and mother as symbol of religious nationalism for Malays” (Ong, 1990). The adherents of *dakwah* claim that good Muslim women activities involve educating others about Islam, child-rearing and creating social consciousness in general (Nagata, 1984). Narli explains the philosophy of *dakwah* as women providing support to men in every field. Women can only be leaders for women organizations, and their professional roles are limited to being clerks, teachers, nurses and doctors, educating new Muslim generations, and cover their hair, wear long dresses, and do not use Western products such as cosmetics (Narli, 1991). In addition, the *dakwah* movement opposed Western values, the sexual objectification of women in Western societies and also Western feminism.

The influence of the *dakwah* movement was felt in the urban areas among Malaysian university students and professional women, who participated in their gatherings and, according to Narli, it gives university students and professional women a strong identity and values in the midst of an alien, homogeneous environment (Narli,

1991). The response to these movements therefore reflects “insecurities of the first generation of Malays confronted with new roles and high expectations in a secular society” (Karim, 1995: 111). Thus, the veil and Arab roles became important symbols for Malay women to identify themselves as Muslims and unveiling becomes an identity associated with the West. This is why many professional and well-educated women still see the veil as a visible declaration of religious commitment.

The influence of the *dakwah* movement could not last long as some of the original organizations are no longer active and students who studied in the Middle East are now comfortably settled in the middle classes. In addition, the Mahathir administration in the 1990s also institutionalized corporate Islam to deal with the *dakwah* movement and neutralize their influence on politics and religion (Seleboda, 2001). In doing so, the ruling government mainly wanted to turn such radical movements into modernization and to counter their criticism towards the government’s capitalist economic policies and to accelerate Islamization policies to keep up with an increasingly fast-paced lifestyle and material culture (Sisters in Islam eds. 1993).

Realizing the power and influence of the *dakwah* groups and their impact on the modern image of Malaysia, the government has been successful in co-opting these movements with a strategy and that is to “bring Islam within its own modernizing plans” (Stevens, 2006). This strategy means an adjustment to issues that are of Islamic concern – for instance, the establishment of an Islamic bank, Malaysian Institute for Islamic Understanding, Islamic insurance schemes and an Islamic university (Nagata, 1994). Some name the above mentioned policies as the “adaptive upgrading” of Islam to keep pace with modernization (Turner, 2007). These policies also aim to support the expansion of moderate Islam through education.

Islam has received greater political and social influence within the public space as a result of the continuing antagonism between the government and fundamentalist

schemes. Not only that, such antagonism has ironically shaped ideological convergence on several issues like gender and these issues are obvious in the “construction of Islamic womanhood, gender relations, and family” (Stevens, 1998). This concern is also shown by Othman and Ong who argue that such revivalist movements have indeed hastened gender disparities and separation among the Muslim community in Malaysia (Othman, 1998; Ong, 1990). Also, the women question has been a critical theme of the Islamization schemes not only in Malaysia but other Muslim countries as well.

As a result, women issues pertaining to dress, reproduction rights and others (polygamy, divorce, inheritance) have come under debate, yet the common trend is more towards conventional discourse where Islam is perceived as a divine revelation with fixed characteristics about men and women (Foley, 2004). One such trend is the “redefinition of Malay women’s appearance” in line with the thought that *hijab* protects a Muslim woman from moral corruption and harassment (Anwar, 2001).

Unlike Malaysia, the creation of Pakistan was based on an Islamic agenda and the ideology was to create a separate state for Muslims where they could practice Islam freely. Thus, Islam became the ideology and constitutional guideline for the state but in practice it was marginalized mainly due to the problems of rehabilitation, dictatorial regimes and the three wars Pakistan fought with India during the first 35 years of independence.

The Islamists favour a strong Islamic system with the expansion of Islamic laws in all spheres of Pakistan’s national life (Jalal in Kandiyoti 1991). Their demands include the establishment of Islamic courts, the abolishment of Islamic interest in banking, a ban on alcohol, gender segregation and the establishment of Islamic taxation (Mukherjee, 2010). In fact, because of the strong support and the vote for the Islamists, the constitution of Pakistan contains a special section on Islamic provisions: “All existing laws shall be brought in conformity with the injunctions of Islam as laid down

in the Holy Qur'an and *Sunnah* and no law shall be enacted which is repugnant to such injunctions." (Mukherjee, 2010: 331).

In the mid-1970s, the Islamization agenda strengthened further when Zia-ul-Haq decided to Islamize the country. President Zia's Islamization policies were known as *Nizam-i-Mustafa*⁸ which brought ambitious reforms in Pakistan's institutions. The programmes introduced included the establishment of Islamic banks, the abolition of bank interests, and the collection of *Zakat*, profit loss-sharing schemes in banks, the Islamic land tax and the establishment of institutions to study Islamic economics (Kennedy, 1990). Zia also set off a process of Islamization containing in it a prejudiced legislation against women namely the *Hudood* Ordinance, laws of evidence, *Qisas*⁹ and *Diyat*¹⁰.

Scholars are divided in their views about Zia's role in Islamizing the country. Some believed that it was needed and that he had no other option. Others believed that in doing so, President Zia mainly sought to prolong his military rule (Marty, Appleby, & Garvey, 1996). After overthrowing the previous government of Zulfikar Ali Bhutto, he needed justification after many sought a return to democracy. Islamization was introduced to prolong his regime and this program encouraged the formation of alliances among the Islamic parties and the fundamentalists to participate in political realm in Pakistan. This paved the way for Islamists to ensure their participation in government institutions and influence policies. Zia even supported them in their aim of Islamization. Zia knew very well that if he could win the support of the Islamic groups, the modernists would become weak and he could stay longer.

⁸ Literally, the system of the Prophet Muhammad (Peace be upon Him).

⁹ *Qisas* is derived from Arabic language meaning retaliation "an eye for an eye". For example, in case of murder, the heirs demand execution of the murderer. *Qisas* is totally against the teachings of the holy Qur'an which preaches compensation and not retaliation. It is in practice in some Muslim countries which follow *Shari'ah* including Saudi Arabia, Iran and Pakistan also. This issue of *Qisas* was raised by the media in 2009 when Ameneh – a women became a victim of acid attack and lost her eye sight.

¹⁰ Literally it means: blood money and ransom. It is a form of compensation paid to the family of a victim. In Islam, *Diyat* has to be paid in both intentional and un-intentional murder. It can be paid in the form of cash, goods or animals.

The Islamization programme adopted included the rule that prayers were compulsory in all government offices (Mehdi, 1997). In addition to that, police departments were given special powers as prayer wardens who followed people and made sure that everyone was praying five times a day (Talbot, 2002: 316). In his greed for power, he even insisted replacing the 1973 constitution of Pakistan with a totally Islamic one. He banned women from participating and watching sports and made *hijab* compulsory for women. In addition, he strengthened religious schools where thousands of students from home and abroad were educated.

In fact, WAF played an important role in countering Zia's Islamization policies. It acted as a powerful pressure group, organized women throughout the country, staged demonstrations and organized rallies to force the government to withdraw from its decisions. Initially, WAF could not achieve much but its continued struggle made women's issues as an agenda of national interest.

2.9 Women and Culture

Adat has a major influence in the lives of Malays, existing in Malay society long before the arrival of Islam in Malaysia. In other words, it is understood as a custom, tradition or the accepted ways of doing things by the Malays (Omar, 1994) and shapes the behavior, values and ways of thinking. *Adat* is also described as the "concepts, rules, and codes of behavior conceived of as legitimate or right, appropriate or necessary." (Karim, 1992: 14). While Islam is controlled by male specialists within a religious hierarchy, *Adat* is communal and accessible to women.

Furthermore, the emphasis on unity and the complementary nature of men and women in Malay society, which are both values of *Adat*, modifies the patriarchal basis of Islam. Indeed, *Adat* plays an important role in shaping gender relations in Malay society and gives women a high status and the ability to exercise power and agency.

Karim argues that the “central milieu of *Adat* provided Malay women with a keen sense of independence, mobility, entrepreneurship, and with age, prestige” (Karim, 1995: 322). She further describes *Adat* as a constant equalizer or moderator for women in the Malay society (Ibid).

As a whole, Malay *Adat* upholds egalitarian principles of ordering relationships between men and women in the context of family, kinship and the system of social relations based in the village and beyond. *Adat* gives Malay women dominant roles in rites of passage, for example, sacrifice at childbirth, weddings and associated feasts. In addition, *Adat* also gives women property which consists of a share of the village land, a rice paddy plot, a house, as well as provides divorced women a measure of security (Sleboda, 2001). *Adat* also gives a great deal of agency and power to women and enables them to access a wide range of social and economic roles (Karim, 1992). The legacy of the Malay village culture provides the authority and active participation of women in politics. However, women were unable to take political leaderships but were successful in asserting influence on the political processes.

Although women have a great deal of agency and power due to *Adat*, they are restricted in other areas due to the influence of Islam. Women are excluded from religious leadership and are subordinate to family laws. However, when women marry, they are entitled to keep their name as well as the property and wealth they bring into the marriage. Also, under Islamic law, daughters are entitled to inherit half of what sons do, and this law is frequently modified by the bilateralism of *Adat* and thus daughters often inherit equal shares of property (Karim, 1992).

The comparison between *Adat* and Islam shows that rights, power and property as suggested by *Adat* should be divided between men and women but Islamic rules of inheritance mainly favor men whereas the interpersonal clash between cognates cannot be avoided and threaten to break up the institution of family and kinship (Karim, 1992).

In fact, *Adat* has a wide impact on women's development in Malaysia, as it is not only part of the general Malay culture but is also a part of the technical legal system. Therefore, to make the most of *Adat*, Islam has always taken into consideration the fact that *Adat* is practiced by Malays who are mostly Muslims.

Unlike Malaysia where all Muslim practice *Adat* that represents the Malay culture, Pakistan has a vast cultural heritage and each region has a different cultural practice. For example, in the province of Balochistan the tribal customs are in practice for centuries, the province of Punjab is dominated by Punjabis thereby practicing Punjabi culture, in the province of Sindh, Sindhi culture is in practice and in the North, the Pushtoon majority areas practice Afghan culture. The cultural practices in Pakistan are often referred as Rasm (Custom). Even though, these culture practices differ they do have some issues in common.

Child marriage is a big issue in contemporary Pakistani society. Under the 1929 Child Marriages Restraint Act (CRMA) the minimum age for females to marry was 14 which was redefined in the Muslim Family Law Ordinance (MFLO) and increased to 16. The consent of the marriage partners is also required under this law well before the marriage takes place – this is mainly to restrict the traditional practice of arranged marriage.

Watta satta refers mainly to cross cousin marriages. In practice, sometimes it goes even beyond the family to other tribes. These marriages are fixed at their birth, meaning that their consent and choice is not included in the proposal. Once they reach the age of 16, they are engaged in the relationship. Such marriages have declined to some extent in last two decades, yet 25 per cent have been recorded by a survey in recent years. Such types of marriages are encouraged by poor families to avoid paying the dowry.

A survey showed that 70 per cent of the brides agree to such marriages and only 13 per cent are against it. The benefit *watta satta* brings to a family is retaliation and a bargaining power in a sense that if a husband mistreats his wife, his sister will be mistreated the same way by his brother-in-law. In addition, dowry is another factor that affects women (Jacoby and Mansuri, 2007). It refers to the money and goods that a woman brings to her husband in marriage. Originally, the intention behind dowry was to share the marriage expenses with the groom but eventually became a concept of payment for bride to afford a groom. It is practiced in most parts of Pakistan and India and has an adverse effect on women:

The custom of a dowry puts a premium on the bride. Demands for a substantial dowry are often made before the marriage. Subsequently, the bride is often humiliated or tortured for not bringing the expected amount. At times the bride is subjected to extreme violence. The violence takes many forms like burning, hanging the woman or killing her (Jacoby and Mansuri, 2007: 31).

A dowry has great impact as it is extravagant and often throws a family into debt. This custom causes the birth of a girl to be even more disgraceful to poor families. This is why when a boy is born into a family; it is celebrated with happiness because a son means insurance, property and financial benefits. In contrast, when a girl is born, the reaction is totally different because for them a daughter is a burden and another expense to the family. Thus, a daughter is not treated equally as a boy and discrimination exists from childhood just because of the fear of dowry.

2.10 Summary of the Chapter

The chapter began with a discussion on Islamic *Shari'ah* law and its formulation in the context of Malaysia and Pakistan. It then discussed some of the important concepts including religion and social change in the context of Islam and Islamic feminism. It discussed the discourses of Islamic feminism and their engagement with Islamic fundamentalists in the form of debates, dialogues and conferences. These discourses included the male dominated interpretations of the Qur'an and the patriarchal cultures that discriminate against women with special reference to the scholarship of Riffat Hassan, Asma Barlas and Amina Wadud. The chapter also delineated the processes of Islamization in both Malaysia and Pakistan and its effects on Muslim women and how SIS and WAF responded to it. The obstacles, power and agency of Muslim women within their particular cultures both in Malaysia and Pakistan are thus explored. The next chapter will discuss the methodology adopted for this research.

CHAPTER 3

METHODOLOGY

3.1 Introduction

This chapter explains the methodology adopted to gather data on issues associated with Muslim women's activism in Malaysia and Pakistan. The method chosen is quantitative survey complemented by qualitative interviews which will be explained in detail. Methods for the determination of the sample size and equal representation of the respondents are also explained. The chapter also briefly discussed the ethical considerations that were maintained throughout the process of this research. Furthermore, I will also provide a reflection on my position as a researcher in this study in order to acknowledge that the research is not devoid of my personal values and immune from my personal biases. It is this reflexivity that will ensure that I be as rigorous as possible and minimize the bias that may occur.

3.2 Research Method

Deciding on how to go about this research was a challenging but essential task. Experts suggest that there is no definite right and wrong approach for any one research task. What is important for the researchers is to adopt an approach that would best provide them with the answers to their research questions and/or issues under investigation (Gerson & Horowitz, 2002). For this research, I seek to discover the perception of Muslim female final year undergraduate students towards SIS and WAF as well as their strategies for advocating Muslim women's rights.

As discussed in the literature review, Islam and Muslim women's activism is a challenging task to deal with. Therefore, it is imperative to employ research approaches that can provide me with the tools necessary for the analysis of issues in this thesis. This

is especially significant given the fact that my research is interdisciplinary in nature as it seeks to explore a phenomenon that is affected by many factors such as economic, political, social and religious. It is also essential for me to adopt an approach that can give me access to the fullest range of relevant research data in order for me to develop legitimate and warranted arguments in my analysis.

Because of the reasons enumerated in the paragraphs above, the method chosen for this study is quantitative survey complemented by qualitative interviews. The combination of quantitative and qualitative method is useful as it brings multiple and different sort of information required for better results. In addition to that, research findings based on this combination are likely to be better (Brewer and Hunter, 2006) as they are based in dissimilar conduct of examining social realities.

I also believe that the combination of quantitative and qualitative methods is capable of adding rigor, breadth and depth to my research analysis (Denzin & Lincoln, 1998). This is based on the assumption that each research method has its own strengths and limitations. Rather than elaborating on the differences between each method it is more beneficial to explore how each of the methods can complement each other for the purpose of research (Bryman, 2004). In other words, I combine qualitative and quantitative methods of data generation to take advantage of their individual strengths as well as to compensate for their individual limitations (Brewer & Hunter, 2006). The use of the quantitative method is beneficial to this research because it contains consistent methods for data collection in the form of a survey (Meadows, 2003). Information that comes through this method can be organized into figures/ numbers to facilitate a form of statistical analysis (Meadows, 2003).

The quantitative data is complemented by qualitative interviews. The interviews would also help overcome any shortcomings from the quantitative survey and provide further in-depth information of the issues studied. Respondents were also encouraged

and given an opportunity to explain in detail their feelings, experiences and opinions on the specified issues resulting in rich data resources to work with (Rubin & Rubin, 2005). The interviews are also used to elicit complex and obscure information from the respondents such as their philosophy of Muslim women's rights – something that might not be possible under the survey (Crow & Holland, 2013).

This combination of quantitative survey and qualitative interviews is important because their strength and limitations would conveniently complement and supplement each other. For instance, the strength of a survey is it offers quantified information and facilitates an analysis of how prevalent an issues is (Veal, 2005) while interviews assist in providing rich details of the issues analyzed (Crow & Holland, 2013).

3.3 Sampling

The participants for this study come from two universities: University of Malaya, Malaysia and the University of Karachi, Pakistan. The universities are located in the main cities of their countries namely, Kuala Lumpur and Karachi. Both cities are multi-ethnic, multi-lingual, multi-cultural and metropolitan cities. Both are the oldest and biggest universities in their respective countries.

In addition, the organizations selected for this study are also headquartered in the same cities where these universities are located. The reason why universities were chosen as the location of study is based on the nature of the topic which is sensitive in both countries especially in the context of Pakistan. There have been cases where NGO activists and researchers have been kidnapped or killed for being accused as the preachers of Christianity as well as accuse of committing apostasy. In Pakistan, in

certain regions, girl's schools have been burnt and parents have been forced to send their children to *Madrasas* (Islamic religious schools) only.¹

In this situation, where my survey questionnaire deals with Islamic *Shari'ah* laws, re-interpretation of the Qur'an by women's groups and polygamy made it difficult for me to reach ordinary women in Pakistan. Therefore, locating my research in the University of Karachi was helpful as it not only helped me to avoid any controversy but also provided me with an environment where people are more open to debates and new ideas. In Malaysia, the research could be conducted outside the University and I could reach ordinary women; however, keeping in view that the study is comparative in nature and that it requires a balanced population with as maximum similar characteristics as possible, I decided to locate my study in the University of Malaya.

Apart from this, universities are also chosen based on the logic that students are the future leaders. After completing their education, these students may occupy positions in government and private machinery and later on some may hold positions at the policy level. They are the ones who are going to decide the future of the nation. It is important to know their perceptions about feminist based organizations and their work in re-interpreting the Qur'an.

Three faculties are chosen from each university namely, Faculty of Arts and Social Sciences, Islamic Studies and the Sciences. The issues discussed in this research are academically very much related with Islam; therefore, it is imperative to include Islamic Faculty in both universities. The issues studied in this research are also academically related with the students of Arts and Social Sciences as they are taught in various academic disciplines, for instance, Gender Studies, Political Science, Sociology and Anthropology. Therefore, students of Arts and Social Sciences are also included in the survey. In order to receive varying perceptions about the issues studied in this

¹ For detailed explanation of these incidents see: Jaffar, 2006.

research, Faculty of Science is also included in the survey to analyze if there are differences in findings found between the three faculties.

Since the research focuses on the topic Islam and Muslim women's rights and advocacy, the target participants for this study are final year undergraduate Muslim female students. Issues discussed in this research are directly related and have an impact on Muslim women. For example, scholars suggest that Islamic laws and polygamy discriminate against women (Othman, 2006; Anwar, 2007) and that interpretation of the Qur'an is also male-dominated that results in the oppression of women (Anwar, 2005). At the heart of the issues in Islamic Law, polygamy and interpretation of the Qur'an are Muslim women as they are most affected by it.

Even though, Karachi University and the University of Malaya has many things in common as discussed above; however, there are research constraints faced. The faculties and department names are different: for example, in the University of Malaya there is the Faculty of Arts and Social Sciences, whereas in Karachi University it is the Faculty of Arts. Similarly, in Karachi University, there is the Faculty of Islamic Studies and in the University of Malaya we have Academy of Islamic Studies. Furthermore, departments and courses taught in both universities are not necessarily the same; for example there is no Linguistics Faculty in Karachi University and linguistic courses are taught under the Faculty of Arts, whereas, in University of Malaya there is a separate Faculty for Linguistics.

Having highlighted the above research constraints, I am confident that these research constraints are minimal, as my target population is Muslim female students in a diverse academic background. The variance in faculties, departments and courses would bring diverse ideas and opinions about my research queries.

Another challenging task was to select a suitable population size for the study. It is very rare for researchers to cover a big population that is diverse and wide. To cover a

population that is diverse and wide, an ordinary practice among researchers is to make a sample from a specific targeted population. Moreover, it is not recommended to study all possible cases to understand the phenomenon under consideration (Ary, Jacobs, & Razavieh, 2009). What is important is for the sample size to be representative to facilitate the researcher to make generalizations, assumptions, suppositions and conclusions (Maleske, 1995). It is advisable to maintain a sample size that can define the characteristics of the total population. For instance, in the case of a low sample size it would lack precision to offer reliable answers to research questions. And in the case of a large sample size, it would require resources and time. Therefore, it is necessary to draw a sample from a population that can best explain the characteristics of the entire population. Salant and Dillman (1994) explain a few factors that need to be taken into consideration before determining a sample size from a population: (1) how much sampling error can be tolerated; (2) population size; (3) how varied the population is with respect to the characteristics of interest; and (4) the smallest subgroup within the sample for which estimates are needed.

Keeping in view the above debate, I would employ Krejcie and Morgan sample size table, a commonly used method. The Krejcie and Morgan sample size table actually lies in its ability to obtain the necessary information from relatively few respondents to describe the characteristics of the entire population. It also allows the researcher to make inferences or generalization from the sample statistics to the population studied. The other advantage of using this method is to save time and money.

Table 3.1: Determining Sample Size from a Given Population

N	S	N	S	N	S	N	S	N	S
10	10	100	80	280	162	800	260	2800	338
15	14	110	86	290	165	850	265	3000	341
20	19	120	92	300	169	900	269	3500	246
25	24	130	97	320	175	950	274	4000	351
30	28	140	103	340	181	1000	278	4500	351
35	32	150	108	360	186	1100	285	5000	357
40	36	160	113	380	181	1200	291	6000	361
45	40	180	118	400	196	1300	297	7000	364
50	44	190	123	420	201	1400	302	8000	367
55	48	200	127	440	205	1500	306	9000	368
60	52	210	132	460	210	1600	310	10000	373
65	56	220	136	480	214	1700	313	15000	375
70	59	230	140	500	217	1800	317	20000	377
75	63	240	144	550	225	1900	320	30000	379
80	66	250	148	600	234	2000	322	40000	380
85	70	260	152	650	242	2200	327	50000	381
90	73	270	155	700	248	2400	331	75000	382
95	76	270	159	750	256	2600	335	100000	384

Note.—N is population size.
S is sample size.

Reference: Krejcie, R. V., & Morgan, D. W. (1970). Determining sample size for research activities. Educational and Psychological Measurement, 30, p. 608.

As mentioned earlier undergraduate final year Muslim female students from these three faculties make the population of this study, namely: the Faculty of Arts, Islamic Studies and the Sciences. The total population of Muslim female undergraduate students for the academic session 2012-2013 is given below:

Table 3.2: Total Number of Female Muslim Final Year Undergraduate Students for the Academic Session 2012-2013

Faculties/Academy	University of Malaya	Karachi University
Arts and Social Sciences	34	102
Islamic Studies	181	56
Sciences	73	147
Total	288	305
Grand Total	593	

Source: Examination Unit, Academic Section, University of Malaya
Registrar Office, University of Karachi

Table 3.3: Sample size based on Krejcie and Morgan's (1970) table ($p < .05$)

Faculty	University of Malaya	Karachi University
Arts and Social Sciences	32	86
Islamic Studies	123	52
Science	63	108
Total	218	246
Grand Total	464	

Table 3.3 shows the sample size determination for this study based on Krejcie and Morgan's (1970) table ($p < .05$). Based on the total number of Muslim female undergraduate final year students in three faculties of UM and KU, the sample size determined is 464. Out of 464, KU students are 246 and UM students are 218. Since the number of Muslim female final year undergraduate students in KU is higher than UM, the sample size is also higher in KU.

3.4 Distribution of Questionnaires

This distribution of questionnaires in the departments is based on stratified random sampling to ensure each and every department in the faculty is represented. The survey respondents of my study are Muslim female final year undergraduate students from three faculties of UM and KU namely Science, Islamic Studies and Arts and Social Sciences. Since the population of the study is known and divided in groups and subgroups (faculties and departments), I needed to choose a sampling method that could facilitate this type of divided population. Therefore, stratified random sampling is chosen because of its ability to deal with strata and sub-strata (groups and subgroups) as argued by Albright that stratified random sampling is useful when the population is known and divided into groups and subgroups (Albright, 2010).

Experts suggest that it is not possible to study all cases in a given population what is important is the sample size that must be representative (Malaske, 1995) and stratified random sampling has “the advantages of guaranteeing equal representation of each of the identified strata” (Leedy and Ormrod, 2005: 211).

Since, required sample size for each department was known through Krejcie and Morgan’s (1970) sample size determination, another obstacle was to select the sample size within each department. This was done through an exercise as explained below:

Table 3.4: Distribution of Questionnaires

Departments	No of Students	Sample Size			
A	14	7	12	14	14
B	40	7	12	14	30
C	7	7	7	7	7
D	12	7	12	12	12
Total	73	28	43	47	63
Required Sample Size	63	63	63	63	63

For instance, there are four departments in a given faculty namely A, B, C and D. The total number of students in the faculty is 73 and the required sample size is 63. The exercise begins with the smallest number which is 7 in department C. 7 slots are assigned in each department which make a total of 28 far less than the required population which is 63. Therefore, the exercise involves a second round going for the next higher number which is 12 in department D. 12 slots are assigned in A, B and D and 7 is maintained in the department C. The second round makes a total of 43 and yet the required sample size 63 is not achieved. Therefore, the exercise involves the third round going for the next higher number which is 14 in department A. 14 slots are assigned in department A and B – department C and D are maintained as it is. The third round makes a total of 47 and the required sample 63 is still not achieved. Since all the students in department A, C and D are taken already therefore the remaining 16 are assigned to department B thus making the total number of students 30 in that department. After this exercise, the population size in each department is as follows:

Total number of students is 14 and required sample size is also 14 in department A. In department B, total number of students is 40 and required sample size is 30. In department C, total number of students is 7 and required sample size is also 7. Total number of students in department D is 12 and required sample size is also 12. The total number of students and the required sample size is same for the department A, C and D. However, this is not the case in B where the total number of students is 40 and the required sample size is 30. Therefore, a list of students is obtained for B and each student is assigned a code and then 30 students are selected randomly through SPSS. This exercise was used for the distribution of questionnaires in all the departments of selected faculties of UM and KU.

Table: 3.5 Distribution of questionnaires in the Faculty of Arts, University of Karachi

Departments	No of students	Sample Size
Arabic	5	5
Economics	8	6
English	6	5
International Relations	7	5
Library & Information Science	9	6
Political Science	7	5
Sindhi	3	3
Sociology	4	4
Special Education	3	3
Visual Studies	4	4
Education	6	5
General History	5	5
Islamic History	8	6
Mass Communication	5	5
Philosophy	6	5
Psychology	7	5
Social Works	5	5
Urdu	4	4
Total	102	86

Table 3.5 shows the distribution of questionnaires in the Faculty of Arts, University of Karachi. The total number of Muslim final year undergraduate students in the Faculty of Arts, University of Karachi are 102, so the sample size required is 86 based on Krejcie and Morgan's (1970) table ($p < .05$).

Table: 3.6 Distribution of questionnaires in the Faculty of Islamic Studies, University of Karachi

Departments	No of Students	Sample Size
Islam Learning	19	15
Quran Wa Sunnah	13	13
Usulal Din	9	9
Sirah Chair	15	15
Total	56	52

Table 3.6 shows the distribution of questionnaires in the Faculty of Islamic Studies, University of Karachi. The total number of Muslim final year undergraduate students in

the Faculty of Islamic Studies, University of Karachi is 56, so the sample size required is 52 based on Krejcie and Morgan's (1970) table ($p < .05$). The same method is used for the distribution of questionnaires in other faculties of KU and UM.

Table: 3.7 Distribution of questionnaires in Faculty of Science, University of Karachi

Departments	No of Students	Sample Size
Agriculture and Agribusiness Management	11	6
Applied Physics	8	6
Biotechnology	6	6
Chemistry	13	7
Food Science & Technology	4	4
Geology	9	6
Health & Physical Education	4	4
Microbiology	8	6
Physics	9	6
Statistics	12	7
Applied Chemistry	11	7
Biochemistry	9	6
Botany	8	6
Computer Science	10	7
Genetics	4	4
Mathematical Sciences	6	6
Petroleum Technology	5	5
Physiology	3	3
Zoology	7	6
Total	147	108

Table 3.7 shows the distribution of questionnaires in the Faculty of Science, University of Karachi. The total number of Muslim final year undergraduate students in the Faculty of Science, University of Karachi are 147, so the sample size required is 108 based on Krejcie and Morgan's (1970) table ($p < .05$).

Table: 3.8 Distribution of questionnaires in the Faculty of Arts and Social Sciences, University of Malaya

Department	No of Students	Sample Size
Anthropology & Sociology	3	3
Geography	4	4
English	1	1
International & Strategic Studies	1	1
South East Asian Studies	1	1
East Asian Studies	5	5
Media Studies	3	3
Social Administration & Justice	12	10
History	4	4
Total	34	32

Table 3.8 shows the distribution of questionnaires in the Faculty of Arts and Social Sciences, University of Malaya. The total number of Muslim final year undergraduate students in the Faculty of Arts and Social Sciences, University of Malaya is 34, so the sample size required is 32 based on Krejcie and Morgan's (1970) table ($p < .05$).

Table: 3.9 Distribution of questionnaires in the Academy of Islamic Studies, University of Malaya

Departments	No of Students	Sample Size
Fiqh & Usul	1	1
Syariah & Management	1	1
Syariah & Economics	1	1
Syariah & Law	21	21
Aqidah & Islamic Thought	6	6
Al-Quran & Al- Hadith	13	13
Dakwah & Human Development	10	10
Islamic History & Civilization	16	16
Siasah Syar'iyah	1	1
Islamic Education Program	95	41
Applied Sciences with Islamic Studies	12	12
Total	176	123

Table 3.9 shows the distribution of questionnaires in the Academy of Islamic Studies, University of Malaya. The total number of Muslim female final year undergraduate

students in the Academy of Islamic Studies, University of Malaya is 176, so the sample size required is 123 based on Krejcie and Morgan's (1970) table ($p < .05$).

Table: 3.10 Distribution of questionnaires in the Faculty of Science, University of Malaya

Departments	No of Students	Sample Size
Department of Physics	14	14
Department of Chemistry	40	30
Department of Geology	7	7
Department of Science & Technology Studies	12	12
Total	73	63

Table 3.10 shows the distribution of questionnaires in the Faculty of Science, University of Malaya. The total number of Muslim final year undergraduate students in the Faculty of Science, University of Malaya is 73, so the sample size required is 63 based on Krejcie and Morgan's (1970) table ($p < .05$).

For qualitative interviews, ten informants were identified through two different means: identified by the researcher and snowballing that is one respondent leading me to another respondent. The suitability of interviewees for this study was determined mainly on the basis of their ability to provide data or information relevant to the research questions and their ability to contribute further to support qualitative findings of the study. Ten qualitative interviews were conducted; five each in Pakistan and Malaysia. The interview respondents were from various backgrounds associated with Muslim women's issues, for instance, four academicians (two each in Pakistan and Malaysia), two Shari'ah lawyers/experts (one each in Pakistan and Malaysia) and four Muslim women's rights activists (two each in Malaysia and Pakistan). Though there is similarity in terms of respondents' expertise, there is a difference in terms of their gender – in Malaysia all five respondents are female while in Pakistan two out of five

are male. The reason is that in Malaysia the majority of women's rights activists are female while in Pakistan there are considerable numbers of men who champion women's issues.

3.5 Description of Interview Respondents

Informant 1: Informant 1 is a women's rights activist in Malaysia.

Informant 2: Informant 2 is a *Shari'ah* law expert.

Informant 3: Informant 3 is a lecturer in a Malaysian based university.

Informant 4: Informant 4 is a legal associate and provides consultancy services to women on several issues in the *Shari'ah* Court.

Informant 5: Informant 5 is a women's rights activist in Malaysia.

Informant 6: Informant 6 is a women's rights activist in Pakistan.

Informant 7: Informant 7 is a Professor in a Pakistani based university.

Informant 8: Informant 8 is a *Shari'ah* lawyer in Pakistan.

Informant 9: Informant 9 is a Professor of Islamic studies in Pakistan.

Informant 10: Informant 10 is a women's rights activist in Pakistan.

Subsequently, in the data analysis, the interview informants are represented as R1, R2, R3, R4, R5, R6, R7, R8, R9, and R10.

3.6 Quantitative Data Design and Analysis

The data collected is analyzed through SPSS and the survey utilized a 5-item Likert Scale with responses as follows: Strongly Disagree = 1, Disagree = 2, Undecided = 3, Agree = 4, Strongly Agree = 5. A Likert Scale is a widely used approach for answers in surveys. It is helpful in face-to-face interviews to allow the respondent to look at a prompt card showing the choices (Gilbert, 2005).

The Likert-Type Scale is particularly useful for this study because of the following reasons: it facilitates the gathering of data in a standardized way; it makes data gathering quick and easy; it is simple to construct; respondents can be from a large or a small group; it is easy to use; the wide range of choices can make participants feel more comfortable.

Scholars suggest that one of the authentic instruments for designing a questionnaire is expert advice (Blair, 2013; Oppenheim, 1992). In the process of designing an instrument, the validity and reliability should be tested to satisfy the following criteria:

- (1) Questions included in the survey contain shared vocabulary and single meaning.
- (2) Questions do not contain any unconfirmed or misleading statements.
- (3) There is no biasness in the questions.
- (4) Questions/ inquiries are offered in a personalized manner and contain alternative response options (Cooper & Schindler, 2010).

Assuring that the questionnaire does not contain any misleading statements, it contains shared vocabulary and meaning and it is not biased; I kept revising the questionnaire based on my discussions with the experts. For instance, I was advised by an expert that I should include some questions to test the basic knowledge of the survey respondents on SIS and WAF and ultimately on Islamic *Shari'ah* law. I found this advice very useful and tested it in the pilot study where I came to know that not all the respondents knew about SIS and WAF. This helped me to plan that I should not only distribute the questionnaires but also brief the survey respondents about SIS/WAF and issues of their advocacy before they fill the questionnaire.

3.7 Pilot Study

A pilot study was conducted during April-May 2010. This involved interviews and/or discussions with activists and academicians. Two women's rights activists, two academicians and 80 Muslim female undergraduate students (20 each in UM and KU) were involved in the pilot study.

A pilot study serves a number of purposes. Firstly, it allowed me to test my assumptions in relation to the research objectives of the study. In particular I was able to assess whether I was pursuing the right objectives or had focused on the right issues for the research topic. It also allowed me to pay more attention to areas that were dealt with cursorily previously (Kumar, 2011).

Furthermore, the interviews in the pilot study have given me an opportunity to explore the kind of problems that they were facing in activism as well as the motivations behind their decision to become activists. The interviews also allowed me to test my assumptions on issues that are relevant to Muslim women's activism in Malaysia and Pakistan such as the interpretation of the Qur'an, polygamy and Islamic laws.

Secondly, the pilot study was undertaken to provide opinions on issues included in this study. On this aspect, I sought advice from academicians on how I should distribute my questionnaires in order to get a high response rate. I also sought their advice on how to conduct my interviews effectively as well as how to capture the complex interaction of factors relevant to women's activism. Their advice on particular issues will be elaborated in the data gathering discussion where appropriate.

The third purpose of my pilot study was to test whether the questionnaire conforms to the wording and sequencing required by this study (De Veal, 2002). I was inspired by an advice given by an academician that this exercise is important to avoid mistakes of asking ambiguous and ineffective questions that could affect the quality of

the data collected (Floyd, 2001). This exercise is also essential to assist with design of a questionnaire that is easy and convenient for respondents (Hoyle, Harris & Judd, 2002).

Another advantage of the pilot study was that it helped to confirm the usefulness of the mix-method approach adopted in this research. In this regard, the interviews and discussions with the academics were beneficial in terms of constructive feedback on how I should approach my study. Their comments and feedback confirmed that the mixed-method approach was useful for this study.

In short, the pilot study has made a valuable contribution to this research. It has helped me to test my assumptions in relation to the research questions of the study, to gain a sampling of opinions on how the study should proceed, to get feedback on the quality of my survey instrument, confirm the usefulness of a mixed-method approach for this research, and ascertain the effective strategies to maximize opportunities for data collection.

Correlation test was conducted on two sets of items; E9-D3 (D3: Learned Muslim men and women although not *Ulema* can also be involved in the interpretation work and E9: Muslim women should engage in the interpretation of the Qur'an) and E3-C11 (E3: Do you think that Sisters-in-Islam has been influential in protecting Muslim women's rights in the context of the practice of polygamy and C11: I support SIS/WAF calls for restrictions on polygamy). The correlation coefficient for E9-D3 was .75 and for E3-C11 was .67 meaning that there is a strong relationship and this relationship is not happening by chance at 95 per cent confidence interval or $p < .05$.

3.8 Reflexivity, Knowledge & Positionality in Analyzing the Data

Perhaps the biggest challenge for me as a researcher in this study was to obtain, interpret and represent the data and information gathered from my respondents without

succumbing to restrictions posed by my personal background. This is due to the fact that contemporary social science research is no longer believed to be a value-free scientific inquiry. It requires a researcher to admit his/her personal, political and professional interests and biases (Reinharz, 1992).

Being raised in a middle-class family, I was taught the importance of education as a vital avenue to a better life. After obtaining my first degree, I got a chance to work with UNICEF for quite some time. There I was part of various workshops, seminars and fieldworks related to children rights that also emphasized on the health and status of a mother in the family. While working with UNICEF, I actively participated in the seminars and workshops of other international and local organizations particularly the UN Women and *Aurat* Foundation (*Aurat* means women). This was the time I became familiar with the term gender equality and soon developed an interest in this particular area.

By and large it is undeniable that my personal and work background has probably influenced my thinking and motivation for this study. Rather than ignoring these influences, I am acknowledging that this research is not immune from my personal biases. However, I believe that my personal background and working experiences together with the literature review have served as valuable tools to elucidate a deeper understanding of the issues in this study and enhance my competency as a researcher. Being aware of how I may influence the process of research, I can better minimize bias on my part.

The interviews and questionnaires were successfully done in Malaysia without any major obstacles with the support of key informants. This was not the case in Pakistan where some portions of the interviews and discussions were emotionally charged and continued to whirl in my mind for days after the interviews had taken place. My own self of sense and beliefs felt under attack when I was told by someone

that my research has been ill-advised and that rather than studying women organizations, I should be studying Islam in a *Madrasah* (religious school) so that I could turn out to be a good Muslim myself. Furthermore, the reflexivity I experienced in those moments inspired me to think how dialogues and practices of ‘being a Muslim’ are dealt with in the process of research. The interaction with respondents was very much productive as they allow me to interact in a personal manner with the subjects of my research.

3.9 The Field Work

It was conducted in two different phases as it served different purposes. Phase one was a pilot study that also served the purpose of networking and establishing rapport from the organizations studied. Phase two is the actual data collection.

Phase 1 of the Field Work:

Phase one of the field work was conducted during the two months period of April-May 2010. The first objective of this phase was to conduct my pilot study. The second objective was to network and to obtain support from the relevant organizations such as Sisters in Islam, Malaysia and Women’s Action Forum, Pakistan and also from women’s right activists and academicians in both countries. I concur with Lincoln that field work also provides an avenue to establish rapport and trust with the organizations studied as well as key informants and ‘gatekeepers’ (Lincoln, 1985). Support from these organizations and key persons were essential to gain subsequent access to interview respondents. As a result of these exercises, I managed to obtain access to key figures in SIS and WAF and managed to have a few informal discussions with them.

During phase 1, I was also able to conduct preliminary data gathering process. In this regard, an extensive archival search was undertaken to find information and

documents in the resource centres of SIS and WAF as well as other local sources such as newspapers, magazines and publications of non-profit organizations.

Finally, phase 1 of the field work helped me to be better prepared for the main data collection exercises which were conducted in the second phase of the field work. In brief, phase 1 of the field work was undertaken with the objectives of administrating the pilot study, obtaining support for the research, establishing rapport and trust, conducting the preliminary data gathering and being better prepared for actual data collection. The decision to conduct the field work in two phases provided me with ample time to reflect on my pilot study and to reassess the procedures of the main data gathering exercises in the second phase of the field work.

Phase 2 of the Field Work

Phase 2 is considered the actual data collection phase carried out from August-October 2012. In this phase, the actual interviews and survey were conducted.

The Survey Questionnaire

A survey is a methodological technique that requires a collection of systematic data from a population or a sample through either highly structured interviews or questionnaires that subsequently involve statistical analyses of the data collected (Groves, 2004). A major advantage of a survey research lies in its ability to generalize its findings in a wider context (Bryman, 2004). In this regard, a survey researcher can claim with a certain level of confidence how his/her selected sample is representative thus, enabling the researcher to make claim that his/her research findings can be generalized beyond the context of his/her particular study.

The survey for this study is based on a questionnaire divided into six sections as in Appendix I. Section one is background information; this includes information like

age, marital status and field of study. Section two is about Islamic *Shari'ah* Law in Malaysia/Pakistan; this includes questions on Muslim women equal status under the *Shari'ah* law, appointment of female judges in the *Shari'ah* courts, and SIS's and WAF's advocacy on reforming the *Shari'ah* law. Section three deals with the issue of polygamy and seeks answers to questions like who benefit more from polygamy, can polygamy be questioned in Islam and do respondents support SIS and WAF calls to restrict polygamy. Section four deals with the interpretation of the Holy Qur'an and includes questions of whether the interpretation of the Qur'an is male dominated and women's voices are suppressed in such interpretations, what do participants think of SIS/WAF's efforts to interpret the Qur'an. Section five deals with perceptions of SIS and WAF and seeks explanations of whether SIS and WAF are influential organizations effecting discourses on Muslim women's rights in their respective countries. Section six is additional information that respondents may think is important for this study.

The survey questionnaire provided me with an efficient means of gathering data from a large number of respondents that would not be possible under other methodological techniques such as interviews and participant observations. The survey questionnaire also allows for quantified information through the presentation of the results in numerical form, cross-validation and/or corroboration of data gathered in interviews (Veal, 2005).

Being aware that questionnaires are often associated with a low response rate (Hoyle, Harris & Judd, 2002), I have adopted various strategies to disseminate them. In this respect, the feedbacks and advice that I received in my pilot study has helped me a lot in coming up with effective ways to administer my survey questionnaire. Firstly, I was advised not to distribute the questionnaire through the mail because there was a high possibility that it would not be completed properly and may not bring satisfactory results. I was also told in the pilot study that the response rate for the mailed

questionnaires was very low in Pakistan and Malaysia where such research has yet to gain popularity.

Instead, what I did was to obtain appointments with the relevant people in each faculty and department and with their assistance I gained access to the respondents of this study. In some cases, I was given access to students in the class room and in other cases students were invited to a meeting room. Because of the lack of resources, I could not go to Karachi University and sought help from a close friend to distribute the questionnaires. However, I guided him thoroughly on how these questionnaires should be distributed and informed him of the objectives of the study and content included in the questionnaire. We had several discussions on Skype to make sure that the task is completed well.

In UM, I personally distributed the questionnaires and provided guidance to the respondents where necessary. The support provided by the relevant faculties saved me from certain obstacles to reach the respondents. I explained to the subjects that I am interested in their views and experiences regarding a variety of issues related to women's rights in Islam and the role of SIS/WAF. I also told them that they would be asked to read some statements and indicate their opinion as to whether they agreed, disagreed, strongly agreed and so forth and this would take approximately 15 minutes of their time. The same procedures were used in Pakistan.

The Qualitative Interviews

In its simplest form, a qualitative interview is a conversation often between two persons, the interviewer and the interviewee (Kvale, 1996). In contrast to an ordinary discussion, interviews are more in-depth and focused (Rubin & Rubin, 2005). Qualitative interviews differ from quantitative interviews in two ways: Firstly, in contrast to quantitative interviews which use mainly fixed-choice questions, qualitative interviews

use open ended questions. Secondly, while quantitative interviews are conducted on large sample, qualitative interviews are often done on a small number of respondents. This is because the main purpose of qualitative interviews is to generate depth of understanding rather than breadth (Silverman, 2000). Another reason why qualitative interview is good is because based on respondent's answer we can explore angles that have not been thought of before.

In the context of this study, a semi structured qualitative interview (as in Appendix II) was used to gather information from respondents. While structured interviews standardize predetermined questions which are asked in the same order for all respondents, semi-structured interviews are flexible by allowing an interviewer to bring up new questions during the interview to probe for more information (Kvale, 1996). I chose to adopt the semi-structured interview because of its ability to provide me with the flexibility and autonomy to cover all areas of the research interest while allowing respondents to be flexible in their responses to the inquiries (Bryman, 2004). In each of the interviews, I would prepare a set of interview parameters on the issues that needed to be covered. The interview would usually start with a common question such as what is your opinion and understanding of Islamic feminism. Based on their initial answers, I would decide what my next question would be. This process was repeated until all the issues outlined in my interview parameters were discussed.

The semi-structured interview also helped me to elicit responses on sensitive and controversial issues such as Islam and Muslim women's rights and Islamic reforms/Islamic extremism/Islamic oppression of women. In this regard, rather than asking direct questions on the issues I would usually wait for my respondents to come up with the issues themselves, which fortunately happened in nearly all of the interviews. Only in instances where the issues were not mentioned by the interviewees, would I take an initiative to raise these issues myself. The experiences that I gained in

the pilot study had helped me in terms of finding ways to bring up the issues or to frame my questions in a way that may not sound intimidating and judgmental in the effort to encourage respondents to open up.

Another advantage of the semi-structured interview was its ability to allow responses to common questions to be compared across the entire group of respondents who were of diverse background. This opened up an opportunity for me to seek for the common pattern of their responses as well as their conflicting views (Denzin & Lincoln 1998). This is achieved by encouraging respondents to explain in detail about their experiences, feelings and opinions, thus, providing me with rich data resources to work with (Rubin & Rubin, 2005).

The semi-structured interview was not however without limitations. One of the limitations was that there would be a tendency for my respondents to give only socially and ethically correct answers (Ruane, 2005). The semi-structured interviewing method has also been criticized for its inability to elicit truthful answers from all respondents (Miller & Dingwall, 1997). Again, this could be attributed to the discrepancy between what people say and what people actually do (Silverman, 2000). This inaccuracy could also be attributed to the 'vagaries of memory' of the respondents in terms of how well they could remember about particular occasions and/or experiences (Mason, 2002).

Recognizing the busy schedule of my respondents, all interviews were conducted at places and time that were most convenient to the interviewees based on their request. In this regard, the pilot study and the experiences that I gained in phase 1 of the field work helped considerably in terms of enhancing my skills in conducting the interviews in various environments or interview settings. Almost all interviews were conducted between me and the interviewee alone. However, in Pakistan the actual interviews were conducted via Skype because of budget constraints.

Other Means of Data Gathering

In addition to the interviews and the survey, other means of data gathering like archival and document searching were also undertaken during the phase 1 and phase 2 of the field work. Similar to phase 1, I became alert to local debates and discussion on the subjects that were relevant to this study. I attended the conference on Islamic Area Studies organized by the Asia-Europe Institute; University of Malaya in 2009 and the 7th Biennial International Interdisciplinary Conference, Keele University, England, 27 – 29th June 2012. I collected some useful papers with debates on Islam and Muslim women's rights. I also attended various seminars organized by local universities in the area of women studies. I was also fortunate that the topic of this study was of interest to many, thus, making it easy for me to open up informal discussions and/or getting people to talk about subjects that were relevant to my research objectives. I also paid several visits to the offices of Sisters in Islam and Women's Action Forum to collect materials relevant to this study.

3.10 Ethical Considerations

The research involved Muslim women respondents on the topic of women's rights in Islam. Therefore, it was necessary to pay the strictest attention to ethical values and principles. This was mainly done to ensure that the research conforms to the ethical principles required to study humans.

Indeed, an ethical study should not cause any harm to its subjects (Ruane, 2005).

In this regard, all my interviewees were given assurances of absolute confidentiality at the start of each interview. They were made aware beforehand that the interview would be tape-recorded and only the researcher and the supervisor would have access to that. The interviewees were also promised that this information would be kept confidential at all times and pseudonyms would be used to identify them in the write up of the data

collection. I briefly explained the objective and procedure of this research so that my interviewees would be fully informed about the study and its potential benefits and risks to them (Creswell, 2003).

I also cautioned the interviewees of their right to refuse answering any question inconvenient to them and to withdraw from the study at any point of the interview. Also, the interviewees were informed that they were free to ask any questions about the study and to request the audio-tape to be turned off at any time during the interview. No interviewee withdrew from the study but there were several occasions where the interviewees requested that the audio-tape be turned off at some point of the interview. The contact details of the researcher and supervisor were also provided on the information sheet for the interviewees to contact if they required any clarification or further information about the research. The interviewees were also told that a summary of the research findings would be made available to them upon request.

Another critical consideration for ethical research would be how the data is shared and stored. For this study, interview transcripts and questionnaires were only shared by the researcher with the supervisor. The edited and transcribed material obtained from the interviews was sent to the informants for their approval in order to avoid any misunderstanding/ misinterpretation of the data.

In short, all possible attempts have been made to ensure that this research conforms to the ethical values and principles required to study humans. Most importantly, I ensure that this study would not bring any harm to the respondents. Efforts were also taken to ensure that certain information collected is stored and shared ethically. The ethical values and principles were also followed during the analysis and writing phases.

3.11 Summary of the Chapter

Chapter 3 started with a discussion on the methodology employed in this research to explore and analyze issues associated with Muslim women's activism in Malaysia and Pakistan. Quantitative survey is complemented by qualitative interviews for the collection of data. This combination adds breadth and depth to the analysis of the issues studied – as both methods complement each other.

The chapter also discussed the process of the pilot study, sampling, field work undertaken and also the ethical considerations. Recognizing the fact that contemporary social science research is no longer value free, this chapter proceeded with the elaboration on some aspects of the researcher's personal and work background in order to clarify his position as well as acknowledging the influences that have shaped his thinking and motivations.

CHAPTER 4

RESULTS AND FINDINGS OF THE QUANTITATIVE SURVEY

4.1 Introduction

This chapter presents the results of the quantitative data analysis. It analyses the difference of perception between the female Muslim final year undergraduate students of the University of Malaya, Malaysia (UM) and the University of Karachi, Pakistan (KU) on Islamic *Shari'ah* law, polygamy, interpretation of the Qur'an by Muslim women, and finally their perception of SIS and WAF. It also analyses the difference of perception between KU and UM female Muslim final year undergraduate students' in terms of field of study. At the end of the chapter, the summary of the findings will be presented.

4.2 Analysis of Questionnaires

One of the important reasons why I employed a questionnaire survey in this study is based on the fact that perceptions and opinions can better be measured by quantified information. As such, a descriptive statistical analysis was primarily employed as the analytical tool to provide the desired information. For this, I used a computerized statistical software called the Statistical Package for the Social Sciences (SPSS) to analyze the survey data because of its ability to deal with large data sets and complex calculations in a way that would not be practical or efficient if the data were to be analyzed manually (Ruane, 2005).

4.2.1 Reliability of the Response

To identify the reliability of the responses provided by the subjects in this study, correlation test is conducted on two sets of items, which are similar in context but different in wording. The two set of items are: item E9-D3 (E9: Muslim women should engage in the interpretation of the Qur'an; D3: Learned Muslim men and women although not *Ulema* can also be involved in the interpretation work) and item E3-C11 (E3: I support SIS/WAF calls for restrictions on polygamy; C11: Do you think that SIS/WAF has been influential in protecting Muslim women's rights in the context of the practice of polygamy). For the first pair (item E9-D3), the results show that the correlation is strong and positive, meaning that when the agreement on E9 increase, the agreement on D3 will increase as well. The correlation coefficient is at .75 as shown in Table 4.1. The closer r (response) is to +1, the stronger the positive correlation. The closer r is to -1, the stronger the negative correlation. Furthermore, this strong correlation is not happening by chance at 95 per cent confidence interval or $p > .05$. The confidence level is the complement of respective level of significance, for instance, a 95% confidence interval reflects a significance level of 0.05.

For the second pair of items (E3-C11), the results show that there is also strong correlation between E3 and C11. The strength of the correlation is rather strong and positive at .67 meaning that when the agreement on E3 increase, the agreement on C11 will increase as well. This relationship does not happen by chance at 95 per cent confidence interval or $p < .05$.

Table 4.1: Reliability Analysis for the Responses of the Subjects

Spearman Correlation	D3: Learned Muslim men and women although not <i>Ulema</i> can also be involved in the interpretation work	
	r	p
E9: Muslim women should engage in the interpretation of the Qur'an	0.753	0.000
Spearman Correlation	E3: Do you think that SIS has been influential in protecting Muslim women's rights in the context of the practice of polygamy.	
	r	p
C11: I support SIS calls for restrictions on polygamy	0.678	0.000

4.2.2 Demographic of the Subjects

The respondents for the quantitative survey come from different academic backgrounds. They are female Muslim final year undergraduate students' from these three faculties of University of Malaya, Malaysia (UM) and University of Karachi, Pakistan (KU) namely, the Arts and Social Sciences, Islamic Studies and the Sciences.

To ensure the consistency of results, the sample size is determined based on the calculations by Krejcie and Morgan (1970). The target set in the sample size was 100 % achieved as the respondents were approached in person and guided step by step to fill in the survey questionnaire. In Malaysia, I approached the respondents in person and in Pakistan I sought help from a friend due to lack of resources to return there. Based on the Krejcie and Morgan (1970) sample size determination, the respondents in Malaysia were 218 and 246 in Pakistan as shown in table 4.2.

Table 4.2 Statistics of Demographic Profile – Location

Variables	Valid	Frequency	Percentages
Location	Malaysia	218	46 %
	Pakistan	246	54 %

Table 4.3 Statistics of Demographic Profile - Marital Status

Variables	Valid	Malaysia		Pakistan	
		n	%	n	%
Marital Status	Single	186	85.32	235	95.53
	Married	32	14.68	11	4.47
	Separated	0	0.00	0	0.00
	Divorced	0	0.00	0	0.00
	Widowed	0	0.00	0	0.00

In terms of marital status, a total of 186 (85.32 %) out of 218 of the Malaysian respondents are single whereas 235 (95.53 %) out of 246 of those from Pakistan are single. This is to be expected because majority of the students are still at a young age (final year female Muslim undergraduate students). The married Malaysian respondents comprised of 32 (14.68%) while for Pakistan it comprised of 11(4.47%).

Table 4.4 (a) Statistics of Demographic Profile - Student Faculty

Variables	Valid	Malaysia		Pakistan	
		Sample Size (n)	Percentage (%)	Sample Size (n)	Percentage (%)
Student Faculty	Arts	32	15	86	35
	Islamic Studies	123	56	52	21
	Science	63	29	108	44

Based on the Krejcie and Morgan (1970) sample size calculation, the required sample size in the University of Malaya is 218 (32 in the Faculty of Arts and Social Sciences, 123 in the Academy of Islamic Studies and 63 in the Faculty of Science). The required sample size for Pakistan is 246 (86 in the Faculty of Arts, 52 in the Faculty of Islamic Studies, and 108 in the Faculty of Science). These three faculties are selected to investigate the difference in perception if any due to the different academic background of students namely, strong Islamic background, literature minded and scientific minded respectively.

4.3 Results of the Quantitative Data Analysis

To identify UM and KU female Muslim final year undergraduate students' perception on the strategies and programmes of SIS and WAF, the nonparametric tests Mann-Whitney U was employed. A total of 33 items (See Appendix A) were used to study and measure the respondents' perception about Sisters in Islam Malaysia (SIS) and Women's Action Forum Pakistan (WAF). The items were based on *Shari'ah* Law, polygamy, interpretation of the Qur'an by Muslim women and opinions on SIS/WAF.

A five-point scale instrument was used in the data analysis. In this study, the Mann Whitney U test is conducted to investigate the difference of perception between respondents (female Muslim final year undergraduate students') in UM and KU. The means descriptive statistics indicates the means rank for each item in the questionnaire that represent the respondent's perception about the issues studied namely Islamic *Shari'ah* law, polygamy, interpretation of the Qur'an by Muslim women and the perception about SIS and WAF. The greater the difference in the mean rank, the more significant the difference of perception. For each case in group 1 (UM) and 2 (KU), the higher rank is counted.

4.3.1 Preliminary Questions

Table 4.4 (b) shows the results of preliminary questions included in the questionnaire. The results show that 87 per cent respondents in Malaysia and 92 per cent respondents in Pakistan have basic knowledge about Islamic *Shari'ah* law. The results also show that 27 per cent respondents in Malaysia and 22 per cent respondents in Pakistan have attended the proceedings of the *Shari'ah* courts in their respective countries. In terms of attending proceedings of *Shari'ah* courts, 35 per cent respondents in Malaysia and 42 per cent respondents in Pakistan know of their relatives who have attended the proceedings of a *Shari'ah* courts. In terms of polygamy, 13 per cent respondents in Malaysia and 23 per cent in Pakistan have either been involved or know of their family members who have been involved in polygamous marriages. In terms of whether respondents have heard of SIS and WAF, 62 per cent respondents in Malaysia have heard of SIS and 78 per cent in Pakistan have heard of WAF. In terms of participating in events organized by SIS and WAF, 16 per cent respondents in Malaysia and 25 per cent respondents in Pakistan have attended events of SIS and WAF respectively. In terms of paying visits to SIS and WAF offices, 8 per cent respondents in Malaysia have visited SIS's office and 13 per cent in Pakistan have visited WAF's office. In terms of reading materials published by SIS and WAF, 29 per cent respondents in Malaysia and 43 per cent respondents in Pakistan have read publications/reports/pamphlets of SIS and WAF respectively. Finally, 26 per cent respondents in Malaysia know the aims and objectives of SIS and 39 per cent respondents in Pakistan know the objectives of WAF.

From the pilot study it was known that a small number of students have not heard of SIS and WAF before. Therefore, in the actual data collection phase, the respondents were briefed on SIS and WAF and their programmes of advocacy before they fill the questionnaires.

Table 4.5: Preliminary Questions

Questions	Yes (Percentage)	
	Malaysia	Pakistan
Do you know of Islamic <i>Shari'ah</i> Law in Malaysia/Pakistan?	87 %	92%
Have you ever attended any proceeding of an Islamic <i>Shari'ah</i> Court?	27%	22%
Do you know of any family members, relatives or friends who have attended any proceeding of an Islamic <i>Shari'ah</i> Court?	35%	42%
Have you been involved in a polygamous marriage? OR do you know of family members, relatives or friends who have done so?	13%	23%
Have you heard of Sisters in Islam (SIS)/Women's Action Forum (WAF)?	62%	78%
Have you ever attended any events organized by SIS/WAF?	16%	25%
Have you ever visited SIS/WAF office?	8%	13%
Have you read any publications/reports/pamphlets by SIS/WAF?	29%	43 %
Do you know the objectives or aims of SIS/WAF?	26%	39%

4.3.2 Results of Quantitative Data Analysis on the Difference between UM and KU Students' Perception on Islamic *Shari'ah* Law

This section answers research question 1: Is there any difference of perception between KU and UM female Muslim final year undergraduate students' on the reform of the Islamic *Shari'ah* law?

Table 4.5 presents the results of the Mann Whitney U Test on Islamic *Shari'ah* Law. For seven Islamic *Shari'ah* Law items, five of them show significant results, these items are B1, B4, B5, B6, and B7.

Table 4.6: Results of the Mann Whitney U Test on Islamic *Shari'ah* Law

<i>Shari'ah</i> Law	Location	Mean Rank	Mann-Whitney U	Wilcoxon W	Z	Asymp. Sig. (2-tailed)
B1: Islamic <i>Shari'ah</i> law Protects Women's Rights	UM KU	270.28 199.02	18578.00	48959.00	-5.87	.000
B2: Muslim women enjoy equal status under the Islamic <i>Shari'ah</i> law	UM KU	243.44 222.81	24429.50	54810.50	-1.70	.088
B3: Islamic <i>Shari'ah</i> law sufficiently protects women in the context of polygamy	UM KU	232.93 232.12	26720.00	57101.00	-.06	.946
B4: Islamic <i>Shari'ah</i> law sufficiently protects women in the context of divorce	UM KU	246.38 220.20	23788.50	54169.50	-2.19	.028
B5: The Muslim women's issues in the <i>Shari'ah</i> Courts are to be dealt with not only by male judges but also female judges	UM KU	264.33 204.29	19875.00	50256.00	-4.97	.000
B6: Enactment of <i>Hudud</i> laws to deal with criminal matters	UM KU	276.67 193.36	17184.50	47565.50	-7.03	.000
B7: SIS/WAF and the reformation of the <i>Shari'ah</i> law	UM KU	219.03 244.44	23876.50	47747.50	-2.11	.035

Note: UM= University of Malaya; KU= Karachi University

For the item B1, the result shows that there is significant difference between UM and KU female Muslim final year undergraduate students' in terms of the statement whether Islamic *Shari'ah* law protects Muslim women's rights. The mean rank of UM (270) is higher than KU (199). It means that UM compared to KU students tend to agree that Islamic *Shari'ah* law protects their rights.

Item B2 and B3 yield no significant results, meaning that there is no significant difference between UM and KU female Muslim final year undergraduate students' perception in terms of the statement of whether Muslim women enjoy equal status under the Islamic *Shari'ah* law and that Islamic *Shari'ah* law protects women from polygamy. However, a close observation of the results show that for B2, UM mean rank (243) is slightly higher than KU (222). This means that UM compared to KU students are more positive with their perception on Muslim women's status under the *Shari'ah* law. Moreover, a close observation of the results on B3 show that the mean rank of UM and KU are equal (232 and 232 respectively). This means that both UM and KU students tend to be undecided on the question whether Islamic *Shari'ah* law protects Muslim women from polygamy.

Besides that, for item B4, the results show that there is significant difference between UM and KU female Muslim final year undergraduate students' perception in terms of whether Islamic *Shari'ah* law protects women from divorce. The mean rank of UM (246) is higher than KU (220). It means that UM compared to KU students tend to agree that Islamic *Shari'ah* law sufficiently protects women from divorce.

Moreover, for item B5, the result shows that there is significant difference between UM and KU female Muslim final year undergraduate students' perception in terms of the statement that the Muslim women's issues in the *Shari'ah* Courts are to be dealt with not only male judges but also female judges. The mean rank of UM (264) is higher than KU (204) which means that UM compared to KU students tend to agree that Muslim women's issues in the *Shari'ah* Courts can be dealt with not only by male judges but also female judges.

For item B6, the result shows that there is significant difference between UM and KU female Muslim final year undergraduate students' perception in terms of the enactment of *Hudud* laws to deal with criminal matters. The mean rank of UM (276) is

higher than KU (193) which means that UM compared to KU students tend to agree with the enactment of *Hudud* laws to deal with criminal matters.

Finally, for item B7, the result shows that there is significant difference between UM and KU female Muslim final year undergraduate students' perception in terms of supporting SIS/WAF with regards to the reformation of the *Shari'ah* law. The mean rank of KU (244) is higher than UM (219) which means that KU compared to UM students tend to agree with WAF's efforts to reform Islamic *Shari'ah* law.

Table 4.7: Contingency table for Islamic *Shari'ah* Law

Location		Disagree	Undecided	Agree	Total
UM	Count	6	96	116	218
	% within Location	2.8%	44.0%	53.2%	100.0%
	% within B	14.6%	48.5%	51.6%	47.0%
KU	Count	35	102	109	246
	% within Location	14.2%	41.5%	44.3%	100.0%
	% within B	85.4%	51.5%	48.4%	53.0%
Total	Count	41	198	225	464
	% within Location	8.8%	42.7%	48.5%	100.0%
	% within B	100.0%	100.0%	100.0%	100.0%

To further understand the perception of respondents, data analysis is conducted based on the frequencies and percentages. The chi-square test is used to analyze the data. In this case, the test is suitable because it analyses cross tabulation of data in frequencies in contingency tables. Table 4.7 shows whether the location of students influence their perception on the statements under Islamic *Shari'ah* Law. These statements include: whether Islamic *Shari'ah* law protects women's rights, Muslim women enjoy equal status under Islamic *Shari'ah* law, *Shari'ah* law protects women from polygamy and divorce, women issues in the *Shari'ah* courts are to be dealt by not only male judges

but also female judges, the enactment of *Hudud* laws to deal with criminal matters and SIS/WAF efforts to reform the *Shari'ah* law in their respective countries. The results illustrate that 53.2 per cent students in UM agree with the above statements, 44 per cent are undecided and 2.8 per cent disagree. In KU, 44.3 per cent agree, 41.5 per cent are undecided and 14.2 per cent disagree. This means that UM students are more likely to agree (53.2%) as compared to KU (44.3 %).

Table 4.8: Results of the Chi-Square Test on Islamic *Shari'ah* Law

Chi-Square Test	Value	df	Asymp. Sig. (2-sided)
Pearson Chi-Square	19.292	2	.000
Likelihood Ratio	21.410	2	.000
Linear-by-Linear Association	11.511	1	.001
N of Valid Cases	464		

Chi-square test result shows that it is significant at $p < .05$ meaning that the perception of UM and KU students' is significantly different. In other words, the percentage of UM students (2.8 %) who disagree is less than KU (14.2%). On the other hand, the percentage of UM students (53.2%) who agree with the items under Islamic *Shari'ah* law is higher compared to KU students (44.3%). Therefore, UM compared to KU students have more positive perception towards the reformation of Islamic *Shari'ah* law.

4.3.3 Results of Quantitative Data Analysis on the Difference between UM and KU Students' Perception on Polygamy

This section answers research question 2: Is there a difference of perception between KU and UM female Muslim final year undergraduate students' on the practice of polygamy?

Table 4.9 presents the results of the Mann Whitney U Test on polygamy. For the eleven polygamy items, seven of them yield significant results, these items are C2, C4, C5, C6, C7, C8, and C10.

Table 4.9: Results of the Mann Whitney U Test on Polygamy

Polygamy	Location	Mean Rank	Mann-Whitney U	Wilcoxon W	Z	Asymp. Sig. (2-tailed)
C1: Polygamy is a social or moral issue	UM KU	231.27 233.59	26545.50	50416.50	-.19	.845
C2: Polygamy is a form of sexism	UM KU	198.41 262.71	19382.50	43253.50	-5.32	.000
C3: Polygamy is an Islamic Issue	UM KU	233.59 231.53	26576.00	56957.00	-.17	.864
C4: Would you like to have a polygamous marriage	UM KU	255.45 212.16	21810.50	52191.50	-3.75	.000
C5: As polygamy is an Islamic practice, it cannot be questioned	UM KU	261.97 206.38	20389.50	50770.50	-4.62	.000
C6: Polygamy brings more benefits to men than women	UM KU	211.49 251.12	22234.50	46105.50	-3.33	.001
C7: Polygamy should be banned	UM KU	218.33 245.05	23725.50	47596.50	-2.22	.026
C8: Divorce affects women more than men	UM KU	213.41 249.42	22651.50	46522.50	-3.04	.002
C9: The laws pertaining to the practice of polygamy should be made stricter.	UM KU	239.76 226.07	25232.00	55613.00	-1.15	.249
C10: The laws pertaining to the practice of polygamy should be implemented and followed properly.	UM KU	253.36 214.01	22266.00	52647.00	-3.34	.001
C11: SIS/WAF and calls for restriction on polygamy	UM KU	233.74 231.40	26544.50	56925.50	-.20	.841

For items C1, C3, C9 and C11, the results yield no significant difference, meaning that there is no significant difference between UM and KU female Muslim final year undergraduate students' perception in terms of whether polygamy is a social or a moral issue; polygamy is an Islamic issue; and whether SIS/WAF calls for restriction on polygamy should be supported.

For item C2, results show that there is a significant difference between UM and KU female Muslim final year undergraduate students' with regards to the statement whether polygamy is a form of sexism. The mean rank of KU (262) is higher than UM (198) which means that KU compared to UM students tend to agree that polygamy is a form of sexism.

Moreover, for item C4, the results show that there is a significant difference between UM and KU female Muslim final year undergraduate students' on the question of whether respondents prefer to be involved in a polygamous marriage. The mean rank of UM (255) is higher than KU (212) which means that UM students tend to agree to involve in a polygamous marriage. The KU students are more in favour of restrictions on polygamy and its abuse. This is consistent with the philosophy of WAF that polygamy is a source of discrimination against women and promotes a patriarchal culture. In contrast, UM students tend not to find polygamy a form of sexism and tend to agree to be involved in it. This is in contrast with the philosophy of SIS that polygamy abuses and discriminates against Muslim women.

Furthermore, for item C5, the results show that there is a significant difference between UM and KU female Muslim final year undergraduate students' in terms of not questioning polygamy as it is an Islamic practice. The mean rank of UM (261) is higher than KU (206) which means that UM students tend to agree that polygamy is an Islamic practice and it cannot be questioned. This is consistent with the results of C2 and C4 where UM compared to KU students also tend to agree that polygamy is not a form of

sexism and that they would not mind to be involved in polygamous marriages. This thought is reflected in the result of C5 as UM students believed that polygamy is Islamic and should not be questioned. The opinion of KU reflects the philosophy of WAF while UM students' opinion contrasts with that of SIS.

The results for item C6 show that there is a significant difference between UM and KU female Muslim final year undergraduate students' perception in terms of the statement that polygamy brings more benefits to men than women. The mean rank of KU (251) is higher than UM (211) which means that KU compared to UM students tend to agree that polygamy brings more benefits to men than women.

Moreover, the results for item C7 show that there is a significant difference between UM and KU female Muslim final year undergraduate students' perception in terms of banning the practice of polygamy. The mean rank of KU (245) is higher than UM (218) which means that KU compared to UM students tend to agree that polygamy should be banned. These findings are consistent with the above findings in C5 and C6 that KU students do not favour polygamy while UM students are in favour for it.

Besides that, results for item C8 show that there is a significant difference between UM and KU female Muslim final year undergraduate students' perception in terms of the statement that divorce affects women more than men. The mean rank of KU (249) is higher than UM (213) which means that KU compared to UM students tend to agree that divorce affects women more than men.

Finally, for item C10, the results show that there is significant difference between UM and KU female Muslim final year undergraduate students' perception on the statement that the laws regarding polygamy should be implemented and administered properly. The mean rank of UM (253) is higher than KU (214) which means that UM compared to KU students tend to agree that polygamy laws should be implemented and administered properly.

Table: 4.10: Contingency table for Polygamy

Location		Disagree	Undecided	Agree	Total
UM	Count	34	129	55	218
	% within Location	15.6%	59.2%	25.2%	100.0%
	% within C	50.0%	45.6%	48.7%	47.0%
KU	Count	34	154	58	246
	% within Location	13.8%	62.6%	23.6%	100.0%
	% within C	50.0%	54.4%	51.3%	53.0%
Total	Count	68	283	113	464
	% within Location	14.7%	61.0%	24.4%	100.0%
	% within C	100.0%	100.0%	100.0%	100.0%

Table 4.10 shows the difference of perception between UM and KU female Muslim final year undergraduate students' perception on polygamy based on location. It illustrates that for UM most of the students remain undecided on the statements on polygamy which include: polygamy is a social or moral issue; polygamy is a form of sexism; polygamy is an Islamic issue; would you like to have a polygamous marriage; as polygamy is an Islamic practice, it cannot be questioned; polygamy and divorce brings more benefit to men than women; polygamy should be banned; the laws pertaining to the practice of polygamy should be made stricter and women's cases should not only be dealt by male judges but also female judges; and SIS and WAF calls on restrictions on polygamy. The results show that in UM 25.2 per cent female Muslim final year undergraduate students' agree, 15.6 per cent disagree and 59.2 per cent remain undecided. In KU, 23.6 per cent agree, 13.8 per cent disagree and 62.6 per cent remain undecided. Overall, the level of agreement among UM students is higher (25.2%) as compared to KU students (23.6%) for all the items related to polygamy.

Table 4.11: Results of the Chi-Square Test on Polygamy

Chi-Square Test	Value	df	Asymp. Sig. (2-sided)
Pearson Chi-Square	.601	2	.741
Likelihood Ratio	.600	2	.741
Linear-by-Linear Association	.000	1	.983
N of Valid Cases	464		

Chi-square test result shows that the difference is not significant at $p < .05$ meaning that the perception of UM and KU female Muslim final year undergraduate students' is not significantly different. Even though, there is no significant difference of perception between UM and KU female Muslim final year undergraduate students' in terms of polygamy; it is worth mentioning that in total 39 per cent respondents showed their stance, out of which 24.4 per cent agree and 14.7 per cent disagree. The percentage of respondents who agree (24.4%) is higher than those who disagree (14.7%). This means that majority of the respondents who showed their stance tend to agree with the items on polygamy.

4.3.4 Results of Quantitative Data Analysis on the Difference between UM and KU Students' Perception on Interpretation of the Qur'an by Muslim Women

This section answers research question 3: Is there a difference of perception between KU and UM female Muslim final year undergraduate students' perception on the interpretation of the Qur'an by Muslim women?

Table 4.12 presents the results of the Mann Whitney U Test. For the six items for interpretation of the Qur'an, three of them yield significant results; these items are D1, D4 and D5.

Table 4.12: Results of the Mann Whitney U Test on Interpretation of the Qur'an

Interpretation of the Qur'an	Location	Mean Rank	Mann-Whitney U	Wilcoxon W	Z	Asym p. Sig. (2-tailed)
D1: The Qur'an gives liberty not only for Muslim men but also Muslim women	UM KU	248.24 218.55	23382.50	53763.50	-2.47	.013
D2: <i>Ulema</i> who only comprised of men are the only authorized people who should interpret the Qur'an	UM KU	226.13 238.15	25424.50	49295.50	-1.03	.301
D3: Learned Muslim men and women although not <i>Ulema</i> can also be involved in the interpretation work	UM KU	222.67 241.21	24671.00	48542.00	-1.53	.125
D4: According to SIS/WAF, the interpretation of the Qur'an is male dominated	UM KU	247.33 219.36	23580.50	53961.50	-2.29	.022
D5: SIS/WAF believes that women's voices are repressed or muted in the interpretation of the Qur'an.	UM KU	248.42 218.39	23344.00	53725.00	-2.48	.013
D6: SIS/WAF should be allowed to interpret the Qur'an?	UM KU	238.65 227.05	25473.00	55854.00	-.97	.329

For item D1, the results show that there is significant difference between UM and KU female Muslim final year undergraduate students' perception in terms of the statement that the Qur'an gives liberty not only for Muslim men but also Muslim women. The mean rank of UM (248) is higher than KU (218) which means that UM compared to KU students tend to agree that Qur'an gives liberty not only for Muslim men but also Muslim women.

Furthermore, for the items D2 and D3, the results show that there is no significant difference between UM and KU female Muslim final year undergraduate students' perception in terms of the statements that *Ulema* who only comprised of men are the only authorized people who should interpret the Qur'an and learned Muslim women although not *Ulema* can also be involved in the interpretation work.

Besides that, for item D4, the results show that there is a significant difference between UM and KU female Muslim final year undergraduate students' perception in terms of the claim made by SIS/WAF that the interpretation of the Qur'an is male dominated. The mean rank of UM (247) is higher than KU (219) which means that UM compared to KU students tend to agree with SIS's claim that the interpretation of the Qur'an is male dominated. This finding is in contrast with D3 where UM students remain undecided that only *Ulema* (comprised of men) should interpret the Qur'an.

Moreover, for item D5, the results show that there is significant difference between UM and KU female Muslim final year undergraduate students' perception in terms of SIS's and WAF's claim that women's voices are repressed or muted in the interpretation of the Qur'an. The mean rank of UM (248) is higher than KU (218) which means that UM compared to KU students tend to agree that women's voices are repressed or muted in the interpretation of the Qur'an. This finding reflects the philosophy of SIS that the male-dominated interpretation of the Qur'an suppresses women's voices.

Finally for item D6, the results show that there is no significant difference between UM and KU female Muslim final year undergraduate students' perception in terms of giving authority to SIS/ WAF to interpret the Qur'an. The mean rank for UM and KU is 238 and 227 respectively which means the difference is very minor and not significant at 95 per cent confidence interval. This finding contradicts with D4 where UM students agreed that interpretation of the Qur'an is male-dominated and yet they do not support the work of women's group like SIS to reinterpret the Qur'an.

Table 4.13: Contingency table for Interpretation of the Qur'an

Location		Disagree	Undecided	Agree	Total
UM	Count	33	123	62	218
	% within Location	15.1%	56.4%	28.4%	100.0%
	% within D	42.9%	44.9%	54.9%	47.0%
KU	Count	44	151	51	246
	% within Location	17.9%	61.4%	20.7%	100.0%
	% within D	57.1%	55.1%	45.1%	53.0%
Total	Count	77	274	113	464
	% within Location	16.6%	59.1%	24.4%	100.0%
	% within D	100.0%	100.0%	100.0%	100.0%

Table 4.13 shows the difference of perception between UM and KU female Muslim final year undergraduate students on interpretation of the Qur'an by Muslim women. The statements included: the Qur'an gives liberty not only for Muslim men but also Muslim women; not only *Ulema* but also learned Muslim women should involve in the interpretation of the Qur'an; since Qur'an has always been interpreted by men and therefore, women's voices are suppressed in the Qur'an; whether SIS and WAF should involve in the interpretation work. The results illustrate that in UM 28.4 per cent students agreed, 15.1 per cent disagreed and 56.4 per cent undecided. In KU, 20.7 per cent agreed, 17.9 per cent disagreed and 61.4 per cent remain undecided. It means that UM students are more likely to agree (28.4%) compared with KU students (20.7%).

Table 4.14: Results of the Chi-Square Test on Interpretation of the Qur'an

Chi-Square Test	Value	df	Asymp. Sig. (2-sided)
Pearson Chi-Square	3.828	2	.148
Likelihood Ratio	3.825	2	.148
Linear-by-Linear Association	3.126	1	.077
N of Valid Cases	464		

Chi-square test result shows that the difference is not significant at $p < .05$ meaning that the perception of UM and KU female Muslim final year undergraduate students' is not significantly different. Even though, there is no significant difference of perception between UM and KU students in terms of the interpretation of Qur'an by Muslim women; however it is worth mentioning that in total 41 per cent respondents showed their stance, out of which 24.4 per cent agreed and 16.6 per cent disagreed.

4.3.5 Results of Quantitative Data Analysis on the Difference between UM and KU Students' Perception about SIS and WAF

This section answers research question 4: Is there a difference of perception between KU and UM female Muslim final year undergraduate students' on SIS and WAF efforts to promote women's rights in their respective countries?

Table 4.15 presents the results of the Mann Whitney U Test on students' perception about SIS and WAF. For the nine items on perceptions about SIS and WAF, five yield significant results, these items are E3, E4, E5, E8 and E9.

Table 4.15: Results of the Mann Whitney U Test on Perception about SIS and WAF

Perception about SIS and WAF	Location	Mean Rank	Mann-Whitney U	Wilcoxon W	Z	Asymp. Sig. (2-tailed)
E1: SIS/WAF playing an active and influential role in promoting Muslim women's rights	UM KU	243.18 223.03	24485.500	54866.50	-1.70	.088
E2: SIS/WAF are formulating new discourses on Muslim women's.	UM KU	232.16 232.80	26740.500	50611.50	-.05	.957
E3: SIS/WAF has been influential in protecting Muslim women's rights in the context of the practice of polygamy	UM KU	246.83 219.80	23690.500	54071.50	-2.32	.020
E4: SIS/WAF working within the limits of Islamic values	UM KU	217.92 245.42	23636.500	47507.50	-2.31	.021
E5: Do you support SIS/WAF advocacy for women's rights	UM KU	216.83 246.38	23399.00	47270.00	-2.46	.014
E6: SIS and WAF discourses can be translated into the local contexts of Malaysia and Pakistan.	UM KU	236.16 236.80	26740.50	50611.50	-.05	.957
E7: SIS/WAF is a recognized body to speak on Islamic issues	UM KU	232.16 232.80	26740.50	50611.50	-.05	.957
E8: SIS/WAF and the question of ban	UM KU	270.28 199.02	18578.00	48959.00	-5.87	.000
E9: Muslim women should engage in the interpretation of the Qur'an	UM KU	270.28 199.02	18578.00	48959.00	-5.87	.000

For items E1 and E2, the results show that there is no significant difference between UM and KU female Muslim final year undergraduate students' in terms of the statement whether SIS/WAF are playing an influential role in promoting Muslim women's rights and whether SIS/WAF are formulating new discourses on Muslim women's rights. However, the perception of students both in UM and KU lean towards disagreeing. The mean rank of UM and KU on E1 are 243 and 223 respectively and on E2 the mean ranks are 232 and 232 respectively.

For item E3, the results show that there is significant difference between UM and KU female Muslim final year undergraduate students' perception in terms of the statement whether SIS/WAF are influential in protecting women from polygamy. The mean rank of UM (246) is higher than KU (219) which means that UM compared to KU students tend to agree that SIS has been influential in protecting Muslim women's rights in the context of the practice of polygamy.

Moreover, for item E4, the results show that there is significant difference between UM and KU female Muslim final year undergraduate students' perception in terms of whether SIS/WAF are working within the limits of Islamic values. The mean rank of KU (245) is higher than UM (217) which means that KU compared to UM students tend to agree that WAF is working within the limits of Islamic values.

Furthermore, for item E5, the results show that there is significant difference between UM and KU in terms of their support of SIS/WAF's advocacy for women's rights. The mean rank of KU (246) is higher than UM (216) which means that KU compared to UM students tend to agree that they support WAF advocacy for women's rights.

Moreover, for items E6 and E7, the results show that there is no significant difference between UM and KU female Muslim final year undergraduate students' perception on whether SIS's and WAF's discourses can be translated into the local

contexts of Malaysia and Pakistan and that SIS and WAF are recognized bodies to speak on Islamic issues. However, a close observation of the results suggests that both KU and UM students tend to remain undecided on E6 and E7. The mean ranks of UM and KU for E6 are 236 and 236 respectively and for E7 the mean ranks are 232 and 232 respectively.

Besides that, for item E8, the results show that there is significant difference between UM and KU female Muslim final year undergraduate students' in terms of ban on SIS and WAF. The mean rank of UM (270) is higher than KU (199) which means that UM compared to KU students tend to agree that SIS should be banned. However, this view is shared by a slight portions of participants as the mean rank for UM is only 270.

Finally, results for item E9 show that there is significant difference between UM and KU female Muslim final year undergraduate students' in terms of Muslim women's involvement in the interpretation of the Qur'an. The mean rank of UM (270) is higher than KU (199) meaning that UM compared to KU students tend to agree that Muslim women should be involved in the interpretation of the Qur'an.

Table 4. 16: Contingency table for Perception on SIS and WAF

Location		Disagree	Undecided	Agree	Total
UM	Count	34	164	20	218
	% within Location	15.6%	75.2%	9.2%	100.0%
	% within E	59.6%	44.2%	55.6%	47.0%
KU	Count	23	207	16	246
	% within Location	9.3%	84.1%	6.5%	100.0%
	% within E	40.4%	55.8%	44.4%	53.0%
Total	Count	57	371	36	464
	% within Location	12.3%	80.0%	7.8%	100.0%
	% within E	100.0%	100.0%	100.0%	100.0%

Table 4.16 shows the difference of perception between UM and KU female Muslim final year undergraduate students' perception on SIS and WAF based on location. This perception is based on the statements whether SIS/WAF are influential in promoting women's rights in their respective countries; whether they are working within an Islamic framework; whether respondents of the study support their advocacy on Muslim women's rights and whether they should be involved in the interpretation of the Qur'an.

The results suggest that 9.2 per cent respondents in UM agree, 15.6 per cent disagree and 75.2 per cent remain undecided. In KU 6.5 per cent agreed, 9.3 disagreed and 84.1 per cent undecided. It means that UM students are more likely to agree (9.2%) compared with KU students (6.5%).

Table 4.17: Results of the Chi-Square Test on Perception on SIS and WAF

Chi-Square Test	Value	df	Asymp. Sig. (2-sided)
Pearson Chi-Square	5.883	2	.053
Likelihood Ratio	5.886	2	.053
Linear-by-Linear Association	.744	1	.389
N of Valid Cases	464		

Chi-square test result shows that it is not significant at $p < .05$ meaning that the perception of UM and KU students is not significantly different. However, 80 per cent of the respondents remain undecided in their perception about SIS and WAF and only 20 per cent showed their stance. Nonetheless, a closer observation of the results suggests that out of 20, the percentage of disagreement (12.3%) is higher than the percentage of agreement (7.8%). This means that of these 20 per cent of respondents, the perception both in UM and KU tend to be negative towards SIS and WAF.

4.3.6 Summary of the Findings of Quantitative Data Analysis on the Difference between UM and KU Students' Perception on Islamic *Shari'ah* law, polygamy, interpretation of the Qur'an and perceptions about SIS and WAF

Results of the quantitative data analysis above showed that UM female Muslim final year undergraduate students tend to agree that the Islamic *Shari'ah* law sufficiently protects their rights (mean rank: 270); they also tend to agree that Muslim women's issues in the *Shari'ah* Courts are to be dealt with not only by male judges but also female judges (mean rank: 264);. However, UM students are also more supportive of the enactment of *Hudud* laws to deal with criminal matters (mean rank: 193). Similarly, KU students tend to agree that Islamic *Shari'ah* law protects women from divorce (mean rank: 246) and they are also more supportive of WAF efforts to reform Islamic *Shari'ah* law (mean rank: 244). On the reformation of the Islamic *Shari'ah* law, the results illustrate that in UM 53.2 per cent students agreed, 2.8 per cent disagreed and 44 per cent undecided. In KU, 44.3 per cent agreed, 14.2 per cent disagreed and 41.5 per cent remain undecided. The results show that the UM students have a more positive perception towards the reformation of Islamic *Shari'ah* law as compared to KU students – as the percentage of agreement in UM is higher (53.2 %) compared to KU (44.3 %).

In terms of polygamy, UM female Muslim final year undergraduate students' tend to agree that since polygamy is an Islamic practice it cannot be questioned (mean rank: 261); and they also tend to agree to be involved in a polygamous marriage if required (mean rank: 255). However, UM students also agreed that polygamy laws should be implemented and administered properly (mean rank: 253). In contrast, KU female Muslim final year undergraduate students tend to agree that polygamy is a form of sexism (mean rank: 262) and it brings more benefits to men than women (mean rank: 251) and they demanded a ban on polygamy (mean rank: 245). The KU students also

tend to agree that divorce affects women more than men (mean rank: 249). Overall, the results show that in UM 25.2 per cent female Muslim final year undergraduate students' tend to agree, 15.6 per cent disagree and 59.2 per cent remain undecided on statements on polygamy. In KU, 23.6 per cent agree, 13.8 per cent disagree and 62.6 per cent remain undecided. This means that the level of agreement among UM students is higher (25.2%) as compared to KU students (23.6%). Even though, the Chi-square test result shows that there is no significant difference of perception between UM and KU students in terms of polygamy; however it is worth mentioning that collectively on the average 39 per cent respondents both in UM and KU indicated their stance, of which 24.4 per cent agreed and 14.7 per cent disagreed.

In terms of interpretation of the Qur'an by Muslim women, UM female Muslim final year undergraduate students tend to agree that Qur'an gives liberty not only for Muslim men but also Muslim women (mean rank: 248) and therefore they supported SIS's claim that the interpretation of the Qur'an is male dominated (mean rank: 247) and women's voices are repressed or muted in the interpretation of the Qur'an (mean rank: 248). Whereas, KU students seemed not to agree or remain undecided on whether the interpretation of the Qur'an is male-dominated (mean rank: 219) and that learned Muslim women including members of WAF should involve in the interpretation of the Qur'an (mean rank: 218). The results illustrate that in UM 28.4 per cent students agreed, 15.1 per cent disagreed and 56.4 per cent undecided on interpretation of the Qur'an by Muslim women. In KU, 20.7 per cent agreed, 17.9 per cent disagreed and 61.4 per cent remain undecided. It means that UM students are more likely to agree (28.4%) compared with KU students (20.7%). Even though, there is no significant difference of perception between UM and KU students on the interpretation of the Qur'an; however it is worth mentioning that collectively on the average 39 per cent respondents showed their stance on polygamy, of which 24.4 per cent agreed and 16.6 per cent disagreed.

In terms of perception on SIS and WAF, UM female Muslim final year undergraduate students tend to agree that SIS is playing an active and influential role in promoting Muslim women's rights in the context of the practice of polygamy (mean rank: 246). Yet at the same time UM students demand a ban on SIS (mean rank: 270). UM students also tend to agree that Muslim women should involve in the interpretation of the Qur'an (mean rank: 270). Whereas, KU students tend to agree that WAF is working within the limits of Islamic values (mean rank: 245) and they support WAF's advocacy for women's rights (mean rank: 246). The results suggest that 9.2 per cent respondents in UM agree, 15.6 per cent disagree and 75.2 per cent remain undecided on SIS's advocacy on Muslim women's rights in Malaysia. In KU 6.5 per cent agreed, 9.3 disagreed and 84.1 per cent undecided on WAF advocacy on women's rights in Pakistan. It means that UM students are more likely to agree (9.2%) compared with KU students (6.5%). Even though, there is no significant difference of perception between UM and KU students in terms of perception on SIS and WAF, however, a close observation of the results suggest that collectively on the average 20 per cent respondents showed their stance, of which 12.3 per cent disagreed and only 7.8 per cent agreed.

4.3.7 Difference of Perception on Islamic *Shari'ah* Law, Polygamy, Interpretation of Qur'an and Opinions on SIS and WAF based on Field of Study

To further understand the perception of students on Islamic *Shari'ah* law, polygamy, interpretation of Qur'an and opinions on SIS and WAF, data analysis is conducted based on the frequencies and percentages of the three faculties both in UM and KU namely, the Arts and Social Sciences, Islamic Studies and the Sciences. The chi-square

test is used to analyze the data. In this case, the test is suitable because it analyzes cross tabulated data in frequencies in contingency tables.

4.3.8 Results of Quantitative Data Analysis on the Difference of Perception on Islamic *Shari'ah* Law based on Field of Study

This section answers research question 5: Does field of studies influence the perceptions of female Muslim undergraduate students' on Islamic *Shari'ah* Law?

Table 4.18 shows the difference of perception between UM and KU female Muslim final year undergraduate students on Islamic *Shari'ah* Law based on field of study. It illustrates that in the Faculty of Arts both in UM and KU majority of students remain undecided at 47.5 per cent, 33.1 percent agree and 19.5 per cent disagree with regards to the reformation of Islamic *Shari'ah* law. The items included are: whether Islamic *Shari'ah* law protects Muslim women's rights, protects Muslim women from polygamy and divorce and appointment of female judges in the *Shari'ah* courts. Furthermore, in the Faculty of Islamic Studies both in UM and KU 46.9 per cent remain undecided, 49.1 per cent agree and only 4 per cent disagree. Moreover, in the Faculty of Science, 35.1 per cent students remain undecided, 58.5 per cent agreed and only 6.4 per cent disagreed.

Table 4.18: Contingency table for Islamic *Shari'ah* Law based on Field of Study

Field of Study		Disagree	Undecided	Agree	Total
Arts	Count	23	56	39	118
	% within Faculty	19.5%	47.5%	33.1%	100.0%
	% within B	56.1%	28.3%	17.3%	25.4%
Islamic Studies	Count	7	82	86	175
	% within Faculty	4.0%	46.9%	49.1%	100.0%
	% within B	17.1%	41.4%	38.2%	37.7%
Science	Count	11	60	100	171
	% within Faculty	6.4%	35.1%	58.5%	100.0%
	% within B	26.8%	30.3%	44.4%	36.9%
Total	Count	41	198	225	464
	% within Faculty	8.8%	42.7%	48.5%	100.0%
	% within B	100.0%	100.0%	100.0%	100.0%

Table 4.19: Results of the Chi-Square Test on Islamic *Shari'ah* Law

Chi-Square Test	Value	df	Asymp. Sig. (2-sided)
Pearson Chi-Square	33.903	4	.000
Likelihood Ratio	31.927	4	.000
N of Valid Cases	464		

Chi-square test result shows that it is significant at $p < .05$ meaning that the perception of students both in UM and KU on Islamic *Shari'ah* Law is significantly different in terms of field of study. The results illustrate that science students in both UM and KU have the highest level of agreement (58.5%) followed by Islamic studies students (49.1 %) and Arts students with (33.1 %).

In terms of disagreement Arts students top the chart with (19.5%), Science students (6.4%) and Islamic Studies with only (4%). The overall findings indicate that

the percentage of respondents who agree (48.5%) with the reform of the Islamic *Shari'ah* law is higher than the percentage (8.8%) of those who disagree.

4.3.9 Results of Quantitative Data Analysis on the Difference of Perception on polygamy based on Field of Study

This section answers research question 6: Does field of studies influence the perceptions of female Muslim final year undergraduate students on polygamy?

Table 4.20 shows the difference of perception between UM and KU students on polygamy based on the field of study. It illustrates that in the Faculty of Arts both in UM and KU students remain undecided with 66.1 per cent, 15.3 per cent agree and 18.6 per cent disagree with regards to the restriction of the practice of polygamy as it affects Muslim women adversely. Furthermore, in the Faculty of Islamic Studies both in UM and KU 56.0 per cent remain undecided, 22.9 per cent agree and 22.1 per cent disagree. Moreover, in the faculty of science, 62.6 per cent remain undecided, 32.2 per cent agree and only 5.3 per cent disagree.

Table 4.20: Contingency table for Polygamy based on Field of Study

Field of Study		Disagree	Undecided	Agree	Total
Arts	Count	22	78	18	118
	% within Faculty	18.6%	66.1%	15.3%	100.0%
	% within C	32.4%	27.6%	15.9%	25.4%
Islamic Studies	Count	37	98	40	175
	% within Faculty	21.1%	56.0%	22.9%	100.0%
	% within C	54.4%	34.6%	35.4%	37.7%
Science	Count	9	107	55	171
	% within Faculty	5.3%	62.6%	32.2%	100.0%
	% within C	13.2%	37.8%	48.7%	36.9%
Total	Count	68	283	113	464
	% within Faculty	14.7%	61.0%	24.4%	100.0%
	% within C	100.0%	100.0%	100.0%	100.0%

Table 4.21: Results of the Chi-Square Test on Polygamy

Chi-Square Test	Value	df	Asymp. Sig. (2-sided)
Pearson Chi Square	26.346	4	.000
Likelihood Ratio	29.261	4	.000
N of Valid Cases	464		

Chi-square test result shows that it is significant at $p < .05$ meaning that the perception of female final year undergraduate students both in UM and KU is significantly different on polygamy in terms of field of study. The results illustrate that Science students in both UM and KU have the highest level of agreement (32.2%) and Arts students have the lowest (15.3%). The Islamic studies students in both UM and KU are in the middle (22.9%). This means that Science students are more positive in their perception of reforms on polygamy and Arts students are more negative in this case and Islamic studies students are in the middle.

4.3.10 Results of Quantitative Data Analysis on the Difference of Perception on Interpretation of the Qur'an based on Field of Study

This section answers research question 7: Does field of studies influence the perceptions of female Muslim final year undergraduate students' on interpretation of the Qur'an?

Table 4.22 shows the difference of perception between UM and KU female final year Muslim female students on the interpretation of the Qur'an based on field of study. It illustrates that in the Faculty of Arts both in UM and KU students remain undecided with 53.4 per cent, 23.7 per cent agree and 22.9 per cent disagree with regards to the interpretation of the Qur'an by not only Muslim men but also Muslim women. Furthermore, in the Faculty of Islamic Studies both in UM and KU 61.1 per cent remain undecided, 21.7 per cent agree and 17.1 per cent disagree. Moreover, in the faculty of science, 60.8 per cent remain undecided, 27.5 per cent agree and 11.7 per cent disagree.

Table 4.22: Contingency table for Interpretation of the Qur'an based on Field of Study

Field of Study		Disagree	Undecided	Agree	Total
Arts	Count	27	63	28	118
	% within Faculty	22.9%	53.4%	23.7%	100.0%
	% within D	35.1%	23.0%	24.8%	25.4%
Islamic Studies	Count	30	107	38	175
	% within Faculty	17.1%	61.1%	21.7%	100.0%
	% within D	39.0%	39.1%	33.6%	37.7%
Science	Count	20	104	47	171
	% within Faculty	11.7%	60.8%	27.5%	100.0%
	% within D	26.0%	38.0%	41.6%	36.9%
Total	Count	77	274	113	464
	% within Faculty	16.6%	59.1%	24.4%	100.0%
	% within D	100.0%	100.0%	100.0%	100.0%

Table 4.23: Results of the Chi-Square Test on Interpretation of the Qur'an

Chi-Square Test	Value	df	Asymp. Sig. (2-sided)
Pearson Chi-Square	7.384	4	.117
Likelihood Ratio	7.381	4	.117
N of Valid Cases	464		

Chi-square test result shows that it is not significant at $p < .05$ meaning that the perception of female Muslim final year undergraduate students both in UM and KU is not significantly different on interpretation of the Qur'an in terms of field of study. However, the results suggests that the overall percentage of respondents who agree (24.4 %) with the interpretation of the Qur'an by women is higher than those who disagree (16.6 %).

4.3.11 Results of Quantitative Data Analysis on the Difference of Perception on opinions about SIS and WAF based on Field of Study

This section answers research question 8: Does field of studies influence the perceptions of female Muslim final year undergraduate students on SIS and WAF?

Table 4.24 shows the difference of perception between UM and KU final year female Muslim undergraduate students' on SIS and WAF based on the field of study. It illustrates that in the Faculty of Arts both in UM and KU students remain undecided with 76.3 per cent, 3.4 per cent agree and 20.3 per cent disagree with regards to the perception that SIS and WAF are influential organizations advocating Muslim women's rights in their respective countries; working in an Islamic framework and their strategies and programmes can be located and translated in the local cultures of their respective countries. Furthermore, in the Faculty of Islamic Studies both in UM and KU 79.4 per cent remain undecided, 8.0 per cent agree and 12.6 per cent disagree. Moreover, in the

faculty of science, 83 per cent remain undecided, 10.5 per cent agree and 6.4 per cent disagree.

Table 4.24: Contingency table for Perception on SIS and WAF based on Field of Study

Field of Study		Disagree	Undecided	Agree	Total
Arts	Count	24	90	4	118
	% within Faculty	20.3%	76.3%	3.4%	100.0%
	% within E	42.1%	24.3%	11.1%	25.4%
Islamic Studies	Count	22	139	14	175
	% within Faculty	12.6%	79.4%	8.0%	100.0%
	% within E	38.6%	37.5%	38.9%	37.7%
Science	Count	11	142	18	171
	% within Faculty	6.4%	83.0%	10.5%	100.0%
	% within E	19.3%	38.3%	50.0%	36.9%
Total	Count	57	371	36	464
	% within Faculty	12.3%	80.0%	7.8%	100.0%
	% within E	100.0%	100.0%	100.0%	100.0%

Table 4.25: Results of the Chi-Square Test on Perception on SIS and WAF

Chi-Square Test	Value	df	Asymp. Sig. (2-sided)
Pearson Chi-Square	16.024	4	.003
Likelihood Ratio	16.612	4	.002
N of Valid Cases	464		

Chi-square test result shows that it is significant at $p < .05$ meaning that the perception of female Muslim final year undergraduate students' both in UM and KU is significantly different on SIS and WAF in terms of field of study. The results illustrate that science students in both UM and KU tend to be more positive (10.5 %) with their perception on SIS and WAF, followed by Islamic studies students (8 %) and Arts students (3.4 %). In

terms of disagreement Arts students tend to dominate (20.3%), Islamic studies (12.6%) and Science students (6.4 %). The overall percentage suggests that 12.3 per cent respondents are negative in their perception about SIS/WAF and only 7.8 per cent positive.

4.3.12 Summary of Results on the Difference of Perception on Islamic *Shari'ah* Law, Interpretation of the Qur'an, Polygamy and Opinions on SIS and WAF based on Location and Field of Study

In terms of field of study, the results on the reformation of the Islamic *Shari'ah* law suggest that in the Faculty of Arts and Social Sciences both in UM and KU 47.5 per cent students remain undecided in their stance, 33.1 per cent agree and 19.5 per cent disagree. Furthermore, in the Faculty of Islamic Studies both in UM and KU 46.9 per cent remain undecided, 49.1 per cent agree and only 4 per cent disagree. Moreover, in the Faculty of Science, 35.1 per cent students remain undecided, 58.5 per cent agreed and only 6.4 per cent disagreed. This means that Science students are more positive in their perception of reforms on Islamic *Shari'ah* law and Arts students are more negative in this case and Islamic studies students are in the middle. The overall findings indicate that both in UM and KU, the percentage of respondents who agree (48.5%) with the reform of the Islamic *Shari'ah* law is higher than the percentage (8.8%) of those who disagree.

In terms of polygamy, the results illustrate that in the Faculty of Arts both in UM and KU students remain undecided with 66.1 per cent, 15.3 per cent agree and 18.6 per cent disagree with regards to the restriction of the practice of polygamy as it affects Muslim women adversely. Furthermore, in the Faculty of Islamic Studies both in UM and KU 56.0 per cent remain undecided, 22.9 per cent agree and 22.1 per cent disagree.

Moreover, in the faculty of science, 62.6 per cent remain undecided, 32.2 per cent agree and only 5.3 per cent disagree. This means that science students both in UM and KU have the highest level of agreement (32.2%) and Arts students have the lowest (15.3%). The Islamic studies students in both UM and KU are in the middle (22.9%). This means that Science students are more positive in their perception of reforms on polygamy and Arts students are more negative in this case and Islamic studies students are in the middle.

In terms of interpretation of the Qur'an by Muslim women, the results show that Arts and Social Science students both in UM and KU remain undecided with 53.4 per cent, 23.7 per cent agree and 22.9 per cent disagree. Furthermore, in the Faculty of Islamic Studies both in UM and KU 61.1 per cent remain undecided, 21.7 per cent agree and 17.1 per cent disagree. Moreover, in the faculty of science, 60.8 per cent remain undecided, 27.5 per cent agree and 11.7 per cent disagree. This means that Science students are more positive in their perception about the interpretation of the Qur'an by Muslim women, and Islamic Studies students are more negative in their stance. Arts and Social Science students are in the middle.

In terms of perception on SIS and WAF, the results illustrate that in the Faculty of Arts both in UM and KU 76.3 per cent students remain undecided, 3.4 per cent agree and 20.3 per cent disagree on statements like SIS and WAF are influential organizations advocating Muslim women's rights in their respective countries; working in an Islamic framework and their strategies and programmes can be located and translated in the local cultures of their respective countries. Furthermore, in the Faculty of Islamic Studies both in UM and KU 79.4 per cent remain undecided, 8.0 per cent agree and 12.6 per cent disagree. Moreover, in the faculty of science, 83 per cent remain undecided, 10.5 per cent agree and 6.4 per cent disagree. This means that Science students in both

UM and KU tend to be more positive (10.5 %) with their perception on SIS and WAF, followed by Islamic studies students (8 %) and Arts students are most negative (3.4 %).

4.4 Summary of the Chapter

Chapter 4 presented the results and findings of the quantitative data analyses (mean rank and Chi-Square tests) in terms of the difference of perception between female Muslim final year undergraduate students on Islamic *Shari'ah* law, polygamy, reinterpretation of the Qur'an by Muslim women and perceptions about SIS and WAF. Mann Whitney U test was applied to find the mean rank between KU and UM respondents and Chi-Square test was applied to find the difference in terms of field of study.

In terms of mean rank, KU students tend to agree on the reformation of the *Shari'ah* law and restrictions on polygamy and UM students tend to agree on the interpretation of the Qur'an by Muslim women. And in terms of perceptions about SIS and WAF, the results show low mean ranks both for KU and UM students.

In terms of field of study, the results suggest that Science Students are more positive in their perception about reformation of the *Shari'ah* law, polygamy, interpretation of the Qur'an and opinions about SIS/WAF. Islamic Studies students are in the middle and Social Science students are the least positive.

The next chapter will present the analyses and findings of the qualitative interviews.

CHAPTER 5

ANALYSIS OF THE QUALITATIVE INTERVIEWS

5.1 Introduction

This chapter presents the results of the qualitative interviews. Ten informants are included in this study (five each from Pakistan and Malaysia) chosen through a purposive (informants background and ability to answer research questions) and snow-balling (one informant leading me to the other) sampling. This chapter fulfills objective 3 of the study that is; to compare and analyze the perception of key informants (academicians, *Shari'ah* lawyers and women's rights activists) both in Pakistan and Malaysia on issues related to the Islamic *Shari'ah* law, polygamy, interpretation of the Qur'an and ultimately, of SIS and WAF.

The informants were ensured that on ethical grounds their views will be kept confidential, therefore, they are not mentioned by name but by codes such as R1, R2, R3, R4, R5, R6, R7, R8, R9, and R10.

R1, R2, R3, R4 and R5 are Malaysian informants. R6, R7, R8, R9 and R10 are Pakistani informants.

R1 is a women's rights activist in Malaysia; R2 is a *Shari'ah* law expert in Malaysia; R3 is a lecturer in a Malaysian based university; R4 is a professor in Malaysia and R5 is a women's rights activist in Malaysia.

R6 is a women's rights activist in Pakistan; R7 is a Professor in a Pakistani based university; R8 is a *Shari'ah* lawyer in Pakistan; R9 is a Professor in Pakistan and R10 is a women's rights activist in Pakistan.

The chapter is divided into four main themes, namely, interpretation of the Qur'an by Muslim women, polygamy, Islamic *Shari'ah* law and perceptions about SIS and WAF. For each theme, the responses of the Malaysian informants are presented

first, followed by Pakistani informants. At the end of each theme, a comparative analysis is presented.

5.2 Debate on the Interpretation of the Qur'an

This section answers research question 9: What is the perception of key informants on the interpretation of the Qur'an?

When it comes to the interpretation of the Qur'an, it involves an issue like; who is the recognized authority to interpret and this is related to the issue of who speaks in favor of whom, the politics of gender and issues of identity and patriarchy (Pettersson, 2002). Peterson's argument indicates that male-interpretation tends to highlight more rights for men and thereby oppresses women. The argument also suggests that the topic of Islam and women would be incomplete without a proper understanding of patriarchal cultures and practices. While some parties are of the opinion that the traditional interpretation of Islamic texts should be upheld in order to reflect the true message of Qur'an and the spirit of Islamic teachings (Moaddel, 1998); groups who hold a more modern perspective of Islam such as Sisters in Islam (SIS) and Women's Action Forum (WAF) disagree with such an interpretation. These groups who represented the views of many women argue that patriarchal societies are reluctant to recognize women and their contributions and that the traditional interpretations adopted by patriarchal societies are detrimental to the rights of women.

Therefore, groups like SIS and WAF are in favor of an interpretation that accommodates the rights of women. Both in Malaysia and Pakistan women groups seek a more sociological modernist approach to human rights. This approach is based on the notion that Islam is a religion that has placed women at a highly respected social position and recognizes her privileges and rights (Othman, 1998; Jaffar; 2006).

Responses of the Malaysian Informants

All five Malaysian informants agreed that Qur'an supports equality between men and women. However, two informants (R1, R3) are of the opinion that it is the patriarchal nature of the Muslim societies that creates the problem. According to them, men in patriarchal societies create rules that govern the entire society and these rules have a huge impact on the lives of women. Both respondents are of the view that the interpretation of Islamic texts should always take into consideration the rights of women and universal human rights.

R1 and R3 views are consistent with Othman who argues that SIS is engaged in a more liberal interpretation and codification of Islamic texts. SIS is concerned of the social impact of the traditional interpretation of the Islamic texts that when codified into laws could render the female gender an unequal citizen of the state due to fewer rights afforded to them (Othman, 1998). She further argues that more and more women are beginning to realize that it is essential for women to embrace modernization and move on with the times. To ensure a fair and progressive society, archaic laws and legacies which are no longer relevant in the age of globalization should be abandoned and the rights and liberties of women should be considered when applying religious interpretations in the codification of laws (Ibid).

However, the informants in Malaysia made varied conclusions on the interpretation of the Qur'an by women's groups like SIS. For instance, R2, R4 and R5 agreed with the orthodox interpretation of the Qur'an that favours the *Ulema*. As R2 argued "I think 99 per cent of Muslims believe that only *Ulema* are authorized because they have more knowledge as well as expertise in the Arabic language. I think if we were to give authority to SIS to reinterpret the Qur'an, it would be pointless because the Qur'an cannot be interpreted based on logic only". This statement was further supported by R5 who argued that "there are rules of interpretation, there are lots of metaphors,

bilaghat (rhetoric), *mantik* (logic) and I don't think they [SIS] are capable of understanding all these rules. Since the Qur'an was revealed in the Arabic language, it therefore requires a thorough understanding of the language and customs of the Arabs". R5 argued further that in order to properly interpret the Qur'an; one should understand the rules of interpretation. This is consistent with Alston and Alamgir's who criticized and argued that none of the SIS members is trained as a theologian and therefore their interpretation of the Qur'an is questionable (Alston and Alamgir, 2013). What is unknown to the respondents of the study is that there are trained theologians in SIS and WAF such as Amina Wadud (affiliated with SIS) and Riffat Hassan (affiliated with WAF). Both are trained theologians and involve in the interpretation of the Qur'an.

The above debate reveals two different implications: one it has always been men who are given authority to interpret the Qur'an, since women do not possess leadership in Islam, therefore, SIS – being a women's group does not have the right to interpret the Qur'an. And the other that women who are well versed with the rules of interpretation can interpret the Qur'an but not SIS – since they are perceived to have not. The traditional approach favors the *Ulema* as a legitimate body to interpret as they are skilled with the Arabic language and understand the rules of interpretation. This is consistent with Alston and Alamgir who also highlight inability of groups like SIS to involve in the interpretation of the Qur'an as they are not trained theologians (Alston and Alamgir, 2013).

Furthermore, R2 justifies why SIS is not a recognized authority to interpret;

This is in tandem with Surah Nisa which mentions that men are superior to women. Therefore, any interpretations that say men are superior, superior means they are protectors. I don't look at the word 'superior' to mean that men are full of power but that they are protectors (R2).

R2's statement above is consistent with Shahidian who highlighted this 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). Shahidian argued that this particular verse by no means highlights men's superiority over women, but exposes a social reality about the condition of marital life where men are supposed to protect women and not act as the superior one. Hence when conditions change, for instance when women are also the income earner, it follows that women and men are at par as they spend their wealth together to maintain the family. However, while R2 is conscious of the possible different meanings of the term superior which may be dependent upon the cultural context and that the interpretation of the verses of the Qur'an are influenced by culture – a view shared by SIS – she remained critical of SIS's eligibility to interpret the Quran.

R4 further remarked that the influence of culture in the interpretation of religion blurred the line between what is culture and religion:

I think in Muslim cultures particularly in Malaysia, facts are sometimes interpreted in a cultural context, so what is actually cultural may be taken to be Islamic. Men think that they have this right to exercise control on their wives. This attitude is part of culture and is not what Islam says, so a clear distinction should be made between religion and culture.

There are two points that can be discussed based on the responses of R2 and R4. Firstly, sometimes the words in the Qur'an are translated literally while others not and that makes its understanding problematic, as R2 said that 'superior' can also mean 'protector'. Secondly, the facts are sometimes interpreted in terms of culture but understood as Islamic. While R2 and R4 clearly do not favor SIS as a legitimate authority to interpret the Qur'an based on their inability to understand the rules of interpretation, they are in agreement with SIS's observation that many of the verses from the Qur'an are interpreted out of context and often in cultural terms that discriminates women (Anwar, 2005). In a discussion with Norani (a senior member of SIS) I raised this issue, namely, how it is possible for them to interpret the Qur'an when they do not have skills in the Arabic languages. Norani replied that they seek the guidance of progressive *Ulema*, for instance the grand *mufti* of Egypt, Ali Gomaa.¹

Nevertheless, traditionalism is the main approach adopted in Malaysia when it comes to the interpretation of the Qur'an. This is not surprising for SIS, as they believe that Malaysia is very much influenced by traditionalism. Many women accept it because they are socialized to form an Islamic point of view and believe that the right to interpret the Quran rests with the *Ulema* alone as it is the recognized authority to do so. Furthermore, R1 and R3 believe unequivocally that the words of the *Ulema* must be

¹ I met Norani Othman for a discussion on my research at SIS office on 9 August 2010 at 3:30 pm.

accepted. As R1 pointed out, questioning this is akin to as questioning the word of God. This is the exact argument of R3 argued as well. According to her, “Qur’an is the word of Almighty Allah, it cannot be questioned, it’s a complete code of life and contains solutions to all problems, and being Muslims we must have a proper faith in the Qur’an and the *Sunnah* – without which we do not qualify to be Muslim” (R3).

The most important question is; are women allowed to raise questions when it comes to religious matters? In many Islamic countries including Malaysia questioning the traditional approach to Islamic text is risky as one can be accused of apostasy especially Muslim women. Furthermore, Muslim women themselves have been socialized that questioning traditional interpretation is akin to questioning the word of God. Nevertheless, SIS justifies that they are in no way questioning the word of God but in fact the male dominated interpretation. When male dominated interpretations become a part of state laws they affect women adversely (Anwar, 2005). As Othman argued we want to “see an enlightened and egalitarian view of gender relations as the basis for the interpretations and codifications” (Othman 1997: 12). This is further explained by Anwar who pointed out that they have engaged “to find liberation, truth and justice from within religion” (Anwar, 2001: 227).

An important strategy which SIS applies when it comes to the interpretation of Qur’an is independent reasoning (*Ijtihad*). They believe that independent reasoning and jurisprudential interpretations (*Ijtihad*) would be a more suitable approach of interpreting Islamic texts today in Malaysia and other Muslim countries. Instead of merely copying or obeying without question, *Ijtihad* involves studying, critical analyzing and the ability to make decisions based on these findings. According to SIS, religious bodies, scholars and society as a whole should adopt *Ijtihad* not only in the interpretation of religious texts but embrace *Ijtihad* as a way of life. However, in many Muslim countries, any proposal for a review of existing practices is viewed as a threat to

Islamic culture and those who express views which are different to that of the traditionalist majority are often shunned. This situation exemplifies one of the many challenges present in advocating change in religious matters throughout the Muslim world (Anwar, 2005), including Malaysia.

However, the concept and understanding of *Ijtihad* is also a disputed issue between feminists and the traditional thinkers. While, SIS employs *Ijtihad* as a strategy to approach women rights in the Qur'an, one of the informants (R5) makes *Ijtihad* conditional and she believed this is where SIS is misguiding Muslim women. She contended that *Ijtihad* is conditional and is permissible in Islam based on the following circumstances: (a) when a solution to a problem is not found in the Qur'an (b) when a solution to a problem is not found in *Hadith*, then only *Ijtihad* is permissible. She challenged that SIS is in fact suggesting that solutions to women's issues are not found in Qur'an when resorting to *Ijtihad* (R5).

Responses of the Pakistani Informants

Unlike informants (R2, R3 and R4) in Malaysia who seem to favor a traditional interpretation of the Qur'an by *Ulema*, all informants in Pakistan (R6, R7, R8, R9, R10) are more prone to an Islamic feminist ideology that speaks in favor of women to interpret the Qur'an. For instance, R8 argued by quoting a passage from the Qur'an:

"O mankind! Be dutiful to your Lord, Who created you from a single person (Adam), and from him (Adam) He created his wife (Eve), and from them both He created many men and women and fear Allah through Whom you demand your mutual (rights), and (do not cut the relations of) the wombs (kinship). Surely, Allah is Ever and All-Watcher over you." (Al-Nisa 4:1).

R8 further argued that having analyzed this verse of the Qur'an, it can be said that the Qur'an treats men and women equally. Qur'an is a complete code of life and considers both men and women as equal human beings. This is consistent with several studies that emphasize that the Qur'an does not promote any injuries towards women (Foley, 2004; Anwar, 2005; Othman, 2006).

In support of the above argument R6 remarked:

I fully agree that the interpretation of Qur'an is male dominated i.e. there are pre-requisites and conditions for four marriages in Islam but in the interpretation this aspect is not clearly mentioned in terms of when and how a man can marry another after having one wife.

The statement above is consistent with the philosophy of WAF that the interpretation of the Qur'an is male-dominated. In fact, there are three verses in the Qur'an (Al-Qur'an: Surah an-Nisa verses 2, 3 and 129) that deal with polygamy but two of them are often discussed in the academic discourse and both deal with the condition of justice (Al-Qur'an: Surah an-Nisa verses 3 and 129). These verses are interpreted in varying ways. For instance, Zakir Naik is a strong proponent of polygamy and believes that it is allowed and Muslim men can go polygamous (Naik, 2006). In contrast to Naik, Anwar believes that the conditions rendered for polygamy in the Qur'an are restrictive and not supportive. In this context, R6 seems critical to traditionalists' interpretations that do not give much emphasis on the restrictive conditions mentioned in the Qur'an.

R6 further clarified her opinion by arguing that:

In the male-dominated interpretations, so much emphasis has been given on women to adopt hijab [Veil] from the males. The Qur'an also instructs men to lower their gaze when they see a woman. The instruction of hijab is for both men and women but often associated with women. This is because of the male-dominated interpretation of the Qur'an.

R6 gives much emphasis on the male-dominated interpretations of the Qur'an. The male-dominated interpretations refer to the traditional ways of interpretation mainly done by men from a male perspective. For example, the traditional interpretation of the verse 4: 34 suggests that "Men are in charge of women (*qawwamuna*, 'ala), because Allah made the one of them to excel the other" (Pickthal, 1930). Wadud and Riffat criticize such an interpretation and believe that this particular verse does not suggest that men are in charge of women or men are superior to women. Both suggest that *qawwamuna*, 'ala carries in it the message of providing for women. In other words, men are responsible to provide for women in the context of child-bearing and rearing. Otherwise, men and women are equal before Allah and none of them is in charge of the other or superior to the other (Riffat, 2002; Wadud, 1999).

Moreover, in terms of polygamy, the notion of justice in the traditionalist interpretation is not clearly defined. For instance, the traditional interpretation verse 4: 3 is interpreted as "if you fear that you will not be able to deal justly, then marry one". This sort of interpretation makes the notion of justice more easy and achievable. While the feminist's suggest that the actual interpretation should be "if you fear that you will not be able to deal justly with the orphans then marry one". This sort of interpretation suggests that polygamy also talks about orphans (often ignored in male-made interpretations) (Kasim, 2002; Wadud, 1999). The verse 4:3 was specifically revealed

following the battle of *Uhud* – concerned with the welfare and protection of children and women following the death of dozens of men in the said battle.

Respondent 7 elaborated on this by saying that:

In the translation of Qur'an one can clearly see that Allah is being presented as a male entity as there is no word [mention] about the gender of Allah. It is because male have translated the Qur'an.

In the same way R7 argued that indeed the interpretation of the Qur'an is male dominated because most of the explanations are given by men with women being denied the right to interpretation. This is consistent with several studies (Anwar, 2005; Hassan, 2002; Wadud, 1999).

After analyzing R6 and R7 stance on the interpretation of the Qur'an by Muslim women, it can be argued that in order to understand the reason behind the orthodox interpretation of Islamic texts, one need to delve into the past, back to the time of the Prophet Mohammed and observe the culture and way of life of that era. The laws of Islam were created based on the principles of what constitutes an ideal society at the time. In this context, Muzaffar argues that due to the conservativeness of *Ulemas* today, many are reluctant to question or alter ancient practices and customs. Religious bodies often fail to recognize that modern society is constantly changing and the laws need to be adapted accordingly (Muzaffar, 1994).

Moreover, Islam regards men and women as equal in many matters and it is contradictory that while men could create laws that govern society, women do not have a right to voice their opinion on rules that affect them directly (Mehdi, 2008). It is the opinion of many who hold modernists views that Islam is a fair and just religion but due to the interpretation of some men, unfairness have been imposed on women. Therefore, it is vital for women to understand that their questioning of the injustice in the current

religious system is not an act of defiance. On the contrary, it is the duty of women to promote the true interpretation of Islam and create equality between men and women.

This seems to be the reason why R9 support the idea that Muslim women should be involved in the interpretation of the Qur'an.

There are Muslim women scholars who can meet the criteria of interpretation. Personally, I met with Dr. Rifat Hassan who is a Pakistani scholar. She is an enlightened Muslim scholar. So, there is a potential and people are available, we just need to speak to them.

R8 also supported the idea for Muslim women to be involved in the interpretation of the Qur'an. According to her, the criticism that Muslim women especially feminists inability to speak Arabic can easily be countered. There are many Muslim women scholars in the Arab world who have a thorough understanding of the Arabic language. Furthermore, this language can be learnt.

However, one of the informants, R10 was conditional in her support towards women's interpretation of the Qur'an, she argued:

I agree that there are several literate women scholars. They should be given the right to interpret the Qur'an. But again, they should not be biased applying a feminist approach. Mostly they used to say that the interpretation was done by men therefore women's rights are depressed [repressed]. So tomorrow men will be voicing that the rights of men are depressed. Through this way one new chapter of conflict in Muslim men and women will be opened
(R10).

R9 set some criteria that has to be fulfilled for the interpretation of the Qur'an. She suggested the criteria as: command of the Arabic language, religious background

and understanding rules of interpretation. She stressed that if any woman scholar fulfils the criteria then she should be given the chance to interpret the Qur'an.

In fact, there are Muslim female scholars who have been involved in the Qur'anic exegesis, notable among them is Aishah Abd al-Rahman also known as *Binti al-Shati*. She has extensively been involved in Qur'anic exegesis and has authored more than sixty books and several hundred articles on Qur'anic exegesis, Arabic language and literature, women's position and status in Islam and various other social issues. Her first exegetical work is *al-Tafsir al-Bayani li al-Qur'an al-Karim*, "The Rhetorical Interpretation of the Qur'an". She employs a method of analysis that is both innovative and creative (Amin, 1993). She believes that the Qur'an is the best interpreter of itself. She first interprets the text word by word, then looks at the consistent parts of the verse and employs a meaning to it. Through her scholarship, she has offered new insights valuable for the discourse on Qur'anic exegesis. Above all, she is a female Muslim scholar having expertise on the Arabic language and an excellent example for other Muslim women who are interested to involve in the interpretation of the text.

Comparison

In Malaysia, only one informant (R1) supports SIS efforts to interpret the Qur'an. Other four informants (R2, R3, R4 and R5) question the ability of SIS to interpret the Qur'an. Even though, all five informants in Malaysia agree that Qur'an supports equality between men and women but yet three informants (R2, R4, R5) do not support women groups to interpret the Qur'an. The main reason is that none of the SIS members is a trained theologian. A contradiction exists in the response of R3, who on the one hand denied that the interpretation of the Qur'an is male-dominated and yet on the other hand argued that the patriarchal cultures of Muslim societies discriminate against women. This indirectly indicates a perception that indeed the interpretation of the Qur'an is

male-dominated because in the patriarchal Muslim cultures women are not given the authority to interpret the Qur'an.

In Pakistan, all five informants agreed that the interpretation of the Qur'an is male-dominated because the pre-requisites for polygamy are not clearly interpreted (R6); man-made interpretations only target women, particularly, on the issue of veiling and while there are clear instructions for men to lower their gaze, these facts are not highlighted in the existing interpretations (R6); Allah is being referred to as a male entity whereas there is no mention in the Qur'an about the gender of Allah (R7); there are qualified women like Riffat Hassan (a trained theologian) who can interpret the Qur'an (R9); if the question is about women's inability to speak Arabic, it is clear that it is a language that can be learnt (R8).

The discussion on the interpretation of the Qur'an reveals some interesting findings and raises the question as to why Pakistani compared to the Malaysian respondents are more supportive of Muslim women's interpretation of the Qur'an? This seems to be due to the experiences of Muslim women that are different in both countries. Malaysia is a progressive Muslim country; Muslim women enjoy liberation and freedom, power and agency in their daily life. They are encouraged to work in government and private sector, having access to financial institutions, courts, and education and health facilities. More importantly, the influence of religious extremism has been countered successfully by the ruling government. In contrast, Pakistani women's experiences with Islamic laws particularly the implementation of *Hudud* law in the 1980s has been a controversial one. As discussed in the literature review, Muslim women in Pakistan have suffered extensively due to the Islamic laws. Moreover, certain cultural practices such as honor killing exacerbated the suffering of Muslim women. It is this suffering that prompted Muslim women in Pakistan to think along the lines of

change, power and agency and support women's groups organizations in any way possible.

5.3 Debate on Polygamy

This section answers research question 14: What is the perception of key informants on polygamy?

Regarding polygamy, the Qur'an says that:

If you fear that you shall not be able to deal justly with your orphans, marry women of your choice, two or three or four, but if you fear that you shall not be able to deal justly (with them) then only one that will be more suitable to prevent you from doing injustice. (Surah an-Nisa 4:3)

Meanwhile the Qur'an also states that:

You are never able to be fair and just as between women, even if it is your ardent desire. (Surah an-Nisa 4:129)

The debate about polygamy delves into how the above verses should be interpreted and most importantly what justice means in the case of polygamy. In the case of a polygamous marriage the Shari'ah courts generally gives permission based on four conditions and these include, the marriage is justified (for instance, the existing wife is sick, unable to perform domestic responsibilities), a man has sufficient financial arrangements, able to treat the wives equally and finally the new marriage does not cause any harm to the existing wife (Norani, 1997). All the informants in Malaysia agreed that polygamy is a problem in Malaysia. However, they made varied conclusions whether to ban polygamy. Whereas, SIS's stand is very clear and it favors restriction

and if possible ban on polygamy as they believe it is discriminatory towards women in a sense that the condition for justice among wives cannot be met. Therefore, SIS engages in understanding the interpretations, sources and origins of the Islamic law. They challenge the belief that polygamy is Islamic.

Responses of the Malaysian Informants

In Malaysia one informant (R1) supports the idea that polygamy should be banned. R2 and R3 tend to disagree with the idea that polygamy should be banned. R4 and R5 are conditional in their support of polygamy.

R1 agreed with SIS's stance on polygamy and argued, "there has been a misunderstanding among Muslims in Malaysia today that polygamy is something sacred in Islam but it is not. It was practiced universally in the pre-Islamic times, in most societies in one form or another" (R1). She further elaborated by stating that "some believe that it is something that makes the Muslims unique and sets them apart from others. It is totally absurd because polygamy is nothing unique to Islam". The point R1 makes here is that polygamy existed well before the advent of Islam and it is not an Islamic invention. Indeed, it has been practiced during the time of the Prophet Mohammad but with the philosophy to shelter the widows and orphans affected by the wars fought for Islam.

Similarly R2 argued that many of the laws of Islam are based on reasoning and one needs to carefully study the events that lead to the creation of such laws. During the time when the Qur'an was revealed in the 7th century, continuous wars and conflicts has substantially changed the population of Medina and its surroundings. Many men were killed in the battle. The Qur'an resolved the issue by introducing polygamy as an option so that women and children could be cared for. Such a law persisted and continues to be practiced by many men throughout Muslim societies today that is not

involved in a war. This line of reasoning by R2 supports the understanding of SIS that in the early times of Islam polygamy was practiced to shelter the widows and orphans affected by the wars fought for Islam. Today's realities are different; therefore, polygamy should not be practiced.

If Islam does not encourage polygamy then the question arises as to why polygamous marriages occur. According to R3, patriarchy appears to be a major reason for the continuation of polygamy to this day. Patriarchal societies adopt the Islamic texts without taking into consideration its relevance in today's societies. Furthermore, women in such societies are expected to conform to all the rules and questioning of any laws is forbidden. As a result, many people's understanding of Islam is limited to what is being portrayed by patriarchal societies (Sleboda, 2001).

Some of the interviewees (R3 and R5) seem to be taking a defensive position and support polygamy based on justice and the conditions rendered in Islam. R4 argued that "men are obviously given greater autonomy; for instance, men are allowed four wives while women are permitted only one husband at a time. Meanwhile according to R3, the right to polygamy is subject to Qur'anic teachings, whereby the man in question must pleasure all four wives equally" (R3). Similarly, respondent 5 argued that she disagreed with the feminist's idea that polygamy is not justifiable in modern times, "I would say there are some occasions where it cannot be helped. For instance, when a man is involved in a polygamous marriage, there is always a chance that one of the wives will be neglected. This is why women are opposed to polygamous marriages most of the time". Respondent 5 seems to be contradicting herself, on the one hand she said that justice is possible in a polygamous marriage and yet on the other hand she confessed that there is always a possibility that one of the wives will inevitably be neglected in a polygamous marriage.

In contrast to the philosophy of SIS on polygamy, traditionalists come to the defense of polygamy, as one of the interviewees, R3, said, “Banning polygamy is obviously controversial because it is against the provision of *Al-nisa* (a chapter in the Qur’an that mentions of polygamy). *Al-nisa* neither prohibits nor encourages polygamy. SIS believes that men will not perform their duties in polygamous marriages and this is why they think it should be prohibited; the problem is not with the law but with the actors in a polygamous marriage. Therefore, it is not right that SIS comes to the conclusion that polygamy should be prohibited. As far as polygamy is concerned, the Qur’an sets out conditions² to be met for men to commit polygamy” (R 3).

The same view is shared by R4 “I have no problems with polygamous marriage but administration is the real issue here. I think those who oppose polygamous marriage need to be very careful. This could be a form of secularism; one cannot say that polygamy is *haram* (forbidden) as it is mentioned in the Qur’an (Surah an-Nisa 4:3)”. What she means by administrative problems is how these laws are administered as in different states the condition to be fulfilled before entering into a polygamous marriage is different for a man. If a man fails to get approval from a court in one state, he can travel to another state and apply for permission there. Some people who find it difficult to marry in Malaysia, simply go to Thailand to enter into a polygamous marriage. This is consistent with several studies that highlight the administrative flaws that exists in the Malaysian *Shari’ah* system (Abdullah, 1997; Siraj, 1993; SIS, 1997).

Both R3 and R4 believed that as polygamy is allowed in Islam, banning it is akin to questioning the word of Allah. They thought that as long as a man can justify the need for polygamy, he can go for it and totally opposed the idea of banning polygamy.

² These conditions include: (1) that the proposed marriage is a necessity judging from the wife’s condition, including that of infertility, physical illness, being physically unable to perform sexual intercourse, neglecting the husband’s rights to sexual intercourse, or insanity; (2) the applicant has the capacity, as stipulated by the *syarak* law, to provide for all his wives and dependents including the person that he will be supporting from the new marriage; (3) the applicant is capable of providing fair and equal treatment to all wives as required by *syarak* law; and (4) the proposed marriage will not cause danger or harm (*darar syar’ie*) to the wife.

To justify polygamy further, for instance, it is better to allow polygamy than a man having a mistress as he would be committing adultery under Islamic laws. According to R2, a mistress means inviting trouble like having illegitimate children. She further argued that there are situations when a polygamous marriage is justified, for example, if a wife is unable to bear children for any reasons. In the same way, “it’s all right if the husband wants to have another wife as long as this (women’s) rights are protected. Women should have their rights in terms of security, shelter and maintenance. This is why the court ensured that in taking another wife, the husband also has to fulfill the rights of the existing wives” (R2).

To defend the practice of polygamy R3 presented facts where polygamy has been banned but not worked for the betterment of Muslim women. For example, one of the informants, R3 said that some countries that have banned polygamy include Turkey and Tunisia. However, it is still in practice except that it is not legalized. As a result, there will be problems for the subsequent wife and children because they are not recognized as such officially. Any children in such a marriage will become illegitimate from the perspective of that particular country. In R5’s opinion, this particular law does not protect the interests of women but in fact exacerbates the situation. To justify this point in the context of Malaysia, R5 said that Malaysia is also going in that direction, to some extent. In Malaysia, people can go to Thailand, get married there and come back, but the whole cycle of the problem remains and, most of the time, the victims are women themselves. So, the issue here is not the issue of the law alone but of society as a whole.

A man shall not marry another wife simply because he wishes to do so. Furthermore, it is a good idea to ensure uniformity of all Islamic laws in Malaysia and standardize the various state Islamic laws currently being enforced. Current Islamic laws which differ from state to state are often being circumvented and as such allow

men who are not qualified to marry more than one wife in a state to simply travel to another state and obtain the necessary authorization there. A single legal system will also be less complicated (R2).

R2 further argued that there are a number of men who do not register their second marriage with the religious authorities in order to avoid informing the wife and obtain her prior consent to marry another woman. Consequently, the unregistered marriage will not be officially recognized and their offspring will be considered as illegitimate children under Islamic Law. R2 commented that in the event of the passing of the husband, the wife who is not officially recognized will not be able to inherit any of the husband's property. R2 and R3 suggested that the courts should impose harsher penalties such as imprisonment in order to curb men who exploit the loopholes and marry abroad. Others are of the view that harsher penalties will cause harm to a man's families who might lose their sole breadwinner.

R1 agreed that polygamy is a major concern for Malaysian Muslim women. The issue of the abuse experienced by women has been raised and some are of the opinion that polygamy is no longer relevant and should be banned. The reason given for banning polygamy was that a large number of women who are party to such marriage arrangements are abused and discriminated against. Women who oppose polygamy also feel that polygamous marriages are contrary to human rights and suggest that women groups put in more effort to change the situation (Anwar, 2005).

Responses of the Pakistani Informants

In Pakistan, one informant is against the practice of polygamy (R8); two informants are concerned about the administration and implementation of laws on polygamy (R6 and R7) and two are conditional in their support to polygamy (R9 and R10).

Discussing about polygamous marriages, R8 argued:

We need to follow Islam; polygamy should only be followed with the conditions and requisites outlined in the Qur'an. If a problem comes that is a woman's inability to conceive than it should be practiced with the condition of justice.

This view is similar to R3, a Malaysian respondent, who agreed that polygamy should be practiced based on the conditions outlined in the Qur'an. This is further explained by R9:

If polygamy does not meet Islamic criteria, than I oppose it as we are living in a modern era where issues like a woman's inability to conceive can be treated medically, so why polygamy?

R6 also shared the same view that polygamy is established in the Qur'an and as such should be accepted as an Islamic principle but with the condition of justice. "Islam provides many provisions and guidelines for the practice of polygamy; these rules are adopted and complied with in the past during the early days of Islam but they are largely ignored today" (R6). Supporters of polygamy assure that such enforcement of rules will ensure that the concept of polygamy as defined in Islam will be better understood. They agreed that there should be a greater emphasis for the rules to be adhered before polygamy is allowed. As argued by R7, "polygamy should be allowed only in circumstances when the rules as stipulated by Islam are complied with". There are circumstances when the first wife had been bed-ridden and request that her husband marry another woman so that he is cared for. R6 and R7 views can be understood in a way that it is important to look at the context in which a polygamous marriage is taking place. There are circumstances when it is extremely needed. Therefore, it should be analyzed and criticized case by case and not in general. This view is consistent with

Mehdi who emphasize that it is important to see the context in which polygamy occurs (Mehdi, 2013).

In contrast to the above views, R8 opposed the practice of polygamy and placed it as an unfair activity for women, for instance, a participant of the study who is opposed to polygamy has expressed her concern about the increasing rates of divorce and she feels that morality, which is an important Islamic principle, is no longer important in today's society. She commented about men who had abandoned their wife and children as well as fail to provide them with care, yet the religious authorities were unable to enforce Islamic law (R8). Others who do not wish to put an end to polygamy explained that religion and family values continue to play an important role in Pakistani society and polygamy helps keep the family together in many ways.

R6 and R7 recognized that there are issues often associated with polygamy such as abuse. However, pro-polygamy advocates are adamant that such problems are a result of failing to implement and enforce Islamic law effectively. The Islamic courts should have the final say as to whether polygamy is allowed base on a case by case basis. Two informants agreed that men should seek the guidance of a religious body and have the matter referred to an Islamic court (R6, R7). There are two informants (R9, R10) who believe that there are many good men in polygamous marriages who treat all their wives equally well. A woman can choose to give her consent to her husband marrying another woman and the husbands shall respect that decision (R9, R10). This is in line with a study arguing that polygamy is slowly being adopted by more developed societies and eventually polygamy will be widely accepted in all modern societies (Haddad, 1998). Another woman suggested men who are not well-off should not be allowed to marry more than one woman and only richer men who are able to care for all his wives be allowed to practice polygamy (R10). While such a view emphasizes that a man must

treat all his wives equally financially, it has neglected the consent requirement from the elder wives.

For advocates of polygamy, a universal banning of polygamy based on the view that polygamy is discriminating towards women is unjustified. Many opinions which demean polygamy are based on the erroneous understanding of women's role in the family and community. Polygamy is based on a traditional understanding of women and families for centuries and Islam is not the only religion or culture in the world where polygamy is allowed. To sum up the merits of polygamy as pointed out by its supporters; it helps to keep away three ills, namely, prostitution, unmarried women and illegitimate children (Haddad, 1998; Naik, 2005). Such views contrast with SIS's study on polygamy which found that 80 per cent of women involved in polygamous marriages disagreed that their husbands treat them fairly (SIS, 2010).

In line with the finding of the study by SIS, R8 seemed tired of the excuses given to justify marrying another wife. R8 pointed out that "many men proclaim that sexuality is a natural human instinct of men and that they are entitled to have more than one partner in order to be allowed to practice polygamy. While it is unknown if the polygamy culture is restricted to any particular class of people, the west often believes men who have more than one wife are from oppressive backgrounds and are less educated"(R 6). Generally, polygamy exists in many societies and a large number of men regardless of their socio-economic positions are in favor of polygamy.

Comparison

In Malaysia one informant (R1) supports the idea that polygamy should be banned because marriage is sacred in Islam and the Qur'anic provisions on polygamy are restrictive. It was practiced during the time of the Prophet mainly to shelter children and

women affected by the war fought for Islam but today's realities are different and Malaysia is not in a state of war.

R2 and R3 tend to disagree with the idea that polygamy should be banned. Banning polygamy is against Qur'anic provisions, although Qur'an does not encourage polygamy but it does not prohibit it. R2 stressed on the benefits of polygamy – as it helps to eliminate social evils like extra-marital relations and birth of illegitimate children.

R4 and R5 are conditional in their support of polygamy. They believe that the conditions for polygamy are explained in the Qur'an and as long as these conditions are met, polygamy is legal. They argued that the problem is not polygamy but its administration – as there is no standardized *Shari'ah* law in Malaysia and its implementation is different in many states. Therefore, SIS should invest more energy on the implementation side.

In Pakistan, one informant is against the practice of polygamy (R8); two informants are concerned about the administration and implementation of laws on polygamy (R6 and R7) and two are conditional in their support to polygamy (R9 and R10). For R9 and R10, banning polygamy is never an option. For them, as long as the practice of polygamy meets the conditions mentioned in the Qur'an, it is legal. R6 and R7 believe that the proper implementation and administration of laws can help to reduce the practice of polygamy. R8 is against the practice of polygamy and argued that it is discriminatory to women and is a source of increase in divorce rates.

To summarize, a common point that both Malaysian (R4, R5) and Pakistani (R6 and R7) informants stressed is about the enforcement and proper implementation of the laws regarding polygamy. In Malaysia, the non-uniformity of laws is a major issue. For instance, R4 and R5 argued that efforts are needed to enforce Islamic laws properly so that Muslims do not treat the implication of disobeying the laws lightly. Men who

knowingly defy the law by conducting their marriage abroad should not be allowed to get away and they must be brought to the court. The Court should ensure that justice is afforded to the first wife and that she should receive an appropriate sum of maintenance from her husband. Furthermore, legislation regarding the division of property should be revised. The current laws are inadequate and outdated. It will be most unfair for a first wife to lose her rightful claim to her husband's property to her husband's second wife whom she had no knowledge of.

Meanwhile, the Pakistani informants (R6 and R7) are more concerned about the complexity and overlapping of different laws (Civil law, *Shari'ah* law and tribal norms) in Pakistan. They argued that tribal norms have brought so much suffering to women - as women have been flogged publically and they have been victim of honor-killing. Furthermore, these tribal norms are sometimes justified in the name of *Shari'ah* law. They stressed that first and foremost tribal norms should be abolished and that the true *Shari'ah* law should be implemented.

5.4 Debate on Islamic *Shari' ah* Law

This section answers research question 15: What is the perception of key informants on the reformation of the Islamic *Shari'ah* law?

Both SIS and WAF argue that Muslim women suffer in the *Shari'ah* Courts when they seek legal remedy pertaining to their problems. For instance, for a man it is easy to acquire a divorce whereas a woman has to go long procedures and wait years before her application is heard in the court. SIS and WAF are also in favor of the appointment of women's judges in the *Shari'ah* courts. In the following section, the response of the interview informants is analyzed about the reform of the Islamic *Shari'ah* law both in Malaysia and Pakistan.

Responses of the Malaysian Informants

All five informants in Malaysia agreed that various issues are associated with Islamic *Shari'ah* law in Malaysia; however they directed their critics more towards the administration of the law rather than the law itself. The informants support for SIS to reform the *Shari'ah* law is conditional – as long as the reform are administrative, all the informants of the study (R1, R2, R3, R4, R5) support them. As R2 argued, the *Shari'ah* laws in Malaysia is one of the most enlightened one compared to other Muslim countries. It is relevant and based on Islamic standards; therefore, it should be maintained as it is. What she means by an enlightened law is the fact that *Shari'ah* law practiced in Malaysia is already a modified one. For instance, there is no stoning for adultery in Malaysia. R2 criticized SIS's claim that the substance of the *Shari'ah* law is discriminatory to women in Malaysia and argued that the discrimination of women is due to its implementation.

The same view is shared by R4, if the administration of the law is proper, issues like the abuse of polygamy would not occur. For instance, it is compulsory for a man in many states to ask the permission of the first wife before going polygamous but in practice it is ignored. In case if a man has married abroad and registers the marriage in Malaysia, it is the court's responsibility to inform the first wife via a letter but such things does not happen. In some instances, the first wife does not even know about her husband's second wife.

R3 elaborated on the administrative flaws in the *Shari'ah* system which is very visible; for example, in the context of Malaysia courts have been ineffective to stop many men who do not fulfill the conditions to contract polygamous marriages, many abandoned girls do not get shares in inheritance and there are no female judges in the courts. This argument is consistent with several studies (Engineer, 2005; Hefner, 2001). However, it should be noted that in July 2010, the Malaysian government announced

the appointment of two women judges as part of the *Shari'ah* reform efforts. The appointments were made to enhance justice in cases involving families and women's rights (England, 2010).

There is also the issue of codification and interpretation of laws as the codification and interpretation of laws is patriarchal and that bring discrimination to women. Therefore, two informants, R3 and R4, suggested that reforms should be directed towards administration of the law. For instance, R4 argued that SIS should direct all its efforts at the level of implementation – as according to her the law itself treats women equally but in its implementation the rights of women are denied.

R5 emphasized the need of capacity building of the judges in the *Shari'ah* courts, by providing them with the skills and proper knowledge and understanding of the *Shari'ah* issues. This finding is consistent with Abdullah who states that it is important to empower judges to enrich them with the “understanding of new rules and procedures of the *Shari'ah* so they can interpret them without gender or class prejudice” (Abdullah, 1997; 2007).

Many informants (R2, R3 and R5) also emphasized on the non-uniformity of the *Shari'ah* law in Malaysia. For example, the *Shari'ah* law in Malaysia differs from one state to another. For instance, in Kuala Lumpur, the consent of the first wife is required in the court before a man can enter into a polygamous marriage but this is not the case in Terengganu. This situation favors men. As R2, R3 and R5 highlighted, if a man fails to get approval from a court in one state for a polygamous marriage, he can subsequently applies in another state and often become successful. As shared by R2:

Men who wish to marry another woman but had failed to obtain an approval from the local courts will go to great lengths to defy the court's order and have their way. It is common for these men to travel to another state [Terengganu, Kelantan] and get approval.

Therefore, R3 demanded for a uniform *Shari'ah* law in all the states in Malaysia. However, the merit of a uniform/consistent *Shari'ah* system has been a point of debate in various academic literatures (Siraj 1993; Abdullah, 1997). For instance, based on the 1980s Family law enactment all states in Malaysia agreed (Kelantan, Terengganu and Kedah withdrawing later) that the court should decide whether to give permission to a man to contract a polygamous marriage (Abdullah & Khairuddin, 2009).

Alongside, the demand for uniformity, two informants, R3 and R4 also urged for the process to be made faster and easier for a female-initiated divorce and subsequently for a male-initiated one it should be made harder since it is much easier for them to do so currently. In addition, R4 and R5 emphasized that the provision of maintenance to the ex-wife and children should be ensured. These demands are consistent with several studies (Nik Noriani 1993; Kamaruddin and Abdullah, 2008).

All five informants in Malaysia supported SIS's claim that *Shari'ah* law is problematic. SIS claims are also based on the administration of the *Shari'ah* law – biasness of male judges, women non-appointment in the courts and non-uniformity of laws. All informants support such administrative issues.

Responses of the Pakistani Informants

In Pakistan R6, R9 and R10 are concerned about the administrative problems with the *Shari'ah* law, R7 and R8 argued that the tribal culture and norms are so dominant that it affected the practice of *Shari'ah* law in Pakistan.

R7 discussed the financial issues in cases of divorce by arguing that in many instances women are neglected when it comes to financial issues. For instance, in the case of a divorce, a husband is required to support his ex-wife and provide maintenance money for the children but in practice this is often not carried out. R7 believes that such behavior is discriminatory towards women.

The same issue is also discussed by R6 who argued that it is more difficult for a woman in Pakistan to seek divorce now compared to 30 years ago before the implementation of the *Shari'ah* law in Pakistan in the 1980s. She further argued that the purpose of the implementation of the law was in fact to protect women from abuse but it has become a burden on women over the years. This is mainly because the administration of the law is not proper. R7 also shared the same view that the *Shari'ah* law is Islamic and it does not promote any injustice towards women. However, it depends on how it is practiced and administered (R7).

R9 argued that the administration of the *Shari'ah* is blurred, for instance, in some cities, polygamous marriages and inheritance rights are referred to *Shari'ah* courts but in the tribal areas of Pakistan, such cases are dealt by men themselves without referring to any court. In fact, in the tribal areas of Pakistan, the civil and *Shari'ah* laws are marginalized in practice and tribal norms prevail (R9). In a tribal system, a leader of the specific tribe takes the decisions on issues that often lead to extreme punishments like stoning and honor-killing. This is consistent with Nelson's study on *Shari'ah* law (Nelson, 2011).

The existence of multiple laws is a major problem in Pakistan where civil law, *Shari'ah* law and tribal norms go together when dealing with women's issues. In some areas civil law is preferred, in others it is *Shari'ah* law and in the tribal setups it is tribal norms. The cases of women dealt under tribal norms have been criticized based on unfair treatment of women. For example, R6 highlighted the case of Mokhtara Bibi who was raped in public as a form of honor revenge following a decision of a tribal committee. R8 provided another case of a young girl who was flogged by Taliban publically in the case of adultery. The absence of civil law and *Shari'ah* in the tribal areas has caused even worse discrimination to women.

R9 further argued that in criminal cases, women suffer heavily in the *Shari'ah* courts because they are asked to present proofs and witnesses. If the case is of an abusive husband or domestic violence – a woman is asked to present medical reports and prove it with a witness. R9 questions “how can domestic violence – for instance a slap can be proved through medical report or through a witness” (R9). Therefore, R9 emphasis on the capacity building of the judges to understand the complexity of matters, as all issues cannot be proved through medical certification and witness.

R7 argues that the patriarchal culture in Pakistan is such that marrying a divorce woman is taken as a shame. Normally, in the tribal setups of Pakistan, a divorced woman cannot find a husband until death. If a divorced woman is at a young age, there is possibility that she would get an aged husband. She emphasized that these sensitivities should be taken into consideration by the *Shari'ah* judges, otherwise women would keep suffering in the courts.

Comparison

In Malaysia, all informants agreed that the issues are associated with the implementation of the *Shari'ah* law. R1, R2, R3, R4 and R5 highlighted these issues as administrative problems. For instance, courts have been unable to stop men who do not fulfil the required condition to enter into a polygamous marriage. R2, R3 and R5 further analyzed that these administrative problems exist because of the non-uniformity of laws. For instance, the requirement of *Shari'ah* law for contracting a polygamous marriage in Kuala Lumpur and Terengganu is not the same. In this case, if a man fails to get permission from the *Shari'ah* court in Kuala Lumpur, he can apply in Terengganu and succeeds.

Similarly, in Pakistan all the informants agreed that there are problems associated with the *Shari'ah* law in Pakistan. While R6, R9 and R10 are more

concerned about the administrative problems with the *Shari'ah* law, R7 and R8 argued that the tribal culture and norms are so dominant that it affected the practice of *Shari'ah* law in Pakistan. According to R7, due to the tribal customs a divorced women cannot marry a second time or even if she does she will probably get an aged man.

A common point for both Malaysian and Pakistani informants is that it is not the *Shari'ah* law that discriminates against women but the discrimination comes from the improper administration and implementation of the Islamic *Shari'ah* law. While for Malaysian informants, non-uniformity of the *Shari'ah* law is a problem, for Pakistani informants, it is the justification of tribal norms in the name of *Shari'ah* law. Both Malaysian and Pakistani informants are closer to SIS's and WAF's stance on the issue of *Shari'ah* law than on the other issues raised in this research. SIS and WAF have highlighted these administrative issues in their policy and research papers.

5.5 Perceptions of SIS and WAF

This section answers research question 16: What is the perception of key informants about SIS/WAF?

SIS and WAF are women's rights organizations who believe that male-dominated interpretations of the Qur'an make Muslim women inferior to men – as it has always been men that have given the chance to interpret the Qur'an. Thus, women's voices have been suppressed in such interpretations. They are also concerned about the administration and implementation of *Shari'ah* laws in their respective countries. Instead of resolving their problems the *Shari'ah* court has brought suffering to Muslim women when they approach it to seek redress. Therefore, they have invested much effort at the reform of the Islamic *Shari'ah* laws in their respective countries. In the

following section, the perception of interview informants of SIS and WAF is analyzed and compared.

Responses of the Malaysian Informants

Based on feedback of the informants, the perceptions about SIS can be divided into two categories. Firstly, they are not knowledgeable about Islam and misinterpret it, and they are very much influenced by the west and western values which cannot be translated into the local culture of Malaysia (R2, R3, R4 and R5). Secondly, their presence is important to the socio-economic development of the country as they represent a progressive image of Islam and yet at the same time adhere to the Islamic tradition (R1).

As one of the informants (R2) said “they [SIS} have a negative mentality towards men – as they believe that men are the source of all problems to women. Yet, they have a positive side that their existence inspires us to read and study more about Islam (R2). R2 further argued that from their [SIS] arguments, it seems that they are not knowledgeable enough about the sources of Islamic knowledge especially the *Sunnah*” (R2). This is not supported by the discussion in the literature review as even though different sources are referred to, the most authentic is the Qur’an. Therefore, SIS takes guidance from scholars like Wadud, Riffat and Barlas who use the Qur’an to justify women’s equality.

R4 also supported R2’s view and mentioned that “I believe what so ever comes from such groups in the news must always be accompanied with the views by the *Ulema* and that will give a fair assessment. But if it is only SIS making decisions without the consent of the *Ulema*, they should be banned” (R4). This demonstrates that there are those who do not accept SIS as a legitimate body to interpret the text and there is a growing demand that their opinions should be monitored and only made public after

the approval of the *Ulema*. This is consistent with Osman who sees SIS as a group that cannot be accommodated in the Muslim society of Malaysia (Osman, 2006).

Another area where SIS/WAF are criticized is their image as being western in their approach to Islam which many believe cannot be located in local cultures. For example, R3 argued that whenever, one needs to make *Ijtihad* one must first refer to the *Sunnah* of the Prophet. According to her, in many ways SIS has gone beyond the acceptable boundaries in interpreting facts such as those relating to polygamous marriage. R3 also argued that when we talk to them [SIS], they say that they believe in the Holy Qur'an and do not believe in the *Sunnah* of the Prophet and that makes it difficult for us to argue with them. She raised the question of how one can convince SIS about the sources of Islamic law when they do not believe in the *Sunnah* of the Prophet. This, for her, is the negative side of SIS. R3 further argued that SIS is not knowledgeable about Islam and being not trained in any Islamic institution, are unaware of the rules of interpretation and therefore should not be involved in it (R3).

The above arguments are consistent with the findings of the studies conducted by Othman and Foley. Othman, a founder member of SIS, is aware of such critics but levels them by arguing that "SIS does what the West has done but in an Islamic way and that is to embrace modernity and the democratic spirit of the Qur'an" (Othman, 1994; Foley 2004). Foley too finds that the lack of training as a theologian among members of SIS is problematic for many Malaysians:

One of the main drawbacks of this approach in Malaysia is that few people accept the methodology of Sisters in Islam and their resulting conclusions regarding gender equality, because apart from one member of the group, Amina Wadud, no member of the Sisters is a trained theologian. To reinterpret the Qur'an without having an Islamic education is thought to be wrong by many in Malaysia. Sisters in Islam are regarded as a rather westernized group, without the appropriate credentials to engage with the Qur'an (Foley, 2004: 61-62).

Nevertheless, it is important to note that there are areas where people have come to appreciate their efforts. For instance, R5 mentioned that "I have never been in touch with SIS. I have only met people who often participate in their workshops and seminars, so it's not fair for me to say that they are wrong. But I would say that their presence in the national and global scene is good in a sense that it creates an environment for people to think about and research Islam better. Their justifications are sometimes logical" (R5).

R1 echoed R5's view. According to her:

Of course we need to have people like them to who are concerned about Muslim women issues and finding solution to women's issues within the framework of Islam. They are also contributing towards the progressive image of Malaysia as a Muslim country.

R1's opinion is consistent with Nagata who argued that SIS is playing a vital role in the economic policies of the Malaysian government that in its eagerness to invite foreign investment, does not want to portray itself as a conservative Muslim society. In this schema, SIS represents a progressive image of Islam.

R1 further argued that SIS members are devote Muslim women and refer to the Qur'an to look for solutions to problems faced by women. Indeed, there are many injustices suffered by women in our society in the name of religion but are often unnoticed because no one bothers to investigate. R1 also argued that there is a wrong impression that SIS questions the word of God when in reality they are seeking liberation for women from the Qur'anic teaching or in other words from within the framework of Islam.

Responses of the Pakistani Informants

In Pakistan, 3 informants' (R6, R8 and R10) perceptions of WAF are positive while another two informants (R7 and R9) are overall critical in their stance. While R7 and R9 supported WAF on certain issues like interpretation of the Qur'an and polygamy, in general their perception of WAF is negative. This is mainly because R7 is critical of WAF's affiliation with the political parties of Pakistan while R9 is critical of their affiliation with Western women's rights organizations.

R6 believed that WAF has achieved much over the years. Their activism stated at a very crucial time when Islamic fundamentalism was at its peaks in Pakistan as it was supported by the President then, Zia-ul-Haq. The fundamentalist Islam promoted a very specific definition of womanhood – for instance, women's role was confined to house work only, their participation in the social life was restricted and their participation in politics was banned. R6 highlighted the context in which WAF organized the Pakistani women on a single platform against the oppressive policies of the government. Her point of view is consistent with several studies that acknowledged the role of WAF in countering Zia-ul-Haq Islamization policies in the 1980s (Jaffar, 2006; Jilani, 1986; Mehdi, 2013).

R8 recognized the efforts of WAF in terms of their contribution to find freedom and liberty for Pakistani Muslim women within the framework of Islam. She argues that they [WAF] are advancing an interpretation of Islam which is accommodative of women's rights. She further argued that:

WAF has enlightened us with the true spirit of Islam. For centuries, we [women] believed that living under the control of men is something Islamic and we accepted it. We also accepted the male-made interpretations of the Qur'an because we were ignorant. But today, many women including me do not think so. We are aware of our rights and WAF has played an important role in this scheme (R8).

R10 supported the stance of R6 and R8 that WAF has been an important avenue for Muslim women's rights in Pakistan and further argued that there is a need to acknowledge that WAF has made certain achievements. For instance, the initial demands of WAF were to put an end to the Islamization government in the 1980s and bring democracy back to the country; lifting the ban on women's political participation; their participation in sports and other social activities; and their participation in the Foreign Service of Pakistan. Today, we can see that almost all these demands have been met. Women can contest elections, their participation in the Foreign Service is currently at 10 per cent and women can participate in sports, media and other social activities.

R10 further argued that in fact, WAF has brought a revolution in Pakistani women's lives. Nonetheless, that is not the end as there is still lot to achieve. Therefore, WAF should continue with the same spirit and passion.

In contrast to R6, R8 and R10, two other informants (R7 and R9) seemed critical in their stance towards WAF. For instance, R9 argued that:

It is a good platform for women where they are raising the rights of women in Pakistan, but they need to reach and address the issue of women at grassroots level, now they are working on a very high level where a common woman is suffering cannot access them and WAF has no strategy to reach that women. NGO sector knows WAF but grassroots women/ victims don't know about WAF and its activities. i.e. 5 women were buried alive in Balochsitan (Naseerabad) in 2008 where the brother of a sitting parliamentarian was involved in this case as witnesses were there but WAF has not taken any action on that. Finally Mukhtara Mai lost her case in Supreme Court and WAF remained silent (R9).

R9 argument concurred with the findings from a study that revealed that, “the lack of success of WAF is evident from the fact that they do not have much success in mobilizing more than a band full of women because of affiliations with political parties and their part-time involvement in women’s issues” (Rouse, 2011: 324).

R9 further pointed out that as WAF members have spent most of their lives in the West and have never attended treasury Islamic education, they do not qualify to talk about Islam. According to her:

This is what we called is cultural colonization by Western people: in the second part of the last century people wrote a lot about Islamic law but these writings came mainly from Western perspectives. They make observations about Muslim societies and conclude that a Muslim society is actually derived from Islamic law and this is wrong conclusion. They don't differentiate between Islamic law and culture and this is not fair (R9).

However, R9's statement above is contradictory – as she argued that Muslim societies are not derived by Islamic law only but there are cultural practices that are justified in the name of Islamic law. Similarly, WAF believes that it is not Islam that discriminates against women but there are various cultural practices justified in the name of Islam that oppressed women.

R7 is also critical of WAF as she argued that:

Moreover, they all have studied in western universities and never been part of any religious schools in Pakistan and I believe their understanding of women's rights in Islam is not very mature.

R7 expanded on that by saying:

When we look at the profiles of the people working in the organization are those coming from elites and well politically connected families. For example, Asma Jahangir is a women's right activist and at the same time president of the Pakistan's bar council and she also holds a party position in the Pakistan's Peoples Party. Being in political system, they have access to lot of funding (internal and external) mainly from the United Nations and they need to portray the situation of women worst in order to access such opportunities.

The statement above can easily be countered. In order to influence political processes in favor of women, it is important to be part of the political system. Otherwise, women in Pakistan are not strong enough to bring change on their own.

Comparison

One (R1) out of five informants in Malaysia supports SIS on its advocacy for women's rights in Malaysia within an Islamic framework. The other four (R2, R3, R4 and R5) are critical in their stance towards. R1 considered the role of SIS as one that is more supportive of government's rapid economic development policies. SIS plays an important role in this schema as it represents a modern image of Islam that does not frighten away foreign investors that see Malaysia as a progressive Islamic society.

The other four informants are critical of SIS on several grounds, for instance, their non-eligibility to interpret the Qur'an due to lack of proper Islamic education with none of them trained as theologian and that they are influenced by the west in terms of

its understanding of women's development which cannot be accommodated in the Muslim society of Malaysia.

In Pakistan, 3 (R6, R8 and R10) out of five informants are supportive of WAF's advocacy on women's rights. These informants support WAF based their achievements to influence government's policies in favor of women and their work on the interpretation of the Qur'an by Muslim women. There are two informants (R7 and R9) who are critical of WAF's advocacy on women's rights in Pakistan. For instance, R9 is critical of their affiliation with political parties and R7 is critical of their patterns of following western style of women's rights that cannot be located in the Muslim society of Pakistan.

5.6 Summary of the Findings

In terms of interpretation of the Qur'an by Muslim women, one informant (R1) supported SIS's efforts to interpret the Qur'an and four (R2, R3, R4, R5) are not in favor of SIS to do so. R1 supported SIS's stance that the interpretation of the Qur'an is male dominated. Thus, SIS should be involved in the interpretation work. While other four informants questioned SIS's eligibility to interpret the Qur'an – as they are not trained theologians and lack expertise in the Arabic language. In contrast to Malaysia where four out of five respondents are critical of SIS interpretation of the Qur'an, all five respondents in Pakistan supported WAF's stance that the interpretation of the Qur'an is male dominated and Muslim women should involve in the interpretation work.

In terms of polygamy one informant in Malaysia (R1) is against polygamy and believed that it should be banned. However, two informants, R2 and R3 are against the idea of banning polygamy – as it is against the provisions of the Qur'an. Another two informants, R4 and R5 are conditional in their support to polygamy. They believe that

the conditions for polygamy are explained in the Qur'an and as long as these conditions are met, polygamy is legal. They argued that the problem is not with polygamy but its administration – as there is no standardized *Shari'ah* law in Malaysia and its implementation is different in many states. Therefore, SIS should invest more energy on the implementation side. In Pakistan, one informant is against the practice of polygamy (R8); two informants are concerned about the administration and implementation of laws on polygamy (R6 and R7) and two are conditional in their support of polygamy (R9 and R10). For R9 and R10, banning polygamy is never an option if it fulfilled the conditions mentioned in the Qur'an. R6 and R7 believed that the proper implementation and administration of laws can help reduce the practice of polygamy. R8 is against the practice of polygamy and argued that it is discriminatory to women and is a source of the increase in divorce rates.

In terms of *Shari'ah* law in Malaysia, all informants agreed that there are issues associated with the *Shari'ah* law. R1, R2, R3, R4 highlighted these issues as administrative problem and provided the examples of men who do not meet the criteria outlined in the law and yet able to enter into a polygamous marriage. R2, R3 and R5 highlighted that these administrative problems exist because of the non-uniformity of the *Syari'ah* that allowed a man to subvert the stricter conditions in a particular state to go to another state with more lax conditions to contract a polygamous marriage. Similarly, in Pakistan all the informants agreed that there are problems associated with the *Shari'ah* law in Pakistan. R6, R9 and R10 are concerned about the administrative problems associated with the *Shari'ah* law in Pakistan. However, for R7 and R8 it is the dominance of the tribal culture and norms that impacted negatively on the practice of *Shari'ah* law in Pakistan.

In terms of perception about SIS and WAF, one (R1) out of five informants in Malaysia supported SIS on its advocacy for women's rights in Malaysia within an

Islamic framework. The other four (R2, R3, R4 and R5) are critical in their stance on SIS. R1 considered the role and image of SIS as representing a modern Islam works to attract foreign investment and thus beneficial to the government economic development policies. The other four informants are critical of SIS on several grounds, for instance, their non-eligibility to interpret the Qur'an and being influenced by the western idea of women's development which is not suitable in the Muslim society of Malaysia.

In Pakistan, 3 (R6, R8 and R10) out of five informants are supportive of WAF's advocacy on women's rights. These informants supported WAF based on their achievements to influence government's policies in favor of women and their work on the interpretation of the Qur'an by Muslim women. There are two informants (R7 and R9) who are critical of WAF advocacy on women's rights in Pakistan. For instance, R9 is critical of their affiliation with political parties while R7 is critical of their western notion of women's rights that cannot be located in the Muslim society of Pakistan

5.7 Summary of the Chapter

Chapter 5 presented analyses of the qualitative interviews on Islamic *Shari'ah* law, polygamy, reinterpretation of the Qur'an and perceptions about SIS and WAF. The qualitative interviews were useful in providing in-depth analysis of the issues studied in this research.

The chapter found that four out of five informants in Malaysia are critical of SIS's stance on the interpretation of the Qur'an by Muslim women. However, all five respondents in Pakistan are supportive of WAF's efforts to interpret the Qur'an. On the issue of polygamy, one informant in Malaysia is against this practice, two are against banning it and two are conditional in their support of polygamy. In Pakistan, one informant is against the practice of polygamy (R8); two informants are concerned about

the administration and implementation of laws on polygamy (R6 and R7) and two are conditional in their support of polygamy (R9 and R10).

On the issue of *Shari'ah* law, all informants both in Pakistan and Malaysia agreed that there are problems with the *Shari'ah* law and they referred to these problems as administrative flaws. On perceptions about SIS and WAF, one out of five informants in Malaysia is positive about SIS and 3 out of five informants in Pakistan are positive about WAF. The next chapter will present a discussion on the findings of the study.

University of Malaya

CHAPTER 6

DISCUSSION

6.1 Introduction

Chapter 6 presents a discussion of findings both on quantitative survey and qualitative interviews on *Shari'ah* law, interpretation of the Qur'an, polygamy and perceptions about SIS and WAF. The combination of quantitative and qualitative methods was useful for this study as both these methods complement each other. The quantitative interviews proved useful for this study not only in providing in-depth analysis on the issues studied but also in understanding the reasons of the quantitative responses. In this chapter, the findings of the quantitative and qualitative study are integrated and compared with the findings of previously conducted studies. At the end of the chapter, a detailed discussion in a broader context is presented.

6.2 Discussion of Findings on Islamic *Shari'ah* Law

Results of the quantitative data analysis illustrate that UM compared to KU female Muslim final year undergraduate students' tend to agree that the Islamic *Shari'ah* law sufficiently protects their rights (mean rank: 270); they also tend to agree that Muslim women's issues in the *Shari'ah* Courts are to be dealt with not only by male judges but also female judges (mean rank: 264); UM compared to KU students' also tend to agree on the enactment of *Hudud* laws to deal with criminal matters (mean rank: 193). On the reformation of the Islamic *Shari'ah* law, the results illustrate that in UM 53.2 per cent students agreed, 2.8 per cent disagreed and 44 per cent are undecided.

The reasons why UM compared to KU students' support Islamic *Shari'ah* law and the enactment of *Hudud* laws in Malaysia can be understood in way that the

Shari'ah law practiced in Malaysia is unlike the *Hudud* law in Pakistan that has provisions like hand cutting for theft and stoning for adultery. While *Hudud* law has been implemented in Pakistan, this is not the case in Malaysia. Hence, the Malaysian Muslim female educated elites have not experienced the consequences of these laws. Furthermore, there have been cases where women who were raped were instead punished for adultery (Suleiman, 2010; Quraishi, 2013).

The qualitative interviews can further be helpful in understanding the reasons behind the support of UM female Muslim final year undergraduate students towards Islamic *Shari'ah* law. There is a similarity between UM survey respondents and Malaysian interview informants that *Shari'ah* law is not discriminatory. However, the interview informants make an in-depth analysis of the issue and argue that the problems associated with *Shari'ah* law are because of non-uniformity. For example, there are different systems of *Shari'ah* laws that exist in Malaysia and this is due to the variations in the legal code between the states. Therefore, the wide variations in the *Shari'ah* system makes it open to abuse. For instance, the provisions for contracting a polygamous marriage may differ from states to states and a man can circumvent the stricter provisions in a particular state by going to states with more lax provisions to enter in to a polygamous marriage.

The administrative problems in the *Shari'ah* system in Malaysia have been discussed in several studies. For instance, a study suggests that *Shari'ah* law in Malaysia is not supportive of women as a woman has to wait for several years before her plea for divorce is heard in the court (England, 2010). Furthermore, the *Shari'ah* Courts have made it difficult for Muslim women to receive a fair hearing because there are no female judges (SIS, 2006). In addition, many abandoned girls do not get shares in inheritance (A. Engineer, 2005; Hefner, 2001).

Some studies make recommendations on how to overcome these administrative issues. Ali, Siraj and Abdullah emphasize on the retraining/capacity building of the judges in order for them to “understand the new rules and procedures of the *Shari'ah* so they can interpret them without gender or class prejudice” (Ali, 1996; Siraj 1993; Abdullah, 1997). Noriani suggests that the process for a female-initiated divorce should be made faster and easier (Nik Noriani 1993). In addition, provision of maintenance to the ex-wife and children needs to be ensured (Nik Noriani 1993; Kamaruddin and Abdullah, 2008).

In the context of Pakistan, KU compared to UM female final year undergraduate students’ tend to agree that Islamic *Shari'ah* law protects women from divorce (mean rank: 246) and they are also more supportive of WAF efforts to reform Islamic *Shari'ah* law (mean rank: 244). In KU, 44.3 per cent respondents agreed on the reformation of the *Shari'ah* law in Pakistan, 14.2 per cent disagreed and 41.5 per cent remain undecided.

The reason why KU compared to UM female Muslim final year undergraduate students’ tend to support the reformation of the Islamic *Shari'ah* law is based on women’s experiences with Islamic laws in Pakistan. For instance, Pakistani women’s experiences with Islamic laws particularly the implementation of *Hudud* law in the 1980s has been a controversial one. As discussed in the literature review Muslim women in Pakistan have suffered extensively due to the implementation of Islamic laws (Jaffar, 2006). Moreover, the cultural practices of honor killing had caused much suffering to Muslim women. Therefore, KU compared to UM female Muslim final year undergraduate students tend to support Muslim women organizations working for change within the framework of Islam.

The interview informants provided further in-depth analysis of why *Shari'ah* law in Pakistan needs to be reformed. For instance, R7 and R8 argued that there are

several tribal norms practiced in Pakistan but often justified in the name of *Shari'ah* law, for instance, honor killing and public flogging. Both R7 and R8 believed that there is no evidence that such punishments are Islamic. R7 added to this further and argued that under such norms a divorced woman cannot marry a second time and even if she does in all likelihood only an elderly man will accept her. R6, R9 and R10 are more concerned about the administrative problems associated with the *Shari'ah* law in Pakistan. For instance, courts require medical reports and eye witness in cases of violence against women. In fact, in some instances, domestic violence cannot be proved through medical reports or eye witness. For instance, slapping a wife at home would be a difficult case to be proved through a medical report or eye witness.

The need for the reformation of the Islamic *Shari'ah* law has been discussed in several academic literatures. For instance, Suleiman and Quraishi argued that under the *Hudud* and *Shari'ah* laws women have been subjugated and accused of adultery (Suleiman, 2010; Quraishi, 2013). This is consistent with a work by two prominent members of WAF who found that *Hudud* has been a source of discrimination against women and that the law has no clear foundations in the Qur'an (Jahangir & Jilani, 2003). Therefore, its relevance and implementation can be questioned.

In terms of field of study, the results on the reformation of the Islamic *Shari'ah* law suggest that female Muslim Science students in both UM and KU have the highest level of agreement (58.5%) followed by Islamic studies female Muslim students (49.1 %) and Arts female Muslim students with (33.1 %). This means that Science students are more positive in their perception towards the reformation of the Islamic *Shari'ah* law and Arts students are more negative in this case and Islamic studies students are in the middle. It would be interesting for future studies to find out that why Science students are more positive on the reformation of the Islamic *Shari'ah* law as compared to Social Sciences and Islamic Studies students.

6.3 Discussion of Findings on Polygamy

In terms of polygamy, UM compared to KU female Muslim final year undergraduate students 'tend to agree that since polygamy is an Islamic practice it cannot be questioned (mean rank: 261); and they also tend to agree to be involved in a polygamous marriage if required (mean rank: 255). However, UM students also agreed that polygamy laws should be implemented and administered properly (mean rank: 253). Overall, the results show that in UM 25.2 per cent female Muslim final year undergraduate students' tend to agree, 15.6 per cent disagree and 59.2 per cent remain undecided in their stance whether to ban polygamy or not.

There are two different angles where UM female Muslim undergraduate students' perception can be analyzed: (1) they do not agree that polygamy should be banned and agreed to be involved in it if required and (2) they are in favor of more strict laws regarding polygamy. The reason why UM students think so is based on the fact that polygamy is mentioned in the Qur'an and permissive with certain conditions¹. Therefore, UM students are in favor of the practice of polygamy. But at the same time they are aware of the cases where polygamy has been abused. There are men who have gone polygamous but they do not meet the conditions mentioned in the Qur'an.

In this sense, the response of the UM compared to KU students is consistent with three interview informants in Malaysia namely, R2, R4 and R5. R2 is against the idea of banning polygamy as it is allowed in the Qur'an though with certain conditions. R4 and R5 are also in favor of polygamy but at the same time concerned about its abuse. They argued that as long as a polygamous marriage meets the conditions mentioned in the Qur'an, it is fair. They argued that the problem is not polygamy but its administration – as there is no standardized *Shari'ah* law in Malaysia and its

¹These conditions include: (1) if the wife is physically ill and cannot conceive (2) if a husband financial capability to support all wives equally (3) if a man can do justice - equal treatment to all wives (4) the proposed marriage will not cause danger or harm to the existing wife.

implementation is different in many states. This difference mainly benefits men because they can travel from one state to another and acquire approval for the polygamous marriages. Therefore, SIS should invest more energy on the implementation side.

These findings are consistent with a study conducted on polygamy in Malaysia whereby the respondents were wives in polygamous marriages. The study finds that the majority of the respondents accepted the practice of polygamy simply because they believed polygamous marriages are destined by Allah and mentioned in the Qur'an (Turner, 2007). This is also consistent with a study that highlights the administrative problems like courts inability to stop a polygamous marriage and the non-uniformity of laws in Malaysia (Kamaruddin and Abdullah, 2008).

The findings are inconsistent with several studies. For instance, a study on the perception of UPSI students finds that 60 % is against and 40 % in favor of the practice of polygamy (Sultana, 2010). Moreover, the findings also contrast with SIS's nationwide study on polygamy that finds that more than 80 % polygamous wives agreed that their husbands do not treat them fairly (SIS, 2010). The findings are also contradictory to SIS's philosophy that polygamy is a privilege and not a right in Islam, therefore its practice should be restricted (Ismail, 1996).

In contrast, KU compared to UM female Muslim final year undergraduate students' tended to agree that polygamy is a form of sexism (mean rank: 262) and it brings more benefits to men than women (mean rank: 251) and they demanded a ban on polygamy (mean rank: 245). The KU students also tended to agree that divorce affects women more than men (mean rank: 249). In KU, 23.6 per cent agree, 13.8 per cent disagree and 62.6 per cent remain undecided in their stance on whether to ban polygamy.

The reason why KU students are more reluctant to enter into polygamous marriages is because of women's experiences and sufferings in the patriarchal culture

practiced in Pakistan. Unlike Malaysia, where a man has to approach the court to get approval for a second marriage, a man in Pakistan does not have to do so. In the tribal areas of Pakistan, tribal norms prevail. Under tribal norms, the decision on a women's marriage is taken by the parents without the consent of their daughter, they are also given in *Watta Satta*². In contrast a man can go polygamous without the consent of the family or any other institutions. It is this suffering that makes the educated Muslim female elites in Pakistan to reject polygamy.

However, only one informant (R8) in Pakistan believed that polygamy should be banned. Other four informants are against the idea that polygamy should be banned as they argued that the abuse of polygamy is because of flaws in its implementation and administration (R9 and R10) and also because of the dominant influence of tribal norms (R6, R7). R6 and R7 believed that proper implementation and administration of laws can help reduce the practice of polygamy.

These findings are consistent with several studies. For instance, various studies have questioned the relevancy of polygamy in the 21st century, recommended restrictions on polygamy and argued that it mistreats women (Moaddel, 1998; Moaddel & Talattof, 2002). Others argued that it makes women inferior to men as they can simply pronounce the word '*talak*' (divorce) to initiate a divorce to be approved, whereas women have to go through long channels to acquire this right (Alston & Alamgir, 2012). The findings also contrast with the philosophy of WAF that polygamy is not Islamic and that Islam neither invented nor encouraged polygamy. They further argued that polygamy is a pre-Islamic practice and that the Qur'anic provisions on polygamy are restrictive rather than permissive (Jahangir, 2003).

In terms of restrictions on polygamy, the results illustrate that in the Faculty of Arts both in UM and KU on the average Science students have the highest level of

² Watta satta involves the simultaneous marriage of a brother-sister pair from two households. In some cases, it involves uncle-niece pairs, or cousin pairs. This form of marriage is occurring within the same village, caste or clan.

agreement (32.2%) and Arts students have the lowest (15.3%). The Islamic studies students in both UM and KU are in the middle (22.9%). This means that Science students are more positive in their perception of reforms on polygamy and Arts students are more negative in this case and Islamic studies students are in the middle. This difference of perception in terms of field of study suggests that field of study in fact influences the perception of students on issues like polygamy. It is an interesting area for future research to find that out why Science students are more positive in their perception to ban polygamy while Social Science students are the least positive.

6.4 Discussion of Findings on the Interpretation of the Qur'an

In terms of interpretation of the Qur'an by Muslim women, UM female Muslim final year undergraduate students' tended to agree that Qur'an gives liberty not only to Muslim men but also Muslim women (mean rank: 248) and therefore they supported SIS's claim that the interpretation of the Qur'an is male dominated (mean rank: 247) and women's voices are repressed or muted in the interpretation of the Qur'an (mean rank: 248). The results illustrate that in terms of the interpretation of Qur'an by Muslim women, 28.4 per cent UM students agreed, 15.1 per cent disagreed and 56.4 per cent are undecided in their stance on the interpretation of the Qur'an by Muslim women.

The findings of the survey respondents (UM female Muslim final year undergraduate students) in Malaysia are interesting in a sense that on the one hand respondents agree that the Qur'an supports equality between men and women and that the interpretation of the Qur'an is male-dominated and yet on the other hand they are not necessarily in favor of Muslim women group (SIS) to interpret the Qur'an. The reason is simple as the respondents believe that none of the SIS members are trained theologians and therefore their involvement in the interpretation work is risky.

This reason is also supported by four interview informants in Malaysia (R2, R3, R4, R5) who also believed that SIS should not involve in the interpretation work. They questioned SIS's credentials to interpret the Qur'an. Firstly, they pointed out that as SIS members are not trained theologians there lack understanding of the rules for interpretation which may affect the accuracy of their interpretation. Secondly, they cited SIS lack expertise in the Arabic language as unacceptable as the Qur'an has been revealed in the Arabic language in which the command of this language would enable a thorough understanding of the meaning, context and customs of the Arabs.

These findings are inconsistent with several studies. For instance, some studies contend that the traditional interpretation of the Qur'an made by men mainly depict the male perspective (Waddud, 1999). When present, the female voice is reflective of the male vision, viewpoint and longing (Waddud, 1999; Barlas, 2006). These findings are also inconsistent with Hassan's important contribution in highlighting women's fundamental rights in the Qur'an. She argues that Qur'an is the magna carta of women's rights and the rights endorsed to women by the Qur'an are indeed impressive (Hassan, 2002). The findings are also inconsistent with the philosophy of SIS that it is not the Qur'an that discriminates against women but the discrimination comes from the male-dominated interpretations (Anwar, 2005; Othman, 2006).

Only one interview informant (R1) supports SIS's stance that the interpretation of the Qur'an is male dominated therefore SIS should be involved in the interpretation work. This finding is consistent with several academic works. For instance, a study finds that the previous interpretations of the Qur'an are narrow and old and may not be reliable in the 21st century (Anwar, 2005). Therefore, there is a need to bring out new interpretations based on the demands of the modern age (Sleboda, 2001). This is because the existing interpretations of the Qur'an are male dominated and traditional in approach – resulting in Muslim women's issues being unnoticed (Ali, 1996). SIS

suggests an interpretation that highlights more and broader rights to Muslim women – one that protects women from issues like polygamy, divorce, discrimination in inheritance and others (Anwar, 2005).

Whereas, KU compared to UM students seemed not to agree or remain undecided on whether the interpretation of the Qur'an is male-dominated (mean rank: 219) and that whether learned Muslim women including members of WAF should involve in the interpretation of the Qur'an (mean rank: 218). In KU, 20.7 per cent agreed on the interpretation of the Qur'an by Muslim women, 17.9 per cent disagreed and 61.4 per cent remain undecided. It should be noticed that majority of the KU students (61.4 %) are undecided in their stance on the interpretation of the Qur'an by Muslim women. This is because interpretation of the Qur'an is a sensitive matter and it seems likely that many do not dare to speak on the issue. In other words, they may agree that Muslim women be allowed to interpret the Qur'an but may be afraid to articulate this least they be accused of apostasy. As it is challenging the traditional interpretation of the Qur'an is perceived by many women as challenging the word of Allah (Alston & Alamgir, 2012; Anwar, 2005).

In contrast to Malaysia, where four out of five respondents are critical of SIS interpretation of the Qur'an, all five respondents in Pakistan supported WAF's stance on the interpretation of the Qur'an. They agreed that the interpretation of the Qur'an is male dominated and Muslim women should involve in the interpretative work.

The findings on the Pakistani interview informants are consistent with several studies. For instance, Barlas argued that jurists ignore the fact that there are contradictory verses which are generally interpreted in a way that do not support gender equality. Even though these verses are only small sections of the Qur'an, their patriarchal interpretation dominates the Qur'anic theology. As such, Asma Barlas in her work *"Believing Women in Islam"* contended that Muslim women need to "unread

patriarchal interpretations of the Qur'an" (Barlas, 2002: 4). In the beginning of her famous book *Believing Women in Islam: Unreading Patriarchal Interpretations of the Qur'an*, she poses a question whether or not the Qur'an is a patriarchal text? She then affirms that "since the Qur'an was revealed into an existing patriarchy and has been interpreted by adherents of patriarchies ever since, Muslim women have a stake in challenging its patriarchal exegesis" (Barlas, 2009: XI). Barlas definition of patriarchal interpretation is that it has always been men who exercised authority on the interpretation of the Qur'an. Thus, the existing interpretations of the Qur'an reflect male perspectives and women's voices are muted. For instance, the verse 4: 34 has traditionally been interpreted as "Men are the in charge and maintainers of women" (Pickthall, 1985). However, Barlas believes that through this word Allah is not giving more power to men but is just identifying a liable position wherein men in this world has more wealth and therefore they should be responsible for women financially.

In terms of interpretation of the Qur'an by Muslim women, the results show that on the average Arts and Social Science students both in UM and KU remain undecided with 53.4 per cent, 23.7 per cent agree and 22.9 per cent disagree. Furthermore, in the Faculty of Islamic Studies both in UM and KU, 61.1 per cent remain undecided, 21.7 per cent agree and 17.1 per cent disagree. Moreover, in the Faculty of Science, 60.8 per cent remain undecided, 27.5 per cent agree and 11.7 per cent disagree. This means that Science students are more positive in their perception about the interpretation of the Qur'an by Muslim women, and Islamic Studies students are more negative in their stance. Arts and Social Science students are in the middle.

This is an interesting avenue for future research to discover why Science students are more positive of their perception about interpretation of the Qur'an by Muslim women and the Islamic Studies students are least positive.

6.5 Discussion of Findings on the Perception about SIS and WAF

In terms of perception on SIS and WAF, UM compared to KU female Muslim final year undergraduate students' tended to agree that SIS is playing an active and influential role in promoting Muslim women's rights in the context of the practice of polygamy (mean rank: 246). Yet, at the same time, UM students demanded a ban on SIS (mean rank: 270).

There is a contrast in the findings of survey respondents in Malaysia. On the one hand they agreed that SIS is playing an influential role in promoting Muslim women's rights in Malaysia, yet on the other hand, they demanded a ban on SIS. This contrast in the findings is based on the fact that in some areas SIS work is well received and in others areas they are criticized. For instance, SIS's efforts to work on the uniformity of *Shari'ah* laws and their lobbying on the appointment of women judges in the *Shari'ah* courts are well received by the Malaysian educated elites.

One (R1) out of five interview informants in Malaysia supports SIS's advocacy for women's rights within an Islamic framework. The other four (R2, R3, R4 and R5) are critical in their stance on SIS. R1 considers the role of SIS as one that is advancing an interpretation of the Qur'an that is more supportive of women's rights. Whereas the other four informants are critical of SIS for several reasons, for instance, not having the credential to interpret the Qur'an as they are not trained theologians and are influenced by western notion of women rights which in their eyes are inappropriate in the context of the Muslim society of Malaysia.

The findings in support of SIS are consistent with several studies. For instance, Sleboda and Nagata 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 (Sleboda, 2011;

Nagata, 1994). The finding is also consistent with Ong who argues that SIS is a great support to Malaysian economic development policies that strikes a balance between secularism and at the same time adhering to the Islamic tradition. She argues that the role of SIS is very crucial in this scheme.

Yet at the same time, UM students demanded a ban on SIS. This finding is consistent with a study that criticizes liberal groups like SIS for promoting western ideals into the Islamic society of Malaysia (Osman, 2006). Furthermore, the question of ban is also supported based on SIS's inability to interpret the Qur'an as they are not knowledgeable and unaware of the rules of interpretation (Alston and Alamgir, 2012). Nevertheless, SIS has countered the above mentioned criticism by an argument that they [members of SIS] seek guidance from trained theologians like Amina Wadud and progressive *Ulema* like Grand Mufti of Egypt Sheikh Ali Gomaa (SIS, 2006).

Whereas, KU compared to UM students tended to agree that WAF is working within the limits of Islamic values (mean rank: 245) and they support WAF's advocacy for women's rights (mean rank: 246).

In Pakistan, 3 (R6, R8 and R10) out of five informants are supportive of WAF advocacy on women's rights. These informants support WAF based on their achievements on influencing government's policies in favor of women. For instance, WAF has played an important role in overturning several laws; for instance, abolishment of the *Hudud* ordinance, changing the policy that prohibit women's inclusion in social activities, and most important was the introduction by the government a policy in 2002 to reserve 33 % of seats in the parliament for women (Ministry of Women's Development, 2006; Jahangir, 2003; Jilani, 1986). This support is also based on the fact that WAF also played an important role in countering the dictatorial regime of Zia-ul-Haq in the 1980s (Haq, 1996). There are two (R7 and R9) are critical of WAF's advocacy on women's rights in Pakistan. For instance, R9 is

critical of their affiliation with political parties while R7 is critical of their western-influenced notion of women's rights.

In terms of perception on SIS and WAF, the results illustrate that on the average in the Faculty of Arts both in UM and KU, 3.4 per cent agree and 20.3 per cent disagree on statements like SIS and WAF are influential organizations advocating Muslim women's rights in their respective countries; working in an Islamic framework and their strategies and programmes can be located and translated in the local cultures of their respective countries. Furthermore, in the Faculty of Islamic Studies both in UM and KU, on the average 8.0 per cent students agree and 12.6 per cent disagree. Moreover, in the Faculty of science, 10.5 per cent students agree and 6.4 per cent disagree. This means that on the average Science students in both UM and KU tend to be more positive (10.5 %) with their perception on SIS and WAF, followed by Islamic studies students (8 %) and Arts students are most negative (3.4 %).

This is an interesting area for future research to investigate that why Science students are more positive in their perception about SIS and WAF and the Social Science students are least positive.

6.6 Concluding the Debate

Advocating for Muslim women's rights within an Islamic framework is not merely a new concept as its roots can be traced back to 1800s (Badran, 2004) – though an actual global movement for Muslim women's rights only begin in the early 1980s. The said movement was a reaction to Islamic revivalist movements throughout the world in that particular time. One of the drawbacks from the Islamic revivalism was the ideology that embodied Islam as a religion – one that inscribes its values on the bodies of its female adherents and restricting them to a specific and focused everyday life. Restricting

Muslim women's lives was the superseding goals of the Islamic resurgence – as it allowed a monitoring on Muslim women and their interior lives. The wearing of *hijab* became mandatory in many Muslim countries as a symbolic identity of being good.

The followers of the revivalist movements are often categorized as 'Islamists' – which refers to Muslims who restrict themselves to the existing interpretations of the Qur'an thereby opposing any move by Muslim women to involve in new interpretations. Their main aim has been the creation of Islamic states with a specific focus and representation of Muslim women as respectable mothers and wives "who must cover themselves and submit to patriarchal values" (Afary, 1997: 91).

To counter the influence of Islamic revivalism and its effects on Muslim women, efforts have been made greatly by Muslim women activists across the globe to counter this in different ways and they can be divided into two. There are those who address their due rights within the defined cultural boundaries and dominant Islamic discourses. Others demand a complete reinterpretation of Islam, based on gender equality.

The first group adopts a rather conventional interpretation of the Islamic scripture and *Sunnah* – the two main foundations of Islamic text. In tandem with the Islamic resurgence, this view portrays Muslim men and women as different in terms of nature and inherent characteristics and therefore suitable for different roles. For instance, men are much appropriate in their role as breadwinners and women as mothers and wives. Generally, Muslim women activists in both Malaysia and Pakistan fit in the first group – a conventional posture established by the state that portrays Muslim women with a primary role as mothers and wives; however at the same time can play a role in national development. This simply means that a majority of the activists both in Malaysia and Pakistan accept the portrayal of Muslim women as mothers and wives but at the same time accept that Muslim women can work outside and balance their duties between family and professional life. Instead of challenging the conventional setup, this

group negotiates their role at home and outside and they are considered culturally authentic and legitimate.

In Pakistan, women activist groups that fall in the said category are: Aurat Foundation, Al-Huda International Trust, Awaz-e-Niswan, Tehreek-e-Niswan, Jammat-i-Islami women's wing to mention a few. In Malaysia, this group involves: ABIM women's wing, Muslim at PAS and Malaysian Muslim Women's Welfare Organization. In addition to these groups, there are also Muslim women scholars/academicians who write in support of this approach. The most important and worth mentioning strength of this group is that they quite often receive male support – as they do not oppose the conventional prescribed gender roles. In other words, these women do not directly challenge the dominant discourses – rather they try to gain empowerment within the cultural boundaries or to obtain recognition within the existing constraints.

In contrast to the first group, the other group believes more in total equality and by doing so it departs from the dominant discourses regarding women's rights and demand total equality between men and women. It demands a modern reinterpretation of the *Qur'an*, *Sunnah* and the *Shari'ah*. This group rejects the notion of innate characteristics for women and men, and holds that their rights must be equal. While demanding a modern interpretation of the *Qur'an*, this group does not accept patriarchal bargain. Their interpretation of equality simply means that men and women are valued equally in all areas of life and with shared responsibilities. In the context of Pakistan, this group comprised of Women's Action Forum (WAF), and in Malaysia, it is Sisters in Islam (SIS). While these groups challenge conventional Islam, they are cautious to express themselves in an Islamic idiom – which in academic writings is quoted as “within the Islamic framework”.

Both SIS and WAF believe that the interpretations of the *Shari'ah* are not divine but human made, therefore it can be debated regardless of age, gender and place. They

do not accept polygamy; reject the disqualification of women as witnesses due to their gender or the unilateral right of the male to divorce. Some of the notable theologians who are involved in the interpretation work are: Amina Wadud, Riffat Hassan, Fatima Mernissi, Fathi Osman, Abdullahi Ahmed An-Na'im, Ashgar Ali Engineer and Fazlur Rahman. In contrast to the first group that is conventional, this group lacks supports and often comes under criticism. The main reason is their non-traditional approach; since both Malaysia and Pakistan are affected by the revivalist movements where the traditional approach is maintained and has more support – making it difficult for SIS and WAF to get recognition in their respective countries.

In the discussion of Islam and Muslim women's rights in both Malaysia and Pakistan, one of the main themes is on how Islamisation and the *Shari'ah* law are affecting Muslim women in both nations. Focusing on the *Shari'ah* law alone, the general consensus among the respondents is that the administration of the law is somehow problematic. Yet, the question remains, how and why the human made interpretations that are codified are regarded as the divine law? According to some quarters, lack of readiness or understanding of *Shari'ah* law on women issues causes the current problem— while others attribute the problems to institutionalized patriarchy and its administration. The aforementioned issues indicate that the whole argument is actually about understanding the modernization of the nation-state in both Malaysia and Pakistan. One might look at the debate as simply an easy dichotomy between progressive women and fundamental men but it is more complex than that. In my capacity as a researcher, I would identify two dimensions that would help us to understand the context for the existence of these problems.

On one end of the spectrum, I would place traditionalism. Influences of Arabic culture have shaped the Islamisation process in both Malaysia and Pakistan as some falsely believe that anything Arabic is also considered as Islamic. Such beliefs

developed since the early days of Islam as the Arab traders spread Islam together with their culture. The Arabisation that coincides with Islamisation has caused problems for Muslim women because of the patriarchal nature of the Arabic culture.

At the other end of the spectrum, I will place the role of the state. Some of the interviewees in both Malaysia and Pakistan seem to be more interested to criticize the political systems or the government. In the Malaysian context, questioning the interpretation of the Qur'an by the religious authorities are frowned upon and the authorities have taken action to ban books by SIS that does not toe the official religious line. In Pakistan, any attempt to challenge or provide a different interpretation of Islam that diverges from the official one can lead to charges of apostasy. One might ask the questions, who actually decides whether the interpretation is right or wrong; again the power and autonomy goes to a specific religious authority and not to everyone.

At this point, I would like to raise a few questions, why we are debating this topic? What actually is the major problem? And why we are stuck and cannot move forward? Indeed, the significance of Islam on Muslim women is mainly influenced by the political system in both countries. In my point of view, the political systems in both countries contribute to this. For example, in Malaysia and Pakistan there is a monitoring and control of public debates on religious and political matters. As the result of this control, critical thinking is lacking both in Malaysia and Pakistan, particularly, pertaining to the interpretation of religious matters. Any attempt to generate critical thinking is taken as western influenced or questioning the word of God. In fact, groups like SIS and WAF do not question the word of God but they have engaged in order to understand gender issues in Islam more thoroughly and to universalize the true message of Islam – one that is supportive of gender equality.

6.7 Summary of the Chapter

Chapter 6 integrated and discussed the findings of the quantitative and qualitative findings and matched them with the findings of previously conducted studies. For this purpose, the qualitative interviews proved useful in providing in-depth analysis of the findings from quantitative survey.

In terms of *Shari'ah* law, it was found that survey and interview respondents both in Malaysia and Pakistan agreed that *Shari'ah* law is not discriminatory. However, interview informants provided the reasons why it is so – they argued that indeed there are problems with the *Shari'ah* law but these problems are because of non-uniformity of the law in Malaysia and because of dominant influence of tribal norms in Pakistan.

In terms of polygamy, a common point in the findings of survey and interview respondents both in Pakistan and Malaysia was their disagreement to ban the practice of polygamy – as the Qur'an allows that. However, interview informants gave more emphasis on the proper administration of polygamous laws to stop its abuse.

In terms of interpretation of the Qur'an, only 28 % survey respondents in Malaysia agreed that SIS should involve in the interpretation of the Qur'an. The interview informants explain the reasons – as members of SIS are not trained theologians and they lack skills in the Arabic language. The survey respondents in Pakistan did not show any clear stance on the issue and remained undecided. This is based on the fact interpretation of the Qur'an is rather a sensitive issue and one can be accused of apostasy. However, interview informants overwhelmingly supported WAF involvement in the interpretation work.

In terms of perceptions on SIS, UM female Muslim undergraduate students are found to be more critical of their stance towards SIS on the interpretation of the Qur'an. However, they supported SIS on issues like reforms on the administration of *Shari'ah* and polygamy laws. The interview informants in Malaysia also supported SIS on the

administration of laws but not on the interpretation of the Qur'an. In contrast, KU female Muslim undergraduate students are found to be more supportive of WAF's advocacy on women's rights and three out of five interview informants also supported WAF. The next chapter will take this dissertation to a conclusion.

University of Malaya

CHAPTER 7

CONCLUSION

The main purpose of conducting this research was to explore educated elites perception about Islam and Muslim women's rights in general and about SIS/WAF in particular. The literature review included a debate between traditionalists and reformers point of view on women and Islam. In the introductory section, emphasis was given on the competing definitions of Islam and the portrayal of Muslim women by traditionalists and reformers. For instance, traditionalists adhere to the classical Islamic tradition and oppose social change as they believe that any sort of change would threaten the social structure of Islam outlined some fourteen hundred years ago. Whereas, reformers believe that it is important to encourage social change in order for women to get their rights outlined in the Qur'an. In the traditional approach, there are specific instruction for Muslim women, for instance, to adopt veil, accept polygamy as an Islamic institution and not to participate in social activities like sports, media and the film industry. In contrast, reformers advance the interpretation of the Qur'an that brings not only more rights to women but encourages their participation in social activities.

From the reformers point of view, there are certain factors that encourage Muslim women to reread and reinterpret the Qur'an. According to them, the advent of Islam considerably increased the status and position of women and acknowledged their equality. They stressed that this notion of equality is maintained in the Qur'an and the *Sunnah*. They also pointed out that the traditional interpretation of the Qur'an does not reflect equality between men and women. For instance, the traditional interpretations of the Qur'an mainly depict a male perspective and portray men as superior to women. Such interpretations are then codified into the Islamic laws that encourage Muslim men to involve in polygamous marriages.

These aspects of Qura'nic interpretations can be seen at work in both Malaysia and Pakistan where the practice of polygamy is not restrictive and divorce rate is higher as Rasul argues that among Malays, divorce rate is one of the highest in the Muslim world (Rasul, 2008). Similarly, in Pakistan studies report a high divorce rate in Pakistan (Shahid, 2013).

In addition, a recent decision by the Council of Islamic Ideology Pakistan was a shocking one declaring that a man does not need the consent of the first wife while going polygamous - "Sharia allows men to not need the consent of the first wife while going polygamous and we demanded that the government should amend the law" (Dawn, 2014). There is no second thought that whether it is polygamy or divorce – it is women who suffer the most. Such interpretations of Islam, Qur'an and Islamic laws do not favor women and mainly depict a male perspective. Therefore, organization like SIS and WAF favor an interpretation of the Qur'an that protects women's equality in Islam.

Keeping in view the above debate, this study engaged in a comparative analysis of SIS and WAF, analyzed their programs/ strategies such as reinterpretation of the Qur'an, polygamy and Islamic *Shari'ah* law and more importantly the perception they create among female Muslim educated elites in their respective countries.

The objectives of the study are: (1) To analyze if there is a difference of perception between University of Karachi Pakistan (KU) and University of Malaya Malaysia (UM) students on issues of Islamic *Shari'ah* law, polygamy, interpretation of the Qur'an and ultimately, of SIS and WAF; (2) To compare if the field of study of students in both UM and KU influence their perception on matters related to the Islamic *Shari'ah* law, polygamy, interpretation of the Qur'an and ultimately, of SIS and WAF; (3) To compare and analyze the perception of key informants (academicians, *Shari'ah* lawyers and women's rights activists) both in Pakistan and Malaysia on the issues

related to the Islamic *Shari'ah* law, polygamy, interpretation of the Qur'an and ultimately, of SIS and WAF.

There are many common strategies that SIS and WAF adopt to do advocacy on women's rights in their respective countries. For instance, both advocate for a reinterpretation of the Qur'an by Muslim women, limited practice of polygamy and reformation of Islamic *Shari'ah* law. Both believe that Islam does not discriminate women but the male-dominated interpretation of the Qur'an and the Islamic laws bring discrimination to women. For example, Muslim women suffer in the *Shari'ah* courts when it comes to issues like polygamy, inheritance and divorce matters. A man can simply pronounce '*talak*' to receive a divorce whereas a woman has to go through long procedures before her plea is heard in the court. Furthermore, the *Shari'ah* system has not been able to protect women from the abuse of polygamy. There are cases where polygamous marriages are not justified under the conditions outlined in Islam. Moreover, polygamy was practiced during the early years of Islam in order to shelter the widows and orphans affected by the wars fought for Islam and today's realities are different, so polygamous marriages are not justified in today's context.

Therefore, SIS and WAF engage in the reinterpretation of the Qur'an in a way that protects women from the issues discussed above. Although, they receive support from certain quarters of the society yet at the same time they are criticized for their strategies and programs. The supporters of SIS and WAF believe that they have been influential in advancing an interpretation of the Qur'an that is supportive of women's rights. SIS and WAF are successful to a certain extent as their philosophy reflects the economic policies of their government. They present a progressive image of Islam and at the same time they adhere to Islamic tradition. The opponents criticize SIS and WAF on various grounds. For instance, many believe that they are not eligible to interpret the Qur'an as they are not trained theologians, lacking in Islamic knowledge and sources

and rules of interpretation. The perception is that their strategies and programmes cannot be located and translated into the local cultures of Malaysia and Pakistan. This study therefore engages in the perception of Muslim women's about SIS and WAF.

In dealing with Muslim women's issues SIS and WAF adopt an approach to interpret the Qur'an historically and culturally and studied the issues in the context in which a particular verse was revealed. 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 SIS and WAF strategies are well received by the respondents of the study. For instance, SIS and WAF efforts to address the administrative issues in the *Shari'ah* system both in Malaysia and Pakistan are well received. Respondents of the study agreed that female judges should be appointed in the *Shari'ah* courts because female judges compared to male understand women's issues much better. The respondents also agreed that women have to go through a long procedure before their plea is heard in the courts. Therefore, the procedure should be made faster for women's initiated divorce. Finally, respondents also supported SIS and WAF on the issue of non-uniformity of laws in Malaysia and Pakistan. In an effort to bring uniformity in Family law, all states in Malaysia agreed on a provision enacted in the 1980s making it compulsory for a man to acquire *Shari'ah* court's permission for a polygamous marriage – though Kelantan, Terengganu and Kedah withdrew later (Abdullah & Khairuddin, 2009).

Moreover, on the issue of interpretation of the Qur'an, there are two different opinions about SIS: (1) by reinterpreting the Qur'an, SIS is questioning the word of God and (2) they are not eligible to interpret the Qur'an. This is again a misperception about SIS among the respondents of the study. In fact, SIS is not questioning the word of God but they are questioning the male-dominated interpretations. They are devout followers

of the Qur'an. The message they are trying to convey is that the male-dominated interpretations of the Qur'an are biased against women, for instance, in the male-dominated interpretations; polygamy has been encouraged – whereas the Qur'anic verses on polygamy are restrictive and not permissive. In fact polygamy is not a right to men in Islam but permissive. Those who consider polygamy as a right mainly bases their view on *Surah Nisa* 4:3 “*marry women of your choice in two, three or four*” but they often overlook the earlier part of the verse which states that “*if you fear that you will not be able to deal justly with then marry one*”. From this point of view, it is clear that polygamy is not a right but a responsibility to ensure that the notion of justice is upheld.

A factor that shapes the perception about SIS and WAF in their advocacy on polygamy is the language of their advocacy. For instance, they interchangeably use words like 'ban' and 'restrict' while doing advocacy on polygamy. When they use the word ban, the perception is 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 polygamy; support is more positive as respondents believe that Qur'anic instructions on polygamy is restrictive. In the same way, when SIS and WAF argue that *Shari'ah* law discriminates against women, the perception becomes negative – as many believe that the substantive content of the *Shari'ah* itself is not problematic but its administration is problematic. But when they use words like there are problems associated with the administration of the *Shari'ah* law the perception becomes positive. In short, SIS and WAF should be careful with the choice of words while speaking publically or generating scholarship. Nonetheless, it could also be that there is a fundamental substantive difference between SIS/WAF and the respondents' stances as reflected in their choice of words with the former preference to ban polygamy while the latter to restrict this practice.

Another factor involved in creating perceptions is the double standards present among both Pakistani and Malaysian respondents. For instance, when they were asked about the practice of polygamy in their particular societies, they supported it because it is mentioned in the Qur'an. But when they were asked whether they would want to be involved in a polygamous marriage they replied "no". On the one hand, they support the practice of polygamy and associate it with the Qur'an, yet on the other hand, they do not want it for themselves.

Moreover, the perception that SIS is not an eligible body to interpret the Qur'an can easily be countered. The reasons why respondents of the study think of their ineligibility is because they [SIS] do not understand Arabic language and they are unaware of the rules of interpretations. From an Islamic studies perspective, the science of interpretation of the Qur'an is known as *ilm al-Qur'an wa'l tafsir* (the knowledge of the Qur'an and its exegesis). It deals with the interpretation, clarification, explanation and description of the Qur'an and *Hadith* (Mohseni. 2014). The proper understanding of the Qur'an and the *Hadith* needs *tafsir* and *ta'wil* (commentary and interpretation). In the process of *ta'wil* one traces the root of the original meaning of a particular verse and in the process of *tafsir* words/verses are explained, expound and interpret (Ishak & Haji, 2011). SIS justifies its eligibility through the guidance of trained theologians like Amina Wadud (a member of SIS) on the interpretation of the Qur'an. SIS also seeks guidance from progressive *Ulema* like late Sheikh Ali Goma, the grand Mufti of Egypt. Again, I would argue that these facts are not necessarily known to people especially the Muslim female educated elites. Therefore, SIS has to reach these people and clarify these misconceptions.

Nevertheless, based on the findings of this study there are different factors that shape the perception of educated elites about SIS and WAF on the interpretation of the Qur'an. For instance, majority of the respondents support a traditional interpretation of

the Qur'an in Malaysia – as they believe that only people having expertise in the Arabic language, knowing the proper rules of interpretation (*Mantik, Bilaghat*), and well informed about the Arabic culture and tradition can interpret the Qur'an. A common perception about both SIS and WAF is that they are not trained theologians and rely on the interpretations of other feminist scholars. Though, Amina Wadud has been a member of SIS and generated scholarship on the interpretation of the Qur' an, yet it is not convincing for majority of the survey and interview respondents in Malaysia. Same goes for WAF whose guidance comes from Riffat Hassan – another trained theologian but it goes unnoticed. Therefore, respondents are not in favour of SIS and WAF interpretation of the Qur' an. But of course, the support goes to them in terms of procedural and administrative reforms concerning Islamic *Shari' ah* laws.

Moreover, there is also a fear that if the current interpretations of the Qur'an are male-centred, there is a possibility that with the involvement of women, future interpretations would be women-centred. Therefore, it may be considered by some as a paradigm shift from men to women but does not necessarily address the notion of social change and equality in Islam. Ultimately, the notion of gender justice should be upheld.

Unlike Malaysia, the response of the Pakistani interview respondents is more positive and supportive of WAF in terms of reinterpreting the Qur'an by Muslim women. This is most likely because Muslim women in Pakistan compared to Malaysian have suffered much more at the hands of cultural practices often justified in the name of religion. For instance, women in Malaysia exercise a great deal of power and agency in *Adat* that encourages their participation not only in family affairs but also in social activities. In contrast, patriarchal cultural practices are one of the major causes of women's oppression in Pakistan – where women are killed in the name of honor-killing, the decision for a girl marriage is taken by the parents without her consent, they are given in *Watta Satta*, and they are stoned for adultery. Moreover, these cultural

practices are often justified in the name of Islam. The intensity of the oppression is so high that Muslim women in Pakistan are keen for a quick social change and transformation in the Pakistani society – one that supports equality between genders and acknowledges women as equal partners in the socio-economic development of the country.

However, the findings also suggest that some 60 per cent of the survey respondents in Pakistan are undecided in their stance on the interpretation of the Qur'an by Muslim women. The main reason is that the interpretation of the Qur'an is a rather sensitive issue therefore they wish not to make any point of view on that as one can be accused of apostasy. In this case, WAF has to put more efforts to make people aware that being Muslim women, they also have the right to speak on religious issues. WAF has to do outreach work and spread awareness to women about their due rights in Islam and how the rights have been marginalized over the years.

One of the major findings of this study is that Science female Muslim undergraduate students both in UM and KU are more positive in their perception about reforms on Islamic *Shari'ah* law, interpretation of the Qur'an by Muslim women and ultimately of SIS and WAF. Female Muslim undergraduate Islamic Studies students are in the middle and those from Social Sciences are the least positive. It is interesting for future studies to find out why Science students are more positive and Social Science students are least positive.

To conclude, throughout this thesis, 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 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 the right direction – regardless of how big or small these efforts are.

REFERENCES

- Abdullah, R. (2007). Polygamy without the shariah court's permission in malaysia: a socio-legal perspective. *Malaysian Journal of Social Administration*, 4, 11-26.
- Abdullah, R. (1997). Poligami di Malaysia. *Jurnal Syariah*, 5 (2), 133-167.
- Abdullah, R. (2006). *An Analysis of The Current Legal Mechanism in Curbing Abuse of Polygamy in Malaysia: A Socio-legal Perspective*. Doctoral thesis. International Islamic University Malaysia.
- Abdullah, R., & Khairuddin, S. (2009). The Malaysian Sharī 'ah Courts: Polygamy, Divorce and the Administration of Justice. *Asian Women*, 25(1), 21-54.
- Abdal-Haqq, I. (2002). Islamic Law-An Overview of Its Origin and Elements. *J. Islamic L. & Culture*, 7, 27
- Afary, J. (1997). The war against feminism in the name of the almighty: Making sense of gender and Muslim fundamentalism. *New Left Review*(224), 89-110.
- Afshar, H. (1996). *Women and politics in the Third World*. London ; New York: Routledge.
- Ahmed, L. (1992). *Women and gender in Islam : historical roots of a modern debate*. New Haven: Yale University Press.
- Alamgir, A. (2014). Islam and Women's Rights: Discourses in Malaysia. *Procedia-Social and Behavioral Sciences*, 114, 872-876.
- Albright, S. C. W. C., Winston, W., & Zappe, C. (2010). *Data analysis and decision making*. Cengage Learning.
- Ali, A. (1996). For Women, a Step Backwards. *New Strait Times*, October 21.
- Akhtar, N. (1999). *Implementation of Shariah Law in Pakistan*. University of Karachi.
- Altman, I. (1996). *Polygamous families in contemporary society*: Cambridge University Press.
- Alston, M. and Alamgir, A. (2012). Women's Rights in Malaysia, *International Policy Digest*, <http://www.internationalpolicydigest.org/2012/06/26/womens-rights-in-malaysia/>
- Amin, M. (1993). *A study of Bint al-Sh ati's exegesis* (Master's thesis, McGill University).
- Amien, W. (2006). Overcoming the conflict between the Right to Freedom of Religion and Women's Rights to Equality: a South African case study of Muslim marriages. *Human Rights Quarterly*, 28(3), 729-754.
- Anderson, P. S. (1998). *A feminist philosophy of religion: The rationality and myths of religious belief*: Blackwell Oxford.
- Antoun, R. T. (1989). *Muslim preacher in the modern world : a Jordanian case study in comparative perspective*. Princeton, N.J.: Princeton University Press.
- Anwar, Z. (2009). *Wanted : equality and justice in the Muslim family*. Selangor, Malaysia: Musawah.
- Anwar, Z. (2005). Islam and Women's Rights. Paper presented at the International Conference of Islamic Feminism, Barcelona, 27-29 October, 2005.
- Anwar, Z. (2001). The struggle for womens rights within the religious framework: the experience of sisters in Islam.

- Anwar, Z. (1987). *Islamic revivalism in Malaysia : dakwah among the students*. Petaling Jaya, Selangor Darul Ehsan, Malaysia: Pelanduk Publications.
- Anwar, Z. & Rumminger, J. S. (2007). Justice and Equity in Muslim Family Laws: Challenges, Possibilities, and Strategies for Reform. *Wash. & Lee L. Rev.*, 64, 1529.
- Ary, D., Jacobs, L., Razavieh, A., & Sorensen, C. (2009). *Introduction to Research in Education*: Cengage Learning.
- Awan, S. (2012). Role of civil society in empowering Pakistani women. *South Asian Stud*, 27(2), 439-458.
- Badran, M. (2004). *Opening the gates: an anthology of Arab feminist writing*: Indiana University Press.
- Barlas, A. (2006). Women's readings of the Qur'an. 'n', in JDMcAuliffe (ed.), *The Cambridge Companion to the Qur*, 255-271.
- Barlas, A. (2002). *Believing women'in Islam : unreading patriarchal interpretations of the Qur'ān* (1st ed.). Austin, TX: University of Texas Press.
- Bakar, M. Z. B. A., & Abdullah, W. A. R. K. W. (2011). An analysis on the issues of the rights of spouses in the Islamic Family Law in Malaysia. *International Journal of Business and Social Research*, 1(1), 94-108.
- Barlow, R. & Akbarzadeh, S. (2006). Women's rights in the muslim world: reform or reconstruction? *Third World Quarterly*, 27(8), 1481-1494.
- Barazangi, N. H. (2004). *Woman's Identity and the Qur'an: A New Reading*. Gainesville, FL: University Press of Florida.
- Bhutto, B. (2014). *Daughter of the East: An autobiography*. Simon and Schuster.
- Blair, J., Czaja, R. F., & Blair, E. A. (2013). *Designing surveys: A guide to decisions and procedures*. SAGE Publications, Incorporated.
- Bloul, R. (1998). From moral protest to religious politics: Ethical demands and Beur political action in France. *The Australian journal of anthropology*, 9(1), 11-30.
- Blood, P. R. (1996). *Pakistan: A country study*: DIANE Publishing.
- Bodman, H. L. & Tohidi, N. E. (Eds.). (1998). *Women in Muslim societies: Diversity within unity*: Lynne Rienner Publishers.
- Bryman, A. (2004). *Social research methods* (2nd ed.). Oxford ; New York: Oxford University Press.
- Brewer, J & Hunter, A. (2006). *Foundations of multimethod research: synthesizing styles*. Thousand Oaks, Calif.: Sage Publications.
- Cook, M.A., Ahmed, A., Sadeghi, B., & Bonner, M. (2011). *The Islamic Scholarly Tradition: Studies in History, Law, and Thought in Honor of Professor Michael Allan Cook*: Brill.
- Cooper, D., & Schindler, P. (2010). *Business Research Methods*: McGraw-Hill Education.
- Collier, J. F. (1994). Intertwined histories: Islamic law and Western imperialism. *Law and Society Review*, 28(3).
- Creswell, J.W. (2003). *Research Design: Qualitative, Quantitative, and Mixed Methods Approaches*: SAGE Publications.
- Crow, G., & Holland, J. (2013). *What is Qualitative Interviewing?* : Bloomsbury Publishing.

- Denzin, K. & Yvonna S. L. (Eds.). (2005). *The Sage handbook of qualitative research*: Sage.
- Dagi, I. (2008). Turkey's AKP in Power. *Journal of Democracy*, 19(3), 25-30.
- De Vaus, D.A. (2002). *Surveys in Social Research*: Routledge.
- Engineer, A. A. (2008). *The rights of women in Islam*: Sterling Publishers Pvt. Ltd.
- Engineer, A. A. (2005). *The Qur'an, Women, and Modern Society*: New Dawn Press.
- Engineer, A. A. (2004). Islam, women and gender justice (Shari'ah law). *Journal of Dharma*, 29(2), 183-200.
- England, V. (2010). Malaysian groups welcome first Islamic women judges. *BBC News Asia-Pacific*, 9 July, 2010, <http://www.bbc.co.uk/news/10567857>
- England, P. (1993). *Theory on gender/feminism on theory*. New York: A. de Gruyter.
- Foley, R. (2004). Muslim Women's Challenges to Islamic Law The Case of Malaysia. *International Feminist Journal of Politics*, 6(1), 53-84.
- Fowler, F. J. (2001). *Survey Research Methods*: SAGE Publications.
- Gerson, K. & Horowitz, R. (2002). Observation and interviewing: Options and choices in qualitative research. *Qualitative research in action*, 199-224.
- Giddens, A. (1984). *The constitution of society : outline of the theory of structuration*. Cambridge Cambridgeshire: Polity Press.
- Gilbert, G. N. (2008). *Researching social life* (3rd ed.). Los Angeles :: Sage.
- Green, J. (2006). *Prins Of Social Research*: Tata McGraw-Hill Education.
- Groves, R. M. (2004). *Survey methodology*. Hoboken, NJ: J. Wiley.
- Haddad, Y. Y. (1998). Islam and gender: Dilemmas in the changing Arab world. *Islam, gender and social change*, 3-29.
- Haider, N. (2000). Islamic Legal Reform: The Case of Pakistan and Family Law. *Yale JL & Feminism*, 12, 287.
- Hamayotsu, K. (2003). Politics of Syariah reform: the making of the state religio-legal apparatus. *Malaysia: Islam, society and politics*, 55-79, Institute of Southeast Asian Studies.
- Haq, F. (1996). Women, Islam and the state in Pakistan. *The Muslim World*, 86(2), 158-175.
- Hasan, A. (1986). *Analogical reasoning in Islamic jurisprudence: A study of the juridical principle of Qiyas* (No. 62). Islamabad,, Pakistan: Islamic Research Institute.
- Hasan, A. (2004). *Principles of modern Islamic jurisprudence*. Karachi: Pakistan Academy of Jurists.
- Hassan, R. (2002). Are Human Rights Compatible with Islam? *The issue of the rights of women In Muslim communities*. Retrieved Nov, 25 from, <http://www.guidance4yoursoul.net/Are%20Human%20Rights%20Compatible%20With%20Islam.pdf>
- Hassan, R. (2001). Challenging the stereotypes of fundamentalism: An Islamic feminist perspective. *Muslim World*, 91(1-2), 55-71.
- Hassan, R. (1999). Feminism in Islam. *Feminism and World Religions*, 248-279.
- Hassan, S. Z. S. (1986). Women, Divorce and Islam in Kedah. *Sojourn: Journal of Social Issues in Southeast Asia*, 1(2), 183-198.

- Hoyle, R. H., Harris, Monica J., & Judd, C. M. (2002). *Research methods in social relations* (7th ed.). Fort Worth, TX: Wadsworth.
- Hefner, R. W. (2001). *The politics of multiculturalism : pluralism and citizenship in Malaysia, Singapore, and Indonesia*. Honolulu: University of Hawai'i Press.
- Hefner, R. W. (2014). Modern Muslims and the Challenge of Plurality. *Society*, 51(2), 131-139.
- Helie-Lucas, M. A. (1993). Women's Struggles and Strategies in the Rise of Fundamentalism in the Muslim World: From entryism to internationalism. *Women in the Middle East*, 180-200.
- Hunter, S. (1988). *The Politics of Islamic revivalism: diversity and unity* (Vol. 466): Indiana Univ Pr.
- Imran, R. (2013). Legal Injustices: The Zina Hudood Ordinance of Pakistan and Its Implications for Women. *Journal of International Women's Studies*, 7(2), 78-100.
- Ismail, R. (1995). *Hudud in Malaysia: The issues at stake*. SIS Forum Malaysia.
- Islam, M. (2008). *Decline of Muslim States and Societies: The Real Root Causes and What Can Be Done Next*: Xlibris.
- Ishak, M., & Haji, S. B. (2011). Qur'anic Exegesis of Tafsir Bil Mathur. *International Proceedings of Economic Development and Research*, 10, 495-497.
- Jacoby, H.G., Mansuri, G., & Team, World Bank. Development Research Group. Poverty. (2007). *Watta Satta: Bride Exchange and Women's Welfare in Rural Pakistan*: World Bank, Development Research Group, Poverty Team.
- Jafar, A. (2011). *Women's NGOs in Pakistan*. New York: Palgrave Macmillan.
- Jafar, A. (2007). Engaging fundamentalism: the case of women's NGOs in Pakistan. *Social Problems*, 54(3), 256-273.
- Jahangir, A. & Jilani, H. (2003). *The Hudood ordinances: a divine sanction?: a research study of the Hudood ordinances and their effect on the disadvantaged sections of Pakistan society*: Sang-e-Meel Publications.
- Jameelah, M. (1981). *Islam and orientalism*: Mohammad Yusuf Khan & Sons.
- Jeffery, P. & Basu, A. (1998). *Appropriating gender: Women's activism and politicized religion in South Asia*: Routledge.
- Jeffery, P. (1979). *Frogs in a well: Indian women in Purdah*: Zed Press London.
- Jilani, H. (1998). *Human rights and democratic development in Pakistan*. Lahore: Human Rights Commission of Pakistan.
- Jilani, H. (1986). The Pakistan Women's Action Forum: Struggling against Islamic Fundamentalism. *Canadian Woman Studies*, 7(1).
- Kasim, Z. M. (2002). *Islam and polygamy*. Sisters in Islam.
- Kamaruddin, Z. & Abdullah, R. (2008). Protecting Muslim Women against Abuse of Polygamy in Malaysia: Legal Perspective. *Hawwa*, 6(2), 176-201.
- Kandiyoti, D. (1996). *Gendering the Middle East : emerging perspectives* (1st ed.). New York: Syracuse University Press.
- Kandiyoti, D. (1991). *Women, Islam, and the state*. Philadelphia: Temple University Press.
- Karim, W.J.B. (1995). *"Male" and "female" in developing Southeast Asia*: Berg Publishers.

- Karim, W.J.B. (1992). *Women and culture: between Malay Adat and Islam*: Westview Press.
- Kassam, Z. (2010). *Women and Islam*: Praeger.
- Kazepis, M. (2014). *Women as Agents of Change: Case Study of Pakistan* (Doctoral dissertation). George Mason University.
- Kennedy, C. H. (1990). Islamization and Legal Reform in Pakistan, 1979-1989. *Pacific Affairs*, 63(1), 62-77.
- Kepel, G. (2002). *Jihad : the trail of political Islam*. Cambridge, Mass.: Harvard University Press.
- Khan, N.S., Zia, A.S. (1995). *Unveiling the issues: Pakistani women's perspectives on social, political and ideological issues*: ASR Publications.
- Khan, N. S. (2000). The women's movement revisited. *Global feminist Politics: identities in a changing world*, Eds. Suki Ali, Kelly Coate and Wangui wa Goro. London and New York: Routledge.
- Kothari, S. (1997). *From Genre to Zanaana: Women and Urdu Drama Serials in Pakistan*. Ph.D. dissertation, University of Texas.
- Kumar, G. (1997). *The Book on Trial: Fundamentalism and Censorship in India*: Har-Anand Publications.
- Kumar, R. (2011). *Research Methodology*: APH Publishing.
- Kvale, S. (1996). *InterViews: An Introduction to Qualitative Research Interviewing*: SAGE Publications.
- Kvale, S. (2008). *Doing Interviews*: SAGE Publications.
- Lateef, S. (1990). *Muslim women in India : political & private realities, 1890s-1980s*. New Delhi: Kali for Women.
- Lee, J. (2008). *Globalization and Its Islamic Discontents: Postcolonialism, Women's Rights, and the Discourse of the Veil*: University of Calgary (Canada).
- Leedy, P. and Ormrod, J. (2005), *Practical Research: Planning and Design*, Prentice-Hall, Upper Saddle
- Lincoln, Y.S., & Guba, E.G. (1985). *Naturalistic Inquiry*: SAGE Publications.
- Lindsay, B. (1980). *Comparative perspectives of Third World women. The impact of race, sex, and class*: Holt-Saunders Ltd.
- Majid, A. (1998). The politics of feminism in Islam. *Signs*, 23(2), 321-361
- Mahnaz. A. (1995). *Faith and freedom : women's human rights in the Muslim world* (1st ed.). Syracuse, N.Y.: Syracuse University Press.
- Maleske, R. T. (1995). *Foundations for gathering and interpreting behavioral data: An introduction to statistics*: Brooks/Cole Publishing Company.
- Marty, M.E., Appleby, R.S., & Garvey, J.H. (1996). *Fundamentalisms and the State: Remaking Politics, Economies, and Militance*: University of Chicago Press.
- Mason, J. (2002). *Qualitative Researching*: SAGE Publications.
- Meadows, K. A. (2003). So you want to do research? 2: developing the research question. *Br J Community Nurs*, 8(9), 397-403.
- Mehdi, R. (2013). *The Islamization of the law in Pakistan*: Routledge.
- Mehdi, R. (1997). The offence of rape in the Islamic law of Pakistan. *Women Living under Muslim Laws: Dossier*, 18, 98-108.

- Mernissi, F. (1991). *The veil and the male elite : a feminist interpretation of women's rights in Islam*. Reading, Mass.: Addison-Wesley Pub. Co.
- Mir-Hosseini, Z. (2004). The quest for gender justice: emerging feminist voices in Islam. *Islam*, 21, 36. <http://www.zibamirhosseini.com/documents/mir-hosseini-article-quest-for-gender-justice-2001.pdf>
- Ministry of Women Development Pakistan. (2006). Prime Minister Approved 10 % Quota for Women Across the Board. http://www.pakistan.gov.pk/ministries/ContentInfo.jsp?MinID=17&cPath=182_413&ContentID=4583
- Miller, G., & Dingwall, R. (1997). *Context and Method in Qualitative Research*: SAGE Publications.
- Misra, G., & Chandiramani, R. (2005). *Sexuality, Gender and Rights: Exploring Theory and Practice in South and Southeast Asia*: SAGE Publications
- Moaddel, M., & Talattof, K. (2002). *Modernist and fundamentalist debates in Islam: a reader* (1st Palgrave Macmillan ed.). New York: Palgrave Macmillan.
- Moaddel, M. (1998). Religion and women: Islamic modernism versus fundamentalism. *Journal for the Scientific Study of Religion*, 37(1), 108-130.
- Moghadam, V. M. (2003). *Modernizing women : gender and social change in the Middle East* (2nd ed.). Boulder, Colo.: L. Rienner.
- Moghadam, V. M. (1994). *Identity politics and women : cultural reassertions and feminisms in international perspective*. Boulder: Westview Press.
- Moghissi, H. (1999). *Feminism and Islamic fundamentalism: The limits of postmodern analysis*: Zed Books.
- Moghissi, H. (1994). *Populism and feminism in Iran : women's struggle in a male-defined revolutionary movement*. New York: St. Martin's Press.
- Mohamed, S., & Baqutayan, S. (2011). Toward Social Change in Islam. *International Journal of Basic & Applied Sciences IJBAS-IJENS*, 11(2), 23-33.
- Mohamad, M. (2000). *Muslim women and access to justice: historical legal and social experience in Malaysia*. Penang: Women's Crisis Centre.
- Mohanty, C. T. (2003). "Under Western eyes" revisited: feminist solidarity through anticapitalist struggles. *Signs*, 28(2), 499-535.
- Mohanty, C. T. (1988). Under Western eyes: Feminist scholarship and colonial discourses. *Feminist review*(30), 61-88.
- Mohseni, T. (2014). The Comparative Study of Qur'an Interpretation & Classic Hermeneutics. *International Journal of Business and Social Science*, 5 (9), 184-189.
- Mohsen-Byadsi, S. (2009). Feminism in Islamic Religious Discourse: The Experience of "Women and Horizons", *Jadal*, 4 October. [Online]. Retrieved on 6 September 2011 from: http://mada-research.org/en/files/2009/10/jadal4/jadal4-eng/Jadal_Mohsen-Biadseh_FINAL.pdf
- Mughal, S. (2011). *The Fate of Tomorrow is in the Hands of Women: Gender, Social Position, and the Media During Zia-ul-Haq's Islamization Campaign*, Department Of History Rutgers, The State University Of New Jersey.

- Munir, L. Z. (2003). *Islamic Fundamentalism and Its Impact on Women*. Paper presented at the Association of Asian Studies (AAS) Forum conducted at the Hilton Hotel, New York, March 27-30, 2003.
- Mumtaz, K. (1991). Khawateen Mahaz-e-Amal and Sindhani Tehrik: Two Responses to Political Development in Pakistan. *South Asia Bulletin* 11.1 & 2, 101-9.
- Mumtaz, K. & Shaheed, F. (1987). *Women of Pakistan: two steps forward, one step back?* : Zed books London.
- Murat, N. (2004). *Sisters in Islam: Advocacy for Change within the Religious Framework*. Paper presented at the Warning Signs of Fundamentalisms: Papers from a Meeting Held by the International Solidarity Network. Women Living Under Muslim Laws (WLUML).
- Mukherjee, K. (2010). Islamic Revivalism and Politics in Contemporary Pakistan. *Journal of Developing Societies*, 26(3), 329-353.
- Muzaffar, C. (1994). Islamisation of State and Society: Some further critical remarks. *Shari'a Law and the Modern Nation State*, Kuala Lumpur, 113-122.
- Nagata, J. (1994). *The reflowering of Malaysian Islam : modern religious radicals and their roots*. Vancouver: University of British Columbia Press.
- Nagata, J. (1980). Religious Ideology and Social Change: The Islamic Revival in Malaysia. *Pacific Affairs*, 53(3), 405-439.
- Naik, Z. (2006). *Answers To Non Muslims Common Questions About Islam*: ideas4islam.
- Naik, Z. (2005). *Women rights in Islam*. Karachi: Ilmi Cassette & CD Center.
- Najmabadi, A. (1993). Veiled Discourse - Unveiled Bodies. *Feminist Studies*, 19(3), 487-518.
- Narli, N. (1991). *Unveiling the fundamentalist women : a case study of university students in Malaysia*. Istanbul: Isis Press.
- Nathan, K.S., Kamali, M.H., (2005). *Islam in Southeast Asia: Political, Social and Strategic Challenges for the 21st Century*: Institute of Southeast Asian Studies.
- Nelson, M. J. (2011). *In the Shadow of Shari 'ah: Islam, Islamic Law, and Democracy in Pakistan*: Hurst and Co.
- Neo, J. (2003). Anti-God, Anti-Islam and Anti-Quran: Expanding the Range of Participants and Parameters in Discourse Over Women's Rights and Islam in Malaysia. *Pacific Basin Law Journal*, 21, 29-74.
- Nik Norani NBS. (1993). *Family Law: Maintenance and Other Financial Rights*. Kuala Lumpur: Dehwan Bahasa dan Pustaka.
- Noor, Z. I. (2007). Gender Justice and Islamic Family Law Reform in Malaysia. *Kajian Malaysia*, Jld. XXV(2), 121-156.
- Omar, R. (1994). *The Malay Woman in the Body: Between Biology and Culture*: Penerbit Fajar Bakti Sd. Bhd.
- Ong, A. (1999). Muslim feminism: Citizenship in the shelter of corporatist Islam 1. *Citizenship Studies*, 3(3), 355-371.
- Ong, A. (1990). State versus Islam: Malay families, women's bodies, and the body politic in Malaysia. *American Ethnologist*, 17(2), 258-276.
- Ong, A, & Peletz, M. G. (1995). *Bewitching women, pious men : gender and body politics in Southeast Asia*. Berkeley: University of California Press.

- Osman, MNM. (2006). *Traditional Islam: Meeting the Challenge of the Radical Islamists*. IDSS Commentaries.http://dr.ntu.edu.sg/bitstream/handle/10220/4226/RSISCOMME_NT_373.pdf?sequence=1
- Othman, N. (2012). Polygamy, a conditional privilege abused by Muslims. *Harakah Daily*, 23 October 2012.
- Othman, N. (2006). Muslim women and the challenge of Islamic fundamentalism/extremism: An overview of Southeast Asian Muslim women's struggle for human rights and gender equality. *Womens Studies International Forum*, 29(4), 339-353.
- Othman, N. (1998). *Human Rights as a Universal Concept in Islam*: UN.
- Othman, N. (1997). *Shari'a and the citizenship rights of women in a modern nation-state: Grounding human rights arguments in non-western cultural terms*: Institut Kajian Malaysia dan Antarabangsa, Universiti Kebangsaan Malaysia.
- Othman, N. (1994). *Shari'a law and the modern nation-state: a Malaysian symposium*: SIS Forum (Malaysia) Berhad.
- Oppenheim, A. N. (1992). *Questionnaire design, interviewing and attitude measurement*. Bloomsbury Publishing.
- Pettersson, M. (2002). *Whose Islam is the Right Islam?*, Department of Economic History at Lund University. Poland, Blake D. (2003). Transcription quality. *Inside interviewing: New lenses, new concerns*, 267-287.
- Pickthall, M. M. (1985). *The Meaning of the Glorious Koran: An Explanatory Translation*. New York: Mentor.
- Poland, B. D. (2003). Transcription quality. *Inside interviewing: New lenses, new concerns*, 267-287.
- Qureshi, A. (2013). In the Shadow of Shari'ah: Islam, Islamic Law, and Democracy in Pakistan. *Pacific Affairs*, 86(2), 426-428.
- Ramazanoglu, C. (1986). Muslim Women - Hussain, F. *Ethnic and Racial Studies*, 9(2), 258-263.
- Rasul, I. (2008). Household bargaining over fertility: Theory and evidence from Malaysia. *Journal of Development Economics*, 86(2), 215-241.
- Reinharz, S. & Davidman, L. (1992). *Feminist methods in social research*. New York: Oxford University Press.
- Rehman, J. (2007). The sharia, Islamic family laws and international human rights law: Examining the theory and practice of polygamy and talaq. *International Journal of Law, Policy and the Family*, 21(1), 108-127.
- River, NJ. & Allen, A. (Eds.). (1996). *Feminism and Islam: legal and literary perspectives*. NYU Press.
- Rosser-Owen, D. G. & Sardar, Z. (1976). *Social Change in Islam: The Progressive Dimension* (Vol. 1): Open Press.
- Rouse, S. (2011). Women's Movement in Pakistan: State, Class, Gender. *Perspectives on Modern South Asia: A Reader in Culture, History, and Representation*, 321.
- Ruane, J. M. (2005). *Essentials of research methods : a guide to social science research*. Malden, MA: Blackwell Pub.

- Rubins, HJ, & Rubins, IS. (1995). *Qualitative interviewing: The art of hearing data*: Sage Publications: London.
- Taylor, R. J., Chatters, L. M., Jayakody, R., & Levin, J. S. (1996). Black and white differences in religious participation: A multisample comparison. *Journal for the scientific study of religion*, 403-410.
- Said, E. (2001). *Orientalism: Western conceptions of the Orient*: Penguin UK.
- Said, E. (1979). *Orientalism*. New York: Vintage.
- Salant, P., & Dillman, D.A. (1994). *How to Conduct Your Own Survey*: Wiley.
- Sardar, Z., & Masood, E. (2006). *How do you know?: reading Ziauddin Sardar on Islam, science and cultural relations*: Pluto Press.
- Sarkar, M. (2004). Looking for feminism. *Gender & history*, 16(2), 318-333.
- Shaheen S. (2000). *Gender and human rights in Islam and international law : equal before Allah, unequal before man?* The Hague ; Boston: Kluwer Law International.
- Shariati, A. (1979). *On the sociology of Islam: Lectures*: Mizan Press.
- Shahid, A. (2013). Post-Divorce Maintenance for Muslim Women in Pakistan and Bangladesh: A Comparative Perspective. *International Journal of Law, Policy and the Family*, 27(2), 197-215.
- Shahidian, H. (2002). *Women in Iran*. Westport, Conn.: Greenwood Press.
- Shehadeh, L. R. (2003). *The idea of women in fundamentalist Islam*. Gainesville: University Press of Florida.
- Shukri, A. M., & Owoyemi, M. Y. (2014). Sisters in Islam's Quest for the Reinterpretation of the Qur'an and Hadith: An Analysis of their Views on Equality, Women Judges, and Polygamy. *Kajian Malaysia*, Vol. 32, No.1, 2014, 55–80.
- Sleboda, J. (2001). Islam and Women" s Rights Advocacy in Malaysia. *Asian Journal of Women" s Studies*, 7(2), 94-136.
- Silverman, D. (2000). *Doing qualitative research : a practical handbook*. London ; Thousand Oaks, Calif.: Sage Publications.
- Siraj, M. & Karim, WJB. (1993). *Women Under Syariah Law in Malaysia*: Women and Human Resource Studies Unit, Universiti Sains Malaysia.
- SIS, (2007). Sisters in Islam: Annual Report 2007.
- SIS, (2006). Sisters in Islam: Annual Report 2006.
- SIS, (1991). *Are Women and Men Equal Before Allah?*. Sisters in Islam Malaysia.
- SIS, (1991). *Are Muslim Men Allowed to Beat Their Wives?*. Sisters in Islam Malaysia.
- SIS, (1993). *Islam, Gender and Women's Rights: An Alternative View*. Kuala Lumpur: SIS Forum Berhad.
- SIS, (2015), Introduction to Muslim Family Law, available at SIS official website: <http://www.sistersinislam.org.my/news.php?cat.8> and retrieved on 18 January, 2015.
- SIS, (2003), Campaign for Monogamy, available at: available at SIS official website: <http://www.sistersinislam.org.my/news.php?item.833.8>, retrieved on 8 January, 2015.
- Stivens, M. (2006). 'Family values' and Islamic revival: Gender, rights and state moral projects in Malaysia. *Women's Studies International Forum*, 29(4), 354-367.

- Stowasser, B. (1998). Gender issues and contemporary Quran interpretation. *Islam, gender, and social change*, 30, 44.
- Sultana, A. M. (2010). A General Understanding of Polygamy Among UPSI Communities: Problems and Prospects. *Ozean Journal of Social Sciences*, 3(2), 185-191.
- Suleiman, M. A. (2010). *Darfur, a Crisis of Identity & Governance*: AuthorHouse.
- Sulayman, A. H. A. (1982). *Islam: Movement for World Order*. Paper presented at the The Search for Absolute Values and the Creation of the New World: Proceedings of the Tenth International Conference on the Unity of the Sciences, November 9-13, 1981, Seoul, Korea.
- Swee-Hock, S., & Kesavapany, K. (2006). *Malaysia: Recent Trends and Challenges*: Insitute of Southeast Asian Studies.
- Talbot, I. A. N. (2002). General Pervez Musharraf: Saviour or destroyer of Pakistan's democracy? *Contemporary South Asia*, 11(3), 311-328
- Tariq, M. M. (2011). The Rise and Impact of Islamic Fundamentalism in Pakistan after the Soviet Invasion in Afghanistan with Special Reference to KPK and Balochistan, *Balochistan Review*, XXIV (1).
- The Indian Express*. (2013). Asma Jahangir may be Pak caretaker PM. Accessed on 12 December 2013. <http://indianexpress.com/article/news-archive/web/asma-jahangir-may-be-pak-caretaker-pm/>
- The Nation Pakistan*. (2013). Civil Society: Myth or Reality. Accessed on 19 December, 2013. <http://www.nation.com.pk/lahe/14-Jan-2014/civil-society-myth-or-reality>
- The Daily Times Pakistan*. (2006). Women's Action Forum to Fight for Human Rights, 12 February 2006, <http://archive.is/1DWM1>.
- Tibi, B. (1994). Islamic Law/Shari'a, Human Rights, Universal Morality and International Relations. *Hum. Rts. Q.*, 16, 277.
- Tong, J. & Turner, B. S. (2008). Women, piety and practice: A study of women and religious practice in Malaysia. *Contemporary Islam*, 2(1), 41-59.
- Tuğal, C. (2002). Islamism in Turkey: beyond instrument and meaning. *Economy and society*, 31(1), 85-111.
- Turner, B. S. (2007). Managing religions: state responses to religious diversity. *Contemporary Islam*, 1(2), 123-137.
- Wade, C. A. (2007). Muslim Women and Women's Organizations: Allies in the War of Ideas: DTIC Document.
- Wadud, A. (2005). Woman's identity and the Qur'an: A new reading. *Middle East Journal*, 59(3), 510-511.
- Wadud, A. (1999). *Qur'an and woman : rereading the sacred text from a woman's perspective* (2nd ed.). New York: Oxford University Press.
- Walters, L. & Walters, T N. (2005). The Transitional Woman: A Case Study of Values in the Context of an Arabic/Islamic Society. *Hawwa*, 3(2), 216-244.
- Warne, R. R. (2000). Making the Gender-Critical Turn. *Secular Theories of Religion: Current Perspectives*, edited by Tim Jensen and Mikael Rothstein, 249-257.
- Weber, M. (1968). *Economy and Society: An Outline of Interpretive Sociology*: Bedminster Press.

- Weiner, M. & Banuazizi, A. (1994). *The Politics of Social Transformation in Afghanistan, Iran and Pakistan*: Syracuse University Press.
- Weiss, A. M. (1986). *Islamic reassertion in Pakistan: The application of Islamic laws in a modern state*: Syracuse University Press.
- Weiss, A. M. (2012). *Moving forward with the legal empowerment of women in Pakistan*. US Institute of Peace.
- White, K. & White, D. (2005). Polygamy and Mormon identity. *The Journal of American Culture*, 28(2), 165-177.
- Yefet, K. C. (2009). What's the Constitution Got to Do With It-Regulating Marriage in Pakistan. *Duke J. Gender L. & Pol'y*, 16, 347.
- Yusuf, Z. (2013). My Years with WAF. 12 February, 2013, Beena Sarwar Blog, <http://beenasarwar.wordpress.com/2013/02/13/my-years-with-waf-zohra-yusuf-on-the-pakistani-womens-movement/>
- Zafar, F. (1991). *Finding our way : readings on women in Pakistan*. Lahore, Pakistan: ASR Publications.
- Zayd, NHA. (2006). *Reformation of Islamic Thought: A Critical Historical Analysis* (Vol. 10): Amsterdam University Press.
- Zin, N. M. (2012). Training, Appointment, and Supervision of Islamic Judges in Malaysia, *The. Pac. Rim L. & Pol'y J.*, 21, 115.