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# Sisters in Islam <br> ANNUAL REVIEW 2009 



TT•EMPOWERING
Ces $_{f o r}$ Change

## MISSION STATEMENT

To promote an understanding of Islam that recognises the principles of justice, equality, freedom, and dignity within a democratic nation state.

## OBJECTIVES

To promote and develop a framework of 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, on issues of equality, justice, freedom, dignity and democracy in Islam.

ANNUAL REVIEW 2009

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## MESSAGE FROM THE EXECUTIVE DIRECTOR

Looking back now, I am surprised at how easy it is to describe 2009 in a nutshell. Clearly and simply, 2009 was a year of challenges, accomplishments and transitions.

Getting through the year, however, was another thing altogether. Indeed, as we lived it from moment to moment, it was not at all clear where 2009 would take us!

For SIS, the year began with the incredible high point that was the Musawah Global Meeting in Kuala Lumpur. The entire organisation pulled together to welcome over 250 participants from 47 countries. This Musawah milestone was not just the culmination of two years of laborious planning work; it was also two decades' worth of SIS efforts coming together in a single point in time and space, and it was one of the most rewarding experiences we have ever had.

The SIS storehouse of accumulated knowledge and wisdom certainly proved indispensable in the trying months following the Global Meeting.

On 7 June, PAS declared that SIS should be investigated, and if found to be anti-Islam, banned.

Also during this period, the ongoing case over the 2008 banning of our book, Muslim Women and
the Challenge of Islamic Extremism, required our attention in court.

And on 20 July the Shari'ah High Court in Kuantan ordered Kartika Sari Dewi Shukarno to be caned and fined for consuming alcohol. The case bore relevance to so many aspects of our work that intervention was a foregone conclusion. What was harder to anticipate was the chain of events following our intervention, including the rejection of SIS' application for a revision of judgment, threats from various parties, NGOs filing police reports against SIS, and SIS being investigated under the Sedition Act. At some point, in the interest of our own physical safety, we decided it was necessary to start locking our office gates.

These crises severely tested our resolve. The Board and staff had to channel time and energy towards meeting these challenges, not to mention mitigating their impact on staff morale - SIS is about empowering voices for change, but sometimes, in the face of relentless attacks, the voices most in need of empowerment are our own.

Alhamdulillah, we have weathered the storm. And we are proud of the fact that despite these challenges, it was business as usual for us. Through it all, by and large, we were able to continue helping people with our services. Telenisa assisted 755
clients. Our Mobile Legal Clinics reached out to lowincome communities. Our weekly Utusan Malaysia column continued to raise awareness of legal rights. Our Public Education programme offered study visits, study sessions and workshops.

We made progress with our research on polygamy and the Shari'ah Criminal Offences Act. We also continued to engage in advocacy work, locally (in particular on amendments to the Islamic Family Law Act) as well as with international institutions. We also learned that the essentials we needed to make this journey were team spirit, resolve, energy, resilience, tenacity, patience and probably the most important article - faith.

2009 was also a year of transitions and new beginnings. The organisation welcomed new individuals, including myself. Musawah underwent its own transition in the post-Global Meeting period, as it grappled with how to structure itself, organise its work and gain momentum as a global movement.

Externally, the SIS environment continues to be shaped by so many factors. The world itself appears to be in a state of transition, in particular with regard to the global economy. Closer to home, political Islam has reached an all-time high, with political parties continuing in their efforts to out-Islamise each other for the sake of garnering support,
with women's rights often ending up as collateral damage. Diversity in Islam is at an all-time low. It is an alarming landscape, but it is also why we will continue to do what we do. At SIS we inform and remind people on a daily basis that women's issues affect everything and everyone. That the organisation is in turn impacted by everything and everyone (as it appeared to be in 2009) should come as no surprise to us.

We have a dedicated and committed team, and a supportive Board of Directors helping to ensure good governance. Our work is grounded in research, which gives us strength. Ups and downs, come what may, we're here to stay. Good times, bad times, we're in this together, and we will prevail. What drives most of us is the deep belief in our faith. That God is just, Islam is just, and therefore the laws that we have should be embodying and living that spirit of fairness and justness.

Dr Hamidah Marican
Executive Director
Sisters In Islam

## MUSAWAH



The Musawah Opening Gala Dinner - A Feast of Equals - was launched by the Minister of Women, Family and Community Development. L-R: Cassandra Balchin (UK), Kamala Chandrakirana (Indonesia), Zainah Anwar (Malaysia), YB Dato' Sri Shahrizat Abdul Jalil and Khalid Masud (Pakistan).

Musawah ("Equality" in Arabic) is the global movement for equality and justice in the Muslim family. Initiated in 2007 by SIS and an international planning committee of activists and scholars, Musawah brings together NGOs, activists, scholars, practitioners, policy makers and grassroots women and men from around the world. Musawah's key areas of work focus on knowledge building, international advocacy and outreach to build the movement to advance equality and justice in the Muslim family. The Musawah Secretariat is based at SIS. For more information, visit www.musawah.org

In 2009, the Musawah team:

- Organised the first Musawah Global Meeting in Kuala Lumpur, a five-day event that brought together 250 participants from 47 countries.
- Established a structure to enable it to undertake sustained work after the Global Meeting.
- Identified the movement's three key areas of work: knowledge building, outreach, and international advocacy.
- Presented a statement at the CEDAW meeting in New York on a General Recommendation on Economic Consequences of Marriage and its Dissolution.
- Launched the quarterly newsletter Musawah Vision and reproduced earlier publications to meet demand.


## MUSAWAH

## mUSAWAH GLOBAL MEETING

The start of 2009 saw Musawah entering the final, intensive phase of preparations for the Global Meeting (13-17 February, Kuala Lumpur). From its inception to the actual event, the Global Meeting took two years to plan and execute, and was a huge success (see box, opposite page).

The Global Meeting concentrated Musawah's wide-reaching intellectual network in a single venue. The objectives of the Global Meeting were to:

- Introduce the movement, its principles, processes, objectives, resources, tools and conceptual framework.
- Empower women's groups, activists and practitioners through the sharing of knowledge and experiences.
- Build support and alliances.
- Agree on the way forward for Musawah.


## GLOBAL MEETING: PLENARY SESSIONS

1. Launch of the Movement - Equality is Necessary
2. Equality in the Family is Possible
3. Equality in the Family is Possible - Text and Context
4. Feminism and Religion
5. Successful Campaigns and Strategies for Reform
6. International Networks and Organisations
7. Using Research to Support Proposals for Equality and Non-discrimination
8. Equality Without Exception

## Sisters In Islam



The programme also included breakout sessions, roundtable discussions, workshops, dinners, evening caucuses, films and activities.

## MUSAWAH BEHIND THE SCENES

SIS' biggest event to date was two years in the making. In the final stages it required the involvement of all units. Rashidah Hashim, SIS Operations Manager, remembers the gory details: "Flights, visas, airport pickups, hotel arrangements, restaurant bookings, per diems. We dealt with the Immigration Department, embassies and travel agents and we had to handle claims for many participants, in multiple currencies. Emails were often in French and Arabic. And meals! Every day, for five days, I sat with the chef and his team to discuss the day's menu. But many of us gained a lot of experience."
"After months of doing the work, to suddenly see people arriving, interested, keen, and wanting to be part of it all... They saw value in what Musawah had to offer." - Rozana Isa, Musawah Project Coordinator, on Global Meeting participants.
"The most powerful aspect about Musawah is to see a movement so young in age already resonating so strongly with Muslim women all over the world, not because it is something new, but because it brings together decades, if not centuries, of efforts to reclaim Islam's spirit of justice and equality in our family laws and practices. Musawah is legitimately forcing women's voices right back to where they belong - at the centre!" - Hadil El-Khouly, Musawah Programme Officer (Outreach).


Speakers at the Plenary Session on Equality Without Exception. L-R: Rashida Manjoo (South Africa), Alia Hogben (Canada), Marina Mahathir (Chair), Mahnaz Afkhami (Iran) and Shanthi Dairiam (Malaysia).

GLOBAL MEETING IN FIGURES


80 CLIPS IN NEWSPAPERS, MAGAZINES, RADIO, TELEVISION AND BLOGS


## MUSAWAH'S LONG-TERM STRUCTURE AND DIRECTION

The Global Meeting was a milestone for Musawah the movement, but its successful conclusion also forced Musawah to confront the question of "What next?" The Musawah Planning Committee and Secretariat had been created primarily to plan the Global Meeting. To carry out its work in a sustained manner, the movement would now require new structure and direction.

What followed was a period of intensive discussion. The Planning Committee consulted people who were involved in various networks and movements at the regional and international levels. The Committee then met (7-9 June) to accomplish two tasks:

- establish Musawah's structure.
- determine Musawah's areas of focus and activities.


## STRUCTURE

Musawah's new structure now takes the following form: an International Advisory Group (to advise on strategic vision and long-term planning) and a Secretariat (which handles day-to-day operations).

## Secretariat

- Musawah is a global movement, and the Secretariat has had to take shape in response to this fact. It is therefore international in terms of outlook, people and languages. In addition to staff based in the SIS office, there is a Programme Officer (Outreach) in Cairo, and a Communications

Coordinator in the UK. Musawah functions in three languages: English, French and Arabic.

- In terms of physical space, Musawah staff who had been placed in other SIS units before were brought together and now share a common space (as of 14 September).
- Much reflection went into deciding whether SIS had the resources to cope with the work that came with Musawah. Musawah had originated organically from SIS, and there is a symbiotic relationship between the two, but there were also concerns about resources and capacity. It was decided that the Musawah Secretariat will remain at SIS until 2013.


## AREAS OF FOCUS

Musawah's focus is now on three key areas: knowledge building, outreach and international advocacy.

## Knowledge building

The emphasis is on building knowledge (and facilitating access to knowledge) about Muslim women's rights in the family. There are plans to initiate research in two areas: qiwamah (men's authority over women) and wilayah (guardianship).

## Outreach

Strategies to build the movement involve outreach activities, including developing the role of Regional Focal Points (RFP) to help spread the message and monitor developments at the regional level.

Several groups have already expressed interest in serving as Musawah RFPs for the Gulf area, SubSaharan Africa, Horn of Africa, Southeast Asia and other areas.

## International advocacy

International advocacy explores how and where Musawah intersects with international and regional bodies and mechanisms. One approach is to work towards introducing the Musawah language and principles into documents and processes that governments are committed to. The CEDAW process was identified as the priority area of engagement.

## Communications

Underpinning the three focus areas is a fourth component: communications. Clearly, Musawah must have an understanding of how to communicate on a global level, and also how technology can support movement building.

The Musawah Communications Strategy Meeting (18-20 October) was held to finalise the Musawah Communications Strategy. For 2009-2012 the strategic objectives are:

- To establish an institutional base for Musawah communications, along with mechanisms ensuring a two-way exchange of information.
- To raise visibility of Musawah and Musawah's issues.
- To create spaces for constructive dialogue on equality in the family.


## STATEMENT BY MUSAWAH AT THE 44TH CEDAW SESSION

The Committee on the Elimination of All Forms of Discrimination against Women met in New York for the 44th CEDAW Session, during which they also organised a day's meeting on a proposed General Recommendation on Economic Consequences of Marriage and its Dissolution.

The meeting provided Musawah with its first opportunity as a global movement to engage with an international institution. Zarizana Abdul Aziz, a member of SIS, read a statement on behalf of Musawah.

Musawah's engagement at this meeting also enabled the movement to showcase its potential global role in highlighting the fact that the teachings of Islam are consistent with international human rights principles.


Participants in one of the working group sessions including Marina Mahathir (Malaysia) and Dr. Chatsumarn Kabilsingh, Ven. Bhikkhuni Dhammananda (Thailand).

## MUSAWAH'S STATEMENT AT THE CEDAW MEETING IN NEW YORK

In its intervention Musawah focused on the fact that many Muslim family laws are discriminatory with regard to women's rights in marriage and its dissolution, and such discrimination often has immediate economic consequences for women. Musawah submitted that the teachings of the Qur'an, the objectives of the Shari'ah, universal human rights standards, constitutional guarantees, and the realities of Muslim women's and men's lives, all demand that relations between Muslim women and men be governed by principles and practices that uphold equality, fairness and justice. Musawah made six specific recommendations (see http://www.musawah.org/docs/vision/Musawah-Vision-2009-1-EN.pdf).

## MUSAWAH AND SIS

For Musawah Project Coordinator Rozana Isa, the "distinction" between Musawah and SIS is one that is impossible to make: "Many aspects of SIS' work - advocating family law reform, undertaking research on polygamy - are directly related to the Musawah cause. Musawah and SIS are interlinked and the relationship is a symbiotic one. The work of all the other units feeds into Musawah and vice versa. Musawah brings the work that SIS has done for the past 20 years to the international level. We hope it will broaden and amplify the work of SIS."

Is there a similarity in approach? "Musawah, like SIS, is committed to bringing together scholars and activists, and making sure they don't work in isolation. The Islamic tradition is very rich in scholarship, and we acknowledge that tradition. But we also tell the scholars, 'You need to talk to these women, they are the ones experiencing the lived reality.'"

What about the national-international divide? We certainly want to avoid the perception that because Musawah is international, it is therefore 'different from' and 'not really relevant' to the SIS work that is being done nationally.

## What will happen when the Secretariat moves on in 2013? We see it as a sign of the movement's

 strength that the Secretariat can move around from country to country.
## MUSAWAH PUBLICATIONS IN 2009

Three publications were launched at the Musawah Global Meeting: Home Truths: A Global Report on Equality in the Muslim Family; Wanted: Equality and Justice in the Muslim Family; and Musawah Framework for Action. The first issue of Musawah's newsletter Musawah Vision was published in October (http:// www.musawah.org/activities_events.asp). Wanted and Framework for Action went into their second print runs later in 2009.

## 1. HOME TRUTHS: A GLOBAL REPORT ON EQUALITY IN THE MUSLIM FAMILY

A compilation of reports submitted by national-level organisations and activists on family laws and practices in 30 countries.

## 2. WANTED: EQUALITY AND JUSTICE IN THE MUSLIM FAMILY

This collection of analytical papers looks at why equality and justice are possible and necessary in today's Muslim societies. "We wanted Musawah to have a strong theoretical grounding to open new horizons for thinking constructively about change and reform, and to claim back and recapture the diversity and dynamism that were once so integral to the Islamic legal tradition." - Zainah Anwar, Project Director, Musawah

## 3. MUSAWAH FRAMEWORK FOR ACTION

This working document provides a conceptual framework for Musawah. It was conceptualised and written through a series of meetings and discussions with Islamic scholars, academics, activists and legal practitioners.


Home Truths:
Global Report on Equatiry in the Muslim Family

## WANTED

 Equality and Jus Family in the Muslim

1. http://www. musawah.org/ national_profiles.asp
2. http://www.musawah.org/ background_papers.asp
3. http://www. musawah.org/
framework_action.asp

## FROM PARTICIPANTS AT THE GLOBAL MEETING

"I am so pleased that things have evolved so nicely and that the media has been so responsive. The idea of Muslim women getting together to work with others to build a movement for change seems to have appealed to the West as well as the East." Mahnaz Afkhami (Women’s Learning Partnership)
"Thank you for this great event, thank you for this great organisation, for all these rewarding interventions and for all that you have given."

Amina Izaroukan (Algeria)
"It definitely was the best conference I have attended in both content and organisation - and yes some of the sessions and videos did bring me both tears and laughter!"

Bez Babakhani (Canadian High Commission)
"I was deeply impressed with the cooperative spirit among the sisters of Islam. It just felt wonderful to be among you, and to know that I am safe in your hands."

Dr. Chatsumarn Kabilsingh,
Ven. Bhikkhuni Dhammananda (Thailand)

## ADVOCACY, LEGAL SERVICES and REFORM



Women's Rights \& Shari'ah Training 2009. Dr. Nik Noriani Nik Badli Shah giving her input during a discussion.


With a focus on the legal perspective, the Advocacy, Legal Services and Reform (ALSR) unit leads SIS initiatives in three areas:

- Advocacy: SIS advocates women's rights on behalf of individuals as well as groups. Efforts to help women reclaim their rights and challenge injustices are undertaken in various spheres: in the courts, in the media, in policymaking, and in public discourse.
- Legal Services: Telenisa, the legal clinic run by SIS, provides gendersensitive legal services on family matters and Shari'ah law. Mobile Legal Clinics periodically extend these services to low-income areas. Legal literacy is promoted through newspaper columns, and by hosting and training students and interns.
- Reform: SIS first began advocating reform of Malaysia's Islamic Family Law in 1994. In 2005, SIS began work on a model Muslim Family Law based on the principles of justice and equality.

In 2009, the ALSR unit:

- Stepped up efforts to campaign for amendments to the 2005 Islamic Family Law Act to be tabled in Parliament in 2009.
- Responded to the PAS resolution to ban SIS and urged PAS to retract its resolution, in the spirit of democracy and respect for diversity.
- Undertook significant advocacy work in relation to the Kartika case, involving a

Muslim woman who had been sentenced to whipping for consuming alcohol. SIS also dealt with the resulting developments, including police reports filed against SIS, and the police
investigation of SIS under the Sedition Act.

- Continued to offer free legal services on family and Shari'ah-related matters, with Telenisa assisting a total of 755 clients.
- Conducted three Mobile Legal Clinics, in Klang, Rawang and Lembah Pantai.
- Welcomed and arranged various forms of training for 14 chambering students and two interns.
- Contributed a weekly newspaper column in Utusan Malaysia on legal matters.


## ADVOCACY, LEGAL SERVICES AND REFORM

## ADVOCACY

In 2009 SIS undertook advocacy work in relation to the following:
i. Campaign for Amendments to the 2005 Islamic Family Law Act
ii. The PAS resolution to ban SIS
iii. The Kartika case
iv. Other advocacy initiatives

A significant amount of time, energy and financial resources was spent on SIS advocacy work in 2009. Both the PAS resolution to ban SIS and the Kartika case required responses in the form of press statements, other media relations, and extensive engagement with multiple parties.

## CAMPAIGN FOR AMENDMENTS TO THE 2005 ISLAMIC FAMILY LAW ACT

In 2009 SIS stepped up efforts to lobby for the amendments to the 2005 Islamic Family Law (IFL) to be tabled in Parliament. SIS began work on a national campaign, jointly undertaken with the Joint Action Group for Gender Equality (JAG), to have the Bill tabled and to build support among various groups including Members of Parliament, Senators, religious departments, civil society, as well as grassroots women leaders.

A strategy meeting was held in June. Initial timelines for October lobbying, along with plans to mobilise grassroots voices, had to be changed when the Cabinet announced that the Islamic Family Law/Law Reform Act (IFL/LRA) amendments would be debated in the June-July Parliament session. SIS instead began concentrating on lobbying in Parliament. Meetings were held with various parties, including Opposition MPs, Backbenchers in Parliament, the Ministry of Women, Family and Community Development, and Gerakan.

The IFL/LRA amendments were not debated in the June-July session. In early October SIS held an IFL Workshop for Gabungan Hak Wanita Islam (GAHWI) leaders. In mid-October, a JAG-IFL discussion was held to consider lobbying for the possible tabling of

the IFL/LRA in the Parliament session beginning 19 October. In the end, the IFL/LRA amendments were not tabled in the October session either, as the Conference of Rulers wanted time to look at the proposed amendments.

## THE PAS RESOLUTION TO BAN SIS

On 7 June, the 55th PAS Muktamar declared that SIS should be investigated and banned if found to be antiIslam. The party also advocated for SIS members to undergo religious rehabilitation.

Shah Alam PAS, in tabling the motion against SIS, urged the National Fatwa Council to investigate SIS' liberal views, which it said caused confusion and were a threat to the faith of Muslims.

Shah Alam PAS chief Khalid Samad Iater clarified that the resolution was in fact a draft that was supposed to have been toned down before submission and reworded with more emphasis on engagement with SIS.

Several PAS leaders openly disagreed with the resolution, saying that instead of calling for the ban, PAS should instead engage more with SIS. There was also acknowledgement of SIS' efforts in promoting the rights of Muslim women.

In urging PAS to retract the resolution, SIS Senior Manager Maria Chin Abdullah said: "It contravenes the guarantee of rights to freedom of expression
under the federal constitution. Implicit in the PAS resolution is its intolerance and prejudice against SIS.
"This demonstrates the arrogance and undemocratic practices of PAS and that it has forgotten the key reason why they were voted in during the 8 March [2008] general election. People voted against discrimination, undemocratic practices, nonparticipation." [The Nut Graph]

The issue became a matter of public discourse. SIS issued a press statement and strongly protested against the resolution and maintained that the move taken by PAS leaders and members was retrogressive and anti-democratic.

## KARTIKA AND THE CANING SENTENCE BY THE KUANTAN SHARI'AH HIGH COURT

On 20 July the Shari'ah High Court in Kuantan ordered part-time model Kartika Sari Dewi Shukarno to be caned six times and fined RM5,000 for consuming alcohol at a hotel in Cherating in 2007. The public outcry and intense controversy surrounding the case prompted media scrutiny both at home and abroad.

Like many others, SIS was alarmed by several aspects of the Kartika case, including: the extreme punishment disproportionate to the offence committed; and the Kuantan Shari'ah High Court's handling of the case which appeared to leave no space for public discussion or involvement.

In light of the direct relevance of the case to the Shari'ah Criminal Offences Act, the Constitution, and issues relating to women, Islam and human rights, SIS took the lead in discussing the need to intervene with other JAG members.

In addition to participating in the 25 August submission of the JAG memorandum (see box), SIS visited Kartika and her family to better understand her situation. SIS also began exploring various legal approaches, and on 18 September, filed an application to review the judgments.

Events of the ensuing months significantly tested the financial, operational and emotional resources of SIS. It was a period during which public confusion over the intentions of SIS reached its height (Kartika herself said that she wished to be caned, and despite having access to Kartika initially, SIS was subsequently informed by her lawyer that SIS was not allowed to speak to the media about the case). Police reports were filed against SIS by various NGOs, and SIS staff had to endure numerous meetings with lawyers and the police.

## THE KARTIKA CASE: KEY DATES

25 Aug: JAG submitted a Memorandum to the Prime Minister of Malaysia appealing to him to take immediate steps to address the issue. The Memorandum raised questions on Islamic, constitutional and legal grounds and sentencing guidelines.

18 Sept: SIS filed an Application for Revision of judgment and stay of execution on Kartika's case at the Kuantan Shari'ah High Court.

29 Sept: The Shari'ah High Court Appeal Panel and Jabatan Agama Islam Pahang (JAIP) had a meeting and announced that the whipping sentence would proceed.

30 Sept: JAG, Suara Rakyat Malaysia (SUARAM) and National Human Rights Society (HAKAM) held a press conference at the SIS office expressing concern that the Pahang High

Court of Appeal had heard and decided on the revision of the Kartika sentence without all the relevant stakeholders in attendance to present arguments, or the public being informed of the hearing.

3 Oct: SIS issued a press statement regarding SIS's Application for Revision that was turned down by the Chief Registrar of the Kuantan Shari'ah High Court. Applications usually go to a judge, and are not within the power of the Chief Registrar. SIS also did not receive a formal response from the office of the Chief Registrar regarding SIS' application to hold a Watching Brief during the proceeding of the revision.

25 Oct: Hizbut Tahrir (a global Islamist group whose political agenda is to create an Islamic state) held a seminar "Sisters in Islam: Pembela atau Perosak Wanita?" ("Sisters in Islam: Defender or Destroyer of Women?")

## (continued)

The discussions were on the Kartika issue and the organiser's claim that SIS was a deviant group whose work was not based on true Islamic teachings.

4 Nov: SIS Executive Director Dr Hamidah Marican and Board Member, Zainah Anwar, accompanied by lawyers, went to Bukit Aman to assist in investigations. The investigations
were prompted by police reports lodged by 14 NGOs in Kuantan against SIS, accusing SIS of going against God's law by questioning the whipping under Shari'ah law, which according to the NGOs amounted to an act of rebellion against the Sultan. SIS was investigated under the Sedition Act.

By the end of 2009, Kartika's caning sentence still had not been carried out.

## OTHER ADVOCACY WORK

SIS was also involved in the following:

- CEDAW NGO Report. The process of preparing the NGO Shadow Report was started, with the official first draft to be submitted in March 2010.
- JAG Sexuality Group. The objective is to promote the position of non-discrimination on the basis of sexuality. SIS as part of the JAG coalition is involved mainly in two projects, Project Sentuh (Seksualiti dan Tubuh) and the ongoing Daphne Iking case. The group is also documenting cases of discrimination and violations faced by transsexuals in this country. These findings will later be used for advocating non-discriminatory treatment and equality for all.
- JAG Penan Group. SIS participated in a demonstration at Putrajaya on Malaysia Day (16 September) and a public forum on the future of the Orang Asal of Malaysia.
- Meeting with Minister in charge of Religious Affairs. A Majlis Suai Kenal meeting was held with the Minister in charge of Religious Affairs, Dato' Haji Jamil Khir. The meeting gave SIS an opportunity to get to know the Minister and his team, as well as provide them with an overview of SIS.
- APMM Regional Meeting of SEA Human Rights NGOs. SIS participated in a regional meeting of Southeast Asian human rights advocates (16-17 October, Jakarta) to examine how certain interpretations of Shari'ah laws are affecting the rights of women in Muslim contexts and undermining secularism. The meeting resulted in the formation of a new regional network - ASEAN Progressive Muslim Movement (APMM). Focal Persons were selected, including SIS' Ratna Osman for Malaysia. The network formulated recommendations for the 15th ASEAN Summit.
- RRAAM. As a member of Reproductive Rights Advocacy Alliance Malaysia (RRAAM), SIS participated in RRAAM advocacy activities in 2009. This included a Policy Dialogue with the government in May to present recommendations and findings of the FRHAM-RRAAM ICPD 15 monitoring report on "Increasing Access to the Reproductive Right to Contraceptive Information and Services, SRHR (Sexual and Reproductive Health Rights) Education for Youth, and Legal Abortion". Overall, it was found that despite
the government's agreement to implement the 1994 Programme of Action of the International Conference on Population and Development (ICPD), very little had been done in these areas.
- CSBR "One Day, One Struggle". SIS issued a press statement (11 November) as part of the international "One Day, One Struggle" campaign organised by Coalition for Sexual and Bodily Rights in Muslim Societies (CSBR).


## RATNA OSMAN

ALSR Programme Manager Ratna Osman received her degree in Law \& Shari'ah from the International Islamic University, Islamabad and was involved in the corporate world before she joined SIS in midMay 2009, just before the PAS resolution and the Kartika case. Ratna remembers thinking to herself: "What have I gotten myself into?"

What did you least expect? "When you join, you experience a rush of energy to get involved in calling for change, but you're clueless to the fact that you are also going to be under attack. What was most bewildering about the attackers was the fact that our existence bothered them so much."

How did the attacks affect SIS? "They didn't cripple us in spirit, but they sucked up our energy, energy that was supposed to be spent on women - empowering them, providing legal services, etc."

Why not bail out? "As a mother you have an obligation to protect your family. But we also have to face these other people, and find out, why are they accusing us of this? We have to tell them SIS is not against God's law, and not against the Qur'an - because this is what the accusations were about!"

What has been personally rewarding? "I joined because I had questions, and alhamdulillah, they were answered here at SIS. Islam is so beautiful and rich. It was rewarding for me as a Muslim because I never knew that Islam could answer so much. In Islam you are allowed to think. I'm a better Muslim now. I've learned to appreciate every word in the Qur'an."

## LEGAL SERVICES

TELENISA CASES 2009


## TELENISA

Telenisa, the legal clinic run by SIS, was first introduced in 2003. Today, Telenisa continues to connect with the lived realities experienced by women and men, and to assist them, often in a manner that immediately impacts their daily lives. The issues handled include marriage, divorce, child maintenance, hadanah (child custody) and domestic violence. In 2009 Telenisa assisted 755 clients on a total of 1,126 cases.

TELENISA CLIENTS 2009

TOTAL 755

## TELEPHONE 264

MAIL 433

TOTAL 755

MARRIAGE (PROCEDURES/WALI/ MARRIAGE ABROAD/ETC)
VIOLENCE
AGMEN 17 148

TELENISA Tel: 03-7784 3733 / Email: telenisa@sistersinislam.org.my

The legal advice offered by Telenisa is handled by SIS lawyers trained in feminist legal theory and practice. Chambering students attached to SIS also assist in handling cases; SIS lawyers work with the Bar Council Legal Aid Centre (LAC) and other NGOs to conduct training workshops for the chambering students (see below).

Telenisa is a legal clinic available via email, phone, and face-to-face meetings at SIS. It is open Tuesdays, Wednesdays and Thursdays from 10.00am - 5.00pm Tel: 03-7784 3733. Email: telenisa@ sistersinislam.org.my. Enquiries can also be faxed to 03-7785 8737 or posted to Telenisa, No. 7, Jalan 6/10, 46000 Petaling Jaya, Selangor, Malaysia.


Legal Officer Nazreen Nizam conducting a session at the Mobile Legal Clinic in Rawang. The Mobile Legal Clinic is a halfday programme which includes civil and Shari'ah legal rights awareness sessions on women, family and employment; skits and role-playing sessions about domestic violence and employment issues; and legal information consultation for Civil and Shari'ah laws.

## MOBILE LEGAL CLINICS

In 2009 SIS conducted three Mobile Legal Clinics in Klang, Rawang and Lembah Pantai. The MLCs are half-day programmes designed to reach out to low-income grassroots communities with no access to or awareness of Telenisa. MLCs are jointly organised by SIS, Bar Council LAC, AWAM and WAO, with assistance provided by a key area contact person, often the area's Member of Parliament or State Assemblyperson.

The 2009 Mobile Legal Clinics received overwhelming positive response, with requests from all areas for follow-up programmes.

## PROMOTING LEGAL LITERACY

Women, and Malaysians in general, are still largely unaware of their rights and how to claim them. Many are not familiar with basic Shari'ah court procedures and options available under the law in Malaysia. Since 2002, SIS' weekly column Ruangan Undang-Undang dan Keluarga has been appearing in Utusan Malaysia. The column provides answers to readers' questions on various aspects of their rights under Islamic Family Law, including:

- Custody and child maintenance
- Distribution of property
- Polygamy
- Divorce
- Marriage
- Wife maintenance

43 articles were published in 2009. In June, SIS conducted an in-house workshop entitled "How to

Write An Utusan Article" to assist staff tasked with writing the articles.

Other legal literacy materials produced by SIS include the SIS Introduction leaflets that are distributed at SIS events, and the Ketahui Hak Anda series, for which a new set of leaflets are currently being produced addressing topics such as Mut'ah (Financial Compensation), Harta Sepencarian (Matrimonial Assets), Jenis-Jenis Perceraian (Types of Divorce) and Nafkah Anak (Child Maintenance).


The Ketahui Hak Anda ("Know Your Rights") series of brochures and leaflets.

## CHAMBERING STUDENTS, INTERNS AND ATTACHMENT STUDENTS

## CHAMBERING STUDENTS

SIS hosts chambering students with the aim of building their theoretical knowledge of Islamic law and Muslim women's rights, providing practical exposure, and building their ability to be empathic and supportive of clients. Chambering students
come to SIS for a 14-week legal aid programme in which they will be trained to assist with Telenisa. Students draft reply emails (which are checked by Legal Officers); take notes and write reports on face-to-face sessions with clients; and handle phone queries.

The programme also includes a training component conducted by the Kuala Lumpur Bar-Legal Aid Center (on human rights, civil and Shari'ah family laws); a workshop organised by SIS, AWAM and WAO; and SIS Shari'ah Advanced Training (to further equip students to handle Shari'ah cases, especially the court procedures and dealing with difficult cases). In 2009, 14 chambering students were trained at SIS.

## INTERNS

Interns look into specific areas and programmes identified by SIS. In 2009, University of Virginia Iaw student Brigitte Silver came to SIS for a two-month internship. Her work assignments included assisting in the compilation of proposed amendments to the Islamic Family Law; assisting with the Polygamy Research project (see pg 26); and assisting with the Mobile Legal Clinic in Klang.

## ATTACHMENT STUDENTS

SIS also regularly welcomes attachment students who come to the office for a quick introduction to SIS. A brief programme is prepared involving discussion of a few Shari'ah cases, followed by role-play of situations given. In 2009 SIS had law students from Universiti Malaya, Taylor's University College, and also Help University College.

## RESEARCH and PUBLICATIONS

The training of enumerators was one of the activities undertaken for the research project on The Impact of Polygamy on The Family in Malaysia. Project head Prof. Norani Othman is seen at the far end of the table, on the right.


The Research and Publications (R\&P) unit undertakes research with the objective of collecting data on SIS issues and to support SIS advocacy work. Publications are produced with the aim of:

- Promoting progressive views and alternative interpretations within Islam that uphold principles of justice, equality and freedom, particularly with regard to women's rights.
- Enriching resources available to academicians, researchers, students and women and human rights activists.
- Documenting and evaluating SIS activities.

In 2009, the Research and
Publications unit:

- Conducted ongoing research on the impact of polygamy on the family in Malaysia.
- Completed a research draft on the Shari'ah Criminal Offences Act.
- Produced newsletters (Baraza! issues IV and V), booklets
(Women as Judges and Are Muslim Men Allowed to

Beat their Wives?), and the SIS Annual Review (2007 and 2008).

- Undertook ongoing activities such as distribution, inventory, and promotional activities for publications.
- Coordinated the SIS response to the banning of SIS' book by the Home Ministry in 2008. This included the ongoing court case and the campaign against book banning.


## RESEARCH AND PUBLICATIONS

## RESEARCH

The general objectives for research at SIS are to undertake research, especially empirical research, to collect data on SIS issues and to support SIS advocacy work.

There were two research projects in 2009:

- The Impact of Polygamy on the Family in Malaysia (ongoing)
- The Shari'ah Criminal Offences Act


## RESEARCH PROJECT: THE IMPACT OF POLYGAMY ON THE FAMILY IN MALAYSIA

## Background

Polygamy is a social and legal norm in Malaysia; yet it remains a contentious and emotionally-charged issue, with the lived experiences of many women pointing towards injustice. Initiated by SIS in 2004, this pioneering study is the first of its kind in the world.

The objectives are:

- To study the impact of polygamy on the quality of family life, particularly in the areas of family and social relationships, emotional wellbeing, financial situations, and adequacy of available state support.
- To understand the dynamics of polygamous
families, their different experiences, needs and concerns.
- To provide qualitative and quantitative data for advocacy for policy and law reform, influencing public opinion and critiquing official discourse of polygamy.

The five types of respondents are husbands, first wives, second wives, adult children from first marriages, and adult children from second marriages. Geographically, research was conducted in four zones covering Peninsular Malaysia (see map).

The project team is headed by SIS Board Member Prof Norani Othman. The team of lead researchers comprises academics from Universiti Malaya, Universiti Kebangsaan Malaysia and Universiti Sains Malaysia, who are assisted by research officers, research assistants and enumerators. Project management is handled by coordinators and administrators.

Initial work focused on building networks, refining methodological issues, testing and finalising questionnaires, establishing work processes and responsibilities, as well as additional fundraising. By 2007 the project had moved into the second phase, with fieldwork continuing through 2008 and 2009.

The research involves both quantitative and qualitative aspects, with the latter comprising Focus Discussion Groups (FDG) and In-depth Interviews (IDI). FDGs are conducted for each of the five types of respondents.

Workshops are conducted on a monthly basis to discuss progress as well as methodology and fieldwork issues. Presentations are held for the research team, SIS members, staff and selected activists and academics for critical input. Zone activities include training of enumerators.

## The project in 2009

In 2009, the team focused on collecting data, while continuing work on qualitative analysis with the FDGs and IDIs.

By the end of 2009, the research had generated sufficient findings for a set of papers to be presented at the International Malaysian Studies Conference (MSC7) that will be held in early 2010. Abstracts will be submitted in February 2010.

Also in 2009, media reports highlighted the existence of the Global Ikhwan Polygamy Club. While Global Ikhwan is a relevant development with regard to the study of polygamy, the unique form of polygamy as practised by the members diverges significantly from mainstream models assumed in the SIS project; questionnaires answered by Global Ikhwan Polygamy Club members will therefore be analysed separately.

## POLYGAMY RESEARCH IN 2009



Four zones (N, C, E, S) with number of respondents and IDIs in each zone. Total 1,142 respondents. 150 questionnaires were of respondents who are related to polygamous family members (co-siblings, co-wives, etc).

## 1. Project management

Under project management, team members:
a.Completed data collection (questionnaires, FDGs and IDIs) in December, with lead researchers and SIS staff working together to do scoring so the statistician could prepare for data entry.
b.Attended two Global Ikhwan Polygamy Club launches (Sg Petani and Rawang) to observe and canvass for potential respondents.
c. Prepared a media response to articles on the Global Ikhwan Polygamy Club. Prof Norani was interviewed by the New Straits Times for an article which appeared on 20 September.

## 2. Workshops

For workshops, team members:
a. Held two Coordinating Committee meetings, in January and June.
b. Held monthly workshops for research team members, including a scoring exercise, scoring meetings, and an abstract writing workshop with paper writers for MSC7.
c. Finalised abstracts; presented an outline/ summary of papers; standardised questions for IDIs and produced an IDI interview kit.

## 3. Presentations

Presentations conducted in 2009 focused on IDIs with various respondents, as well as topics such as Malay kinship and Islamic marriages; the emotional impact of polygamous marriages; and polygamy in Malaysia and Indonesia.

## 4.Focus Discussion Groups (FDG) and In-Depth Interviews (IDI)

In 2009, 57 IDIs were conducted, of which 28 were transcribed.

## 5. Zone activities

In 2009, eight enumerator training sessions were held, covering all four zones.

## Future plans

The stories collected from the FDGs and IDIs may also be presented in various forms such as short stories, through theatre, film and television, and wayang kulit performances; in this way, the research will impact not only formal discourse, but also popular discourse on polygamy.

There are also plans to share the research findings and analyses with key strategic partners in the region and internationally, and to tap into the Musawah network.
> "This project is not just about women's or men's experiences with polygamy, we want to know about the challenges of living in a polygamous family."

> Prof Norani Othman, Head Researcher, Polygamy Research

## POLYGAMY IN THE NEWS

The Global Ikhwan Polygamy Club was founded by Ashaari Muhamad, leader of the banned AI-Arqam deviant sect. In September the New Straits Times sought the views of Prof Norani Othman for an article on Global Ikhwan (NST, 20 September).

Prof Norani noted that Ashaari appeared to be "re-branding his organisation. The club is the public relations front for the organisation to pursue their activities." Prof Norani also noted that the Club had put the government in a difficult position. "How can the government now oppose a family-based global network, based on an institution of marriage that is accepted by Islamic authorities?"

## RESEARCH PROJECT: THE SHARI'AH CRIMINAL OFFENCES ACT

## Background

In Malaysia, the Shari'ah Criminal Offences Act is the basis for moral policing; its implementers and their motivation need to be mapped. Fatwas have become more and more intrusive and ridiculous (recent fatwas have dealt with tomboys and yoga); the production of fatwas needs to be mapped. The
nexus of power and tension between federal and state religious authorities need to be identified.

This research project is part of a larger book project initiated by the Coalition for Sexual and Bodily Rights in Muslim Societies (CSBR). The book will focus on issues of sexuality. SIS' involvement, which began in 2006, takes the form of conducting research on the Shari'ah Criminal Offences Act (SCOA), with a view towards contributing a chapter to the CSBR book.

The fieldwork for the project comprises two key components:

- Interviews with key informants, including judges, Shari'ah enforcement officers, experts (academicians and researchers working on law reform and policy issues), government leaders, politicians and activists, as well as individuals who have been arrested under the Act.
- Collection and analysis of data regarding moral policing. Data are obtained from court records and other statistics.

The fieldwork has enabled SIS to:

- Gain an understanding of the inner workings of SCOA enforcement and the resources that are being put into the enforcement.
- Have an idea of the extent of moral policing.
- Document the impact of the SCOA on citizens, including marginalised groups.


## The project in 2009

More than 20 interviews were conducted in 2009, bringing the total to 31 interviews. Informants interviewed included judges, those from the Shari'ah community, enforcement officers (part-time), marginalised communities, and individuals who have been arrested.

Statistics were collected from courts in at least four states. Data from enforcement agencies have not been easily available, nor up-to-date.

In 2009 the research team also attended a CSBR workshop in Istanbul, Turkey, and presented a progress report.

Preliminary findings of the research were presented in April at the International Association for the Study of Sexuality, Culture and Society (IASSCS) conference in Hanoi. The title of the working paper presented by Tan Beng Hui was Amar Ma'aruf Nahi Mungkar (Enjoin What is Good, Forbid What is Evil): The Politicisation of Islam and Moral Policing in Malaysia.

The draft chapter was presented to a select audience for comments. The final draft of the chapter was submitted in December.

## PUBLICATIONS

Publications produced in 2009 included:

- Baraza! IV and V newsletters (in progress). Baraza means "to step out, to come out, to stand out, to be prominent, to expose, to show, to excel, to surpass,


SIS publications are promoted at various events.
to compete, to publish, to present." In the early centuries of Islam, a baraza woman was a woman who did not hide her face and did not lower her head; a woman of sound judgment, known for her 'aql (reasoning).

- Women as Judges. This booklet was completed in February and distributed at the Musawah Global Meeting.
- Are Muslim Men Allowed to Beat their Wives? (in progress). This publication is a reworking of an earlier booklet published in 1991.
- SIS Annual Review (2007 and 2008)

With the above publications, the total number of SIS titles to date stands at 26 (books, Q\&A booklets, etc).


Ongoing activities relating to publications included the following:

- Distribution: SIS supplies directly to the Islamic Arts Museum Malaysia bookshop, Silverfish Books, Universiti Malaya Pekanbuku, and Select Books Singapore. External distribution is handled by Gerak Budaya Enterprise.
- Promotion: Booths were set up at the Musawah Global Meeting, KL Alternative Bookfest (KLAB), WISE Conference, Law Awareness week at Inti College and Right to Read Festival.
- Stock-checking was done on a quarterly basis.


## CAMPAIGN AGAINST BOOK BANNING

SIS continued to plan activities to raise public awareness of book banning, and to open up space for debate on freedom of expression and access to knowledge. Past discussions have touched on the history of book banning (including in the Muslim world), as well as the political, social and theological currents underlying this form of censorship, especially in Malaysia.

As in the previous year, SIS' organisation of activities and campaigns against book banning held particular significance for SIS in 2009, in light of the unfolding developments surrounding the 2008 banning of one of SIS' own publications (see next page).

This year SIS organised and participated in:

- 10 May: Reading Lolita in KL in conjunction with the KL Alternative Bookfest (KLAB). The event featured readings of excerpts from books banned in several countries. Readers included Marina Mahathir, Cecil Rajendra, Rahmat Haron, Fahmi Fadzil, Chi Too, Aishah Hassan, Priya K, and Shanon Shah. More than 120 people attended the event.
- 10-11 October: Right to Read Festival. This event comprised many components, including an interactive art exhibition; a children's art workshop; a theatre workshop and performance; a film screening and discussion; DIY T-shirt screening; and a reading corner. SIS took the lead in organising meetings and planning activities with other groups and individuals.


## BANNING OF SIS' PUBLICATION

The year saw the continuation of the court case arising from the 2008 banning of the SIS publication, Muslim Women and the Challenge of Islamic Extremism - Building Bridges Between Southeast Asia and the Middle East. The book is a compilation of essays based on research carried out by renowned international scholars and activists.

The book had already been in circulation for two years when the prohibition order for the book was gazetted in July 2008 on the basis that the book was "prejudicial to public
"For me the book banning was a feeble and futile attempt at controlling the flow of information, and restricting the diversity of opinions within Islam. Feeble because there is absolutely no implementation, and futile because in this day and age you can cross borders to obtain a book, not to mention get it online. Plus, when a book is banned, demand skyrockets."
Masjaliza Hamzah,
$\mathrm{R}_{\&} \mathrm{P}$ Programme Manager
order" (memudaratkan ketenteraman awam). The contents allegedly "tarnished the purity of Islam; propagandised aqidah, rulings and teachings contrary to Ahli Sunnah Wal Jamaah Doctrine; was contrary to fatwa or the opinion of Jumhur Ulama; and caused suspicion and public anxiety."

SIS' request for the ban to be lifted was rejected by the Ketua Setiausaha Dalam Negeri (Secretary General, Ministry of Home Affairs and Internal Security). Among the reasons given were that the book was "inclined towards confusing the Muslim community especially women" and "attempted to interpret statements about Islam according to the opinion of the author herself and it is feared this would confuse the Muslim community especially those who have shallow religious beliefs."

In December 2008, SIS filed for Application for Leave for Judicial Review at the High Court.

In 2009, hearings took place in May, June and July.

Finally, on 25 August, SIS' Application for Leave for Judicial Review over the banned book was granted. According to the judge, SIS had an arguable case and the issues being raised were important as they were
(continued)
related to freedom of speech, equality, freedom of religion, state jurisdiction and the international obligations of Malaysia. Submissions began in October, and continued to December.

SIS' lawyers submitted that the ban was illegal, irrational and inconsistent with the Federal Constitution. Furthermore, there was a legitimate expectation on the part of the authors that the government would abide by international human rights norms as per its voluntary pledge prior to Malaysia's election to the Human Rights Council.

The Senior Federal Counsel (SFC) submitted that the law conferred discretionary power on the Home Minister to ban a book if he found it to be prejudicial to public order; the Minister, therefore, had exercised his power according to the law. The seven pages which contravened Department of Islamic Development Malaysia (JAKIM) guidelines on Censoring Islamic Publications were likely to be prejudicial to public order; for the Court to decide on the matter suggested that the Court had stepped into the shoes of the Home Minister.

The SFC also submitted that members of the public with little knowledge of Islam could not discuss matters affecting Muslim
faith and ideology; he argued that the writers were trying to interpret Islamic laws according to their own understanding. SIS' lawyers argued that the writers only expressed their views on the administration of Islam and not doctrine.

At the 21 December hearing, the High Court fixed 25 January 2010 for a decision on the application by SIS to lift the Home Ministry's ban on its book.
[Note: on 25 January 2010, High Court judge Justice Mohamad Ariff Md Yusof ruled that the book was not a threat to public order. Says SIS Executive Director Dr Hamidah Marican: "We got our book unbanned! That is pretty significant for an NGO."]


## PUBLIC EDUCATION and <br> COMMUNICATIONS



Scholars, journalists, professionals, artists, activists, government officials, religious leaders, citizens - we are all stakeholders in advocating justice and equality for women in Islam. The objective of the Public Education and Communications (PEC) unit is not just to provide useful and timely information to all segments of the general public. It is also to create platforms for SIS to meaningfully engage with stakeholders, and for stakeholders to engage with each other.

Four key areas of focus are:

- Public education, including activities such as study visits, study sessions, meetings and workshops.
- Media relations.
- Website.
- Resource Centre.

[^0]- Carried out a Public Education programme comprising:
- two study visits, to the UK and to Indonesia
- six study sessions
- one key meeting, with Perlis Mufti Dr Juanda Jaya on Conversion and Islamic Family Law Issues in Malaysia three workshops
a two-week Short Course on Understanding Islam from a Rights Perspective for participants from 17 countries
- Undertook extensive media relations work for the Musawah Global Meeting in February, resulting in 80 articles on Musawah in the media.
- Undertook crisis media relations with regard to key events in 2009, namely the SIS book banning issue, the PAS resolution to ban SIS, and the Kartika caning case.
- Continued to maintain the SIS website as an important tool in reaching out to the public.
- Operated the SIS Resource Centre, including acquiring 200 new publications.


## PUBLIC EDUCATION AND COMMUNICATIONS

## PUBLIC EDUCATION

With regard to the 2009 Public Education programme, less attention was spent on building the capacities of other high-leverage groups. Instead, PEC concentrated on Muslim women, Gabungan Hak Wanita Islam (GAHWI) members, artists, activists and a selection of media practitioners.

The Public Education programme reaches out to Muslim and non-Muslim men and women who wish to engage on issues of current interest such as women's rights in Islam, the Islamic state, freedom of religion and the Constitution.

For targeted activities, individuals selected to participate are those whom SIS feels are able to influence and effect change. In 2009 a total of 275 participants took part in the Public Education programme.

## STUDY VISITS

Study visits expose participants to the diversity of thought and culture overseas to enable them to spread the progressive and gender-just message locally. In 2009 SIS organised two study visits:

- UK Study Visit (26 February-6 March): this visit enabled participants to establish relationships with Shari'ah practitioners and relevant government departments in the UK.
- Indonesia Study Visit (1-7 November): participants were given the opportunity to establish ties with NGO activists, religious leaders and key community leaders in Indonesia. Participants comprised journalists, activists and artists.


The Indonesia Study Visit took place from 1-7
November.

## STUDY SESSIONS

Study sessions provide a platform for all to engage with issues that impact our daily lives. Relevant experts are invited to talk on specific topics and a one-hour O\&A session is allocated for participants to engage in a lively discussion with the speaker. In 2009 the following study sessions were conducted:

- Women Scholars in Islam - Dr Muhammad Akram Nadwi
- Maqasid Shari'ah in Relation with Women Issues - Dr Maqsith Ghazali \& Kiyai Maman Imanulhaq
- Relationship Between Changing Demographics and Policies in Malaysia - Dr Puzziawati A B Ghani
- Islamic Ethics, Gender and Sufism - Dr Saadiyya Shaikh
- Trends in Islamic Family Law Amendments Dr Nik Noriani
- Administration of Islamic Law in Malaysia Saadiah Din


## MEETINGS

Meetings are held to solidify partnerships with high-level government officials and key community leaders. In 2009 SIS held a meeting with Perlis Mufti Dr Juanda Jaya on Conversion and Islamic Family Law Issues in Malaysia (21 August).

## WORKSHOPS

Workshops are targeted at building participants' capacity in specific areas, as well as providing a space for networking.

PEC underwent a period of transition mid-year, with some changes in key personnel. Three out of the proposed eight workshops took place in 2009. They were:

- Musawah Global Meeting follow-up (31 March): this meeting was held to further develop partnerships established at the Musawah Global Meeting in February, and to enable participants to discuss next steps.
- Know Your Rights: Women's Rights in Islamic Law (31 May)
- Artists and Activists - Towards a Just Society (1-3 October)


## SHORT COURSES

The objective of the two-week Short Course on Understanding Islam from a Rights Perspective (3-16 August, Cyberjaya) was to help participants understand the dynamic interaction between the Qur'an and Shari'ah and the rights framework.

SIS had conducted this course once before, in Bellagio, Italy in 2006. For 2009, SIS was keen to introduce to the Musawah Global Meeting participants to the progressive scholarship that had been taking place in various countries, while at the same time providing scholars with the chance to share their insights (see next page).

Resource persons included Professor Amina Wadud (United States) and Dr. Nur Rofiah (Indonesia) who led the sessions related to the Qur'an. The sessions on hadith and the construction of fiqh were led by

Professor Khalid Masud (Pakistan), Professor Ziba Mir-Hosseini (Iran/United Kingdom) and Faqihuddin Abdul Kodir (Indonesia).

A total of 24 participants from 17 countries attended the course. The course was very wellreceived, and plans are underway to offer a Training of Trainers so that the course can be conducted in other countries and languages.

## COMMUNICATIONS

## MEDIA RELATIONS

In the effort to inform and educate the public, the media is an essential ally. PEC handles media relations on behalf of SIS by issuing press statements and arranging interviews and article
placements. PEC also engages with the media by organising media visits and workshops addressing the unique needs of journalists.

In 2009 SIS continued to engage with local and international media. Locally, SIS focused on stepping up efforts to build a good working relationship with the Malay-language media. Internationally, the extensive media work undertaken for the Musawah Global Meeting resulted in significant coverage. A total of 80 articles were published relating to Musawah.

Also in 2009, SIS' involvement in high-profile cases and events (the Kartika case, the banning of SIS' book, PAS' resolution to ban SIS) generated a tremendous amount of media coverage.

## SHORT COURSE ON UNDERSTANDING ISLAM FROM A RIGHTS PERSPECTIVE

Topics covered included:

- the science and methodology of the texts (Qur'an and Hadith)
- the construction of Fiqh in the formative period of Islam and the construction of gender in Islamic legal thought
- juristic principles on tools for law reform
- Islam beyond patriarchy: the Tauhidic paradigm for reform and women's ways of knowing
- current research on the concepts of qiwamah (authority) and wilayah (guardianship)
- the use of one of the juristic principles for law reform in the twenty-first century (maqasid al-Shari'ah or objectives of the Shari'ah).

In total there were 15 press statements, 30 interviews, eight television appearances, six radio contributions and six columns on Islamic Family Law published in The Nut Graph.

SIS will continue to play a dual role: assisting the media in identifying writers and scholars who are interested in contributing articles for public education, and assisting the writers by providing input and suggestions on shaping articles.

In light of the large number of media requests received by SIS, PEC will also work on formulating a media strategy for responding to the media in a systematic and strategic manner.

## WEBSITE

In 2009 the SIS website continued to play an important role in enabling SIS to reach the general public, so much so that technical problems arose on several occasions due to heavy traffic.

In 2009 the SIS website was hacked three times, resulting in the database being "erased" by hackers.

In its efforts to ensure that SIS materials are available online and in an easy-to-use manner, the website team will pay particular attention to the needs of Malay-speaking Muslim women. Work on a new website design started in December. Opportunities with Facebook, Twitter and blogs will also be explored.

## RESOURCE CENTRE

The Resource Centre at SIS currently holds 4,200 items, mostly books. Some were purchased by SIS while others were received from various organisations.

Efforts this year were focused on meeting challenges such as limited storage space, and lack of personnel to catalogue new acquisitions and monitor items loaned and returned. Approximately 200 new publications were acquired in 2009.

## OTHER ACTIVITIES

In 2009 PEC also assisted in the coordination of the Islamic Family Law (IFL) Training for Gabungan Hak Wanita Islam (GAHWI) members in October.

> "We select individuals who can influence and effect change." Norhayati Kaprawi, PeC Programme Manager, on participants selected for study visits, study sessions and workshops

## OPERATIONS

Registration at the launch of Musawah in February 2009.


The objectives of the Operations unit are to:

- Provide efficient operational support to SIS, with the smooth running of the office as a priority.
- Optimise staff capacity, and maintain a work environment that allows SIS to attract and retain the best staff.
- Manage SIS finances and fundraising with a view to ensuring sustainability of the organisation and its programmes.

In 2009, the Operations unit:

- Provided operational and logistical support for major SIS activities and events, the largest of which was the fiveday Musawah Global Meeting (February).
- Managed the organisation's finances to ensure sustainability, and to ensure funders' requirements are met.
- Managed the administration of the organisation and all its human resource requirements during a period of transition which saw SIS welcoming its new Executive Director.
- Organised SIS Buka Puasa (Breaking of Fast) and SIS Hari Raya Open House.
- Organised the 2009 Evaluation and Planning Meeting (October, Cyberjaya).
- Organised SIS Appreciation Night post-Musawah.


## OPERATIONAL AND LOGISTICAL SUPPORT FOR SIS PROGRAMMES

The Operations unit in 2009 provided full operational support for SIS activities including organising meetings, dinners and other activities for:

- Musawah (Global Meeting in February and Short Course in August)
- the KL Alternative Book Fair (May)
- JAG Evaluation \& Planning Meeting (September)
- Islamic Family Law Workshop for Gabungan Hak Wanita Islam (GAWHI) (October)
- Campaign Against Book Banning at The Annexe Gallery (October)
- Launch of SIS booklet Are Muslim Men Allowed to Beat their Wives? (December)

In addition to the above and various other initiatives mentioned in this Review, the Operations unit organised the following in 2009:

- SIS Appreciation Night post-Musawah (22 February)
- Tahlil for Arwah Zaitun Kasim, SIS training consultant (4 June)
- Arwah Zaitun Kasim, SIS training consultant Memorial (24 June)
- Farewell and Welcome Dinner for departing and new staff (8 July)
- SIS Buka Puasa (8 September)
- SIS Hari Raya Open House (2 October)
- Doa Selamat for SIS members Datin Rose Ismail and Nori Tun Abdullah before they performed their Hajj (23 October)

STAFFING THE ORGANISATION


- Farewell and Staff Appreciation Lunch with SIS members (24 December)


## ADMINISTRATION AND HUMAN RESOURCES

In 2009 three employees resigned. Six new individuals joined SIS, including Executive Director Dr Hamidah Marican. Other staff members recruited in 2009 were two Programme Managers, one Programme Assistant, one Accounts Assistant and one Project Coordinator.

The Operations unit conducted nine yearly appraisals and 11 mid-term appraisals. The unit also managed the employment of several temporary, part-time and contract staff, and two interns.

## EXTENDING THE ORGANISATION



SIS members are accepted based on demanding membership criteria: new members have to be recommended, and each member is expected to make a significant contribution to the organisation and its activities.

Associate members are gender-sensitive men who play an important role in support of SIS work.

Friends of SIS (FOSIS) are for people who are supportive of SIS work and want to be part of SIS, but do not fulfil the criteria for SIS membership or do not have time to be members. They include Muslims and non-Muslims, men and women. They receive the newsletter and are invited to study sessions and other activities.

## STAFF DEVELOPMENT AND WELLNESS PROGRAMMES

In 2009 staff development and wellness programmes were organised on a regular basis to create and maintain optimal work conditions, and to provide avenues for staff to acquire and hone their skills.

Some activities, like the Nasi Bungkus Lunch (held during lunch hours), enable staff to get together to informally discuss topics of interest, report on events they have attended, and share information and ideas. The NBL also helps staff build confidence in public speaking and presentation.

Other activities, like yoga classes (held on Fridays), are intended to promote wellness and physical wellbeing of staff, and to ensure they are able to successfully manage stress. Staff team building activities and a conflict management workshop were also held.

The unit also organised English classes (held on Wednesdays) and many of the targeted workshops and training sessions mentioned under other units' activities.

Throughout 2009 SIS staff were given the opportunity to attend seminars, conferences and training events (within and outside SIS) to build skills and acquire new knowledge in key areas (such as financial management and personal development). They were also encouraged to make use of those events to strengthen networks.

## SCHOLARSHIPS AND STUDY LOANS

In 2009 two staff members were awarded loans and scholarships to further their diploma studies in Shari'ah.

## GOVERNANCE

SIS is governed by a Board comprising five members. In 2009 Rozana Isa resigned from the Board, while Datin Paduka Marina Mahathir was elected as a Board member at an EGM held in November. In 2009 the Board met four times.

The Board made several key decisions. One of these was the hiring of a new Executive Director; two Board members were assigned to touch base with the new Executive Director on a regular basis to provide support during the transition period. A working group for strategic planning, chaired by Board member Rashidah Abdullah, was also set up in 2009. The Finance Committee had numerous meetings in 2009 including one formal meeting prior to the yearly audit.

## EVALUATION AND PLANNING MEETING 2009

The annual Evaluation and Planning (E\&P) Meeting allows participants to reflect on where SIS has been, where it is, and where it is going. The 2009 meeting (21-22 November, Cyberjaya) was particularly significant given that SIS was undergoing "a transition period of growing from a small, committed group to a larger group with more staff, more work, more impact, and greater responsibilities and roles for everyone involved." (E\&P Meeting Report)

Participants were presented with unit reports, which served as the basis for extensive brainstorming and planning for 2010. The Board of Directors presented a report, as did Executive Director Dr Hamidah Marican. The programme also included discussions, exercises and games (led by facilitators Patricia Nunis and Hediyati Hasbullah). Key decisions were made with regard to the way forward for SIS. These decisions were written on a piece of mahjong paper, then symbolically passed from Zainah Anwar (the former SIS Executive Director), via Maria Chin Abdullah (SIS Senior Manager with some acting duties as Executive Director and event coordinator for Musawah from 1 December 2008 to 30 June 2009), to Dr Hamidah Marican.

## RASHIDAH HASHIM

SIS Operations Manager Rashidah Hashim was a General Manager overseeing 200 employees at a printing and packaging company, and then a management consultant in the oil and gas industry, before she decided to enter the NGO world.

What kind of individuals do you look for? "Individuals who are passionate about the issues we're taking on. At NGOs, you don't come for the money. Also, you need a lot of patience. We have found that it is essential, whenever we interview candidates, to ask them whether their families are aware that they have applied to join SIS, and whether they are aware of the issues and the controversies."

How did the staff manage the events of 2009? "When we are faced with controversies, we ask staff about their family members' reactions. We're even willing to meet with the family members. The support system at SIS is strong, and has been built over the years. We work not only as a team, but as a family. Being senior management, you have to put your energies into being strong for the younger ones."

What about funding? "Thank God, for the last six years, we've seen the same funders coming back. They know our work, and they like what we do."

How do other staff members see you? "I am the policewoman. But I am also the one who convinces the Executive Director and Board to agree to better staff benefits." (As a regular member of SIS crisis management teams, Rashidah has also been to actual police stations to make actual police reports.)

Other decisions were made relating to the setting up of a conflict management procedure; the SIS Code of Ethics; the appointment of a PEC Communications Officer; fees for workshops and training sessions organised by SIS; and the SIS website.

As with previous years, policies were introduced to enhance staff work conditions, entitlements, and financial and operational procedures. Following the events and controversies of the year, security measures were implemented to ensure staff safety;
the Board approved the installation of a CCTV and intercom system at the office premises, and made the decision to keep the outside gate closed.

FINANCE AND FUNDRAISING

The Operations unit is accountable to the SIS Board, members, funders and donors. Funders are organisations or foundations that finance a part or all of a project's cost as a grant, while donors are individuals, foundations or organisations that give funds as charitable contributions.

The objectives of finance and fundraising are to:

- ensure the sustainability of the organisation
- ensure efficient use of resources to achieve SIS objectives and commitments to funders and donors
- maintain regular donors who support SIS work, as well as identify potential donors
- ensure fundraising projects continue for the sustainability of the organisation


## INCOME, FUNDERS AND DONORS

For the financial year ending 31 December 2009, foreign grants received by SIS amounted to RM2,414,379, a 37.9\% increase over foreign grants received in 2008. Funds received from Malaysian citizens, corporations and foundations in 2009 amounted to RM1,078,718, a 35.3\% increase compared to local donations received in 2008.

## EXPENSES

SIS' total expenses in 2009 amounted to RM3,400,218, an increase of $79.9 \%$ compared to expenses in 2008. There was a $96.2 \%$ increase in programme funding, due to the Musawah Global Meeting in Kuala Lumpur, a two-week Short Course on Understanding Islam from a Rights Perspective, and the increase in SIS Public Education programmes.

The Musawah Global Meeting also provided an opportunity for the Operations unit to gain experience in managing a project of such magnitude, operationally and financially. Tasks

## HIGHLIGHTS <br> (FINANCIAL YEAR ENDING 31 DEC 2009) INCOME Total RM3,501,397

Some income also came from individuals (RM2,050) and publications (RM8,300)



## FUNDERS Total RM3,493,097

Major funders include: Oxfam Novib, The Ford Foundation, Friedrich Naumann Foundation, The Sigrid Rausing Trust, The Global Fund for Women, HIVOS, and Lee Foundation.

69\%
International Funders
RM2,414,379

such as disbursement of funds and claims were handled for a large group of participants, in multiple currencies.

In terms of expenses, the court cases involving the Kartika case and the banning of SIS' publication utilised considerable financial resources.

Office premises are currently rented; a key financial goal for SIS is to build up sufficient reserve/ unrestricted funds to purchase property in order to permanently house the SIS office.

## DR HAMIDAH MARICAN

In 2008 Dr Hamidah Marican was the Asia Region Manager for Diversity and Inclusion at an international oil and gas company. It was at that point that she decided to leave behind her long career in the corporate sector. She joined SIS on a part-time basis in 2009. In July she began working fulltime as SIS' new Executive Director. Shortly after, the Kartika case exploded. It was, Hamidah said, "the deep end."

What keeps SIS going? "You are driven by conviction, and your belief that this is the right thing to do. You have to believe, 'If I do not act, I am really doing a disservice to myself and the community out there.'"

What are the personal challenges? "Having to get comfortable with situations that I never thought I would ever have been in. Another challenge is to make sure my 17-year old daughter understands, and hears about it from me first."

Where is SIS at the moment? "It has been about transitions, life cycles, new beginnings. We are looking at reorganising ourselves, meeting new challenges in the context of the growing conservatism, and the mushrooming of Muslim pressure groups that are really trying to take the conservative path, and what I see as attempts to Talibanise Malaysia."

How do you lead? "My style is a very open one. I believe in eliciting views on issues and challenges, and coming together to make a decision, recognising that we can agree to disagree. Participatory-I want my management team to be part of the decision making process. Sometimes people are not used to this, the fact that you can be part of it."

## GETTING INVOLVED

SIS is a constant hive of activity. We strive to provide a bright and cheerful volunteer environment, and welcome those who share our vision and commitment to make this world a better place, in big and small ways. Volunteers help to accompany SIS clients to court, monitor court proceedings, assist at SIS campaigns and outreach activities, and catalogue books and newspaper clippings.

If you have the right experience or a willing spirit, we welcome your help in research, writing, editing, filing, cataloguing, fundraising, legal advice, website management, and public outreach events. If you just want to show your support for SIS and its work, become a Friend of SIS (FOSIS) for just RM50 a year.

Call our Operations Manager Rashidah Hashim at 03-7785 6121, drop by our office at 7, Jalan 6/10, off Jalan Gasing, Petaling Jaya, or email us at sistersinislam@pd.jaring.my

Our volunteer and FOSIS forms are also available on our website (www.sistersinislam.org.my)

## ACKNOWLEDGEMENTS

## Contributors

Zainah Anwar, Rashidah Abdullah, Norani Othman, Jamilah Ibrahim, Maria Chin Abdullah, Norhayati Kaprawi, Masjaliza Hamzah, Hamidah Marican, Rashidah Hashim, Rozana Isa, Ratna Osman, Syarifatul Adibah Mohammad Jodi, and other SIS staff for their help

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Salt Media Consultancy Sdn Bhd

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Nets Printwork Sdn Bhd

Funders
Friends of Sisters in Islam

## THE SIS ORGANISATION IN 2009

## Board of Directors

Zainah Anwar, Prof. Norani Othman, Puan Sri Jamilah Ibrahim, Rashidah Abdullah, Rozana Mohd. Isa (until Sept 2009) and Datin Paduka Marina Mahathir (effective Dec 2009)

Executive Director
Dr. Hamidah Marican (effective July 2009)

## Managers

Rashidah Hashim (Operations Manager), Norhayati Kaprawi (Programme Manager, Public Education \& Communications; July 2009 - replaced by Mas Elati Samani), Masjaliza Hamzah (Programme Manager, Research \& Publications), Ratna Osman (Programme Manager, Advocacy, Legal Services \& Reform; effective May 2009)

Officers<br>Hartini Abdullah (Senior Accounts Officer), Syarifatul Adibah Mohammad Jodi (Senior Programme Officer, Research \& Publications), Nazreen Nizam (Legal Officer, ALSR), Aireen Suryana Arbai (Admin Officer), Azareena Abd. Aziz (Programme Officer, Public Education \& Communications), Nur Azrine Abd. Razak (Junior Programme Officer, ALSR), Sufiah Mansurdin (Junior Programme Officer, ALSR)

Programme Assistants
Noorulhuda Mohd. Noor (Programme Assistant, Public Education \& Communications), Nur Izzati Abdullah Suhimi (Accounts Assistant), Nur Syuhada Sible (Programme Assistant, Research \& Publications)

Project / Part Time Staff
Maria Chin Abdullah (Senior Programme Manager; until July 2009), Zainah Anwar (Project Director, Musawah), Rozana Mohd. Isa (Project Coordinator, Musawah), Nafhatun Athirah Mohamed Azri (Programme Assistant, Public Education \& Communications), Hadil El-Khouly (Programme Officer, Musawah)
"Ups and downs, come what may, we're here to stay. We will prevail. What drives most of us is the deep belief in our faith. That God is just, Islam is just, and therefore the laws that we have should be embodying and living that spirit of fairness and justness."

Dr Hamidah Marican, Executive Director

"Nothing is more powerful than an idea whose time has come. We are here because we believe that there is hope and possibility to reconcile the teachings of Islam with human rights, with women's rights, with democracy... values that make up the dominant ethical paradigm of the world we live in today."

Zainah Anwar, Project Director, Musawah


[^0]:    In 2009, the PEC unit:

