

‘The essence of Islam is peace, justice, and compassion and the work of Sisters In Islam is a truly consistent, courageous and magnificent manifestation of that essence.’

Anwar Fazal

Recipient of the Right Livelihood Award, popularly known as the ‘Alternative’ Nobel Prize.

The SIS Story

1 *The Story of Sisters In Islam*

It began with a question: If God is just—if Islam is just—why do laws and policies made in the name of Islam create injustice? This was the burning question faced by the founding members of Sisters In Islam (SIS) when they began their search for solutions to the problem of discrimination against Muslim women in the name of Islam.

The group first assembled in 1987 within the Association of Women Lawyers (AWL) when several women lawyers and their friends came together under the Association's Syariah subcommittee to study problems associated with the implementation of new Islamic Family Laws that had been legislated in 1984, and enforced in 1987. The group was composed of lawyers, academics, journalists, analysts, and activists, and many women had confided in them their marital problems and the difficulties they faced when seeking legal redress from religious authorities. These early meetings focused on problems with the law and its implementation, and the solutions needed to remedy shortcomings within the system.

The group held its first meetings in the living room of a house shared by Zainah Anwar, a former journalist and senior analyst, and Noor

Farida Ariffin, then President of AWL and Legal Advisor to the Economic Planning Unit in the Prime Minister's Department.

The group's first initiative was to organise a workshop in 1988 involving the National Council of Women's Organisations, the Federal Government's Women's Affairs Division, and the Islamic Centre (Pusat Islam) of the Prime Minister's Department. The workshop sought to alert the authorities to the problems women faced with the implementation of the new Family Laws, and to recommend substantive legal and procedural reform to ensure that Muslim women's rights were upheld under the law.

Reading it for Themselves

Law reform, however important, was only the beginning of the journey. Many within the group felt that dealing with the law alone was insufficient, especially in view of the fact that Islam was being increasingly referred to as a source of injustice and oppression. Women complained that they suffered in silence. They believed that Islam demanded their complete obedience to husbands, even when the men deserved no such consideration. They were told

repeatedly in religious lectures and sermons — at private homes, over radio and television, at mosques and in the courts — that men were superior to women, that the evidence of two women equalled that of one man; that the husband had the right to beat his wife or to take a second wife; and that the only place for a disobedient wife in the hereafter was hell.

The nature of these early meetings thus began to change: some within the group felt the

in 1985, had encountered opposition from representatives of Pusat Islam who asserted that domestic violence laws could not apply to Muslims at all. A Muslim man, they claimed, had the divine right to beat his wife, and no human law could deny him that right.

Those supporting the rights of men sought justification for their views in the Qur'anic verse on *nushuz*, commonly interpreted as 'disobedience'. As stated in *Surah An-Nisa*, 4:34:



SIS her historic moment in 1991: The public launch of Sisters in Islam by Minister in charge of Women, Datuk Napsiah Omar. SIS founding members, from left (front row): Sharifah Zuriah Aljeffri, Dr Amina Wadud, Askiah Adam, Zainah Anwar, Rose Ismail. Back row: Rashidah Abdullah, Salbiah Ahmad, Prof Norani Othman.

urgent need to re-read the Qur'an to discover if the Text truly supported the oppression and ill-treatment of women. The need for Textual considerations was urgent, for women's groups that had been urging the Government to make domestic violence a crime now faced the problem of dealing separately with how the law applied to Muslims. For example, the Joint Action Group against Violence Against Women (JAG), formed

'... As for those from whom you fear *nushuz*, admonish them, then banish them to beds apart and "strike" them.' As Muslims brought up to believe in a just God and a just Islam, it was difficult for women to believe that God could sanction injustice, oppression, and violence towards them. In view of these Scriptural claims, the need to turn back to the Text had become imperative.

By this time, membership of the group had also evolved. Only three of the original group remained, while the AWL President, Noor Farida, had gone on to head the Gender Unit of the Commonwealth Secretariat in London. New members continued to meet in Zainah's living room, and by 1989 these eight women formed the core of what was to become Sisters In Islam:

- Amina Wadud, a teacher of Qur'anic Studies at the International Islamic University who would go on to publish her pioneering work *Qur'an and Woman: Rereading the Sacred Text from a Woman's Perspective*¹
- Askiah Adam, an analyst at the Institute of Strategic and International Studies (ISIS) Malaysia
- Norani Othman, a sociologist at the Universiti Kebangsaan Malaysia (the National University of Malaysia)
- Rashidah Abdullah, a senior programme officer in the gender and development programme at the Asian and Pacific Development Centre (APDC)
- Rose Ismail, a journalist at the *New Straits Times*
- Salbiah Ahmad, a law lecturer at the International Islamic University
- Sharifah Zuriah Aljeffri, cultural affairs adviser at the US Embassy, and artist

- Zainah Anwar, a senior analyst at ISIS Malaysia.

The concentration of the group thus grew from a focus on law reform to encompass broader considerations of Islamic law. The group, now meeting weekly, began to study the Qur'an closely, looking afresh at the verses used as a source of laws discriminating against women.² The group's area of study included those sections of the Text used to justify domestic violence, polygamy, women's unquestioning obedience to men, the inferior position of women as witnesses, and gender inequality in general.

Through methodological foundations grounded in *Iqra'* ('Read', the first word revealed to Prophet Muhammad *saw*), the group's Textual studies opened up a world of Islam that was based on the principles of mercy, equality, justice, and love. It became patently clear that it was not Islam that oppressed women, but male-centred interpretations of the Qur'an influenced by cultural practices and values of a patriarchal society. Throughout much of Islam's history, the realities, voices, and experiences of women have been largely silent—and silenced—in the reading and interpretation of the Text. This human silence, the group believed, had been erroneously interpreted as the silence of the Qur'an.

² Norani Othman, Rashidah Abdullah, Rose Ismail, Sharifah Zuriah, and Zainah Anwar are active members of SIS today. Amina Wadud and Askiah Adam remain involved and committed to SIS as supporters.

¹ Amina Wadud, *Qur'an and Woman*. Penerbit Fajar Bakti, Kuala Lumpur, 1992.

Through the expertise of *mufasssirah* (an expert in *tafsir*, 'interpretation') Amina Wadud, the group engaged actively in a model of Qur'anic hermeneutics that examined the socio-historical context of Revelation as a whole, and that of particular Qur'anic verses. The group examined the language of the Text and its syntactical and grammatical structure, and it looked at the Text as a whole to understand its worldview. This combined methodology allowed an exciting interface to emerge between theology and interpretation on one hand, and daily realities of Muslim women within the contemporary socio-legal context on the other.

For example, through its studies the group discovered that the verse on polygamy explicitly stated that '... if you fear you shall not be able to deal justly with women, then marry only one'. It was clear that as long as interpretation, and thus control, of the Text remained exclusively within the domain of men, focus would remain principally on the verse's permission to 'marry up to four'—a phrase in which men see the word of God as validation of male desire and experience. To women, however, the Text clearly addressed their fears of injustice. The right to polygamous marriage was conditional, according to the Qur'an, because the verse goes on to assert that marrying only one wife '... will be best for you to prevent you from doing injustice'.

Similarly, the group also found that the dominant interpretation of Verse 4:34 (as one that justified

domestic violence) was inconsistent with the overall Qur'anic ethos of justice and compassion, and that there were other equally valid interpretations of 4:34 that were not premised on the permission of domestic violence.

Basis for Action

Empowered by their knowledge, the women were compelled to share their findings with the public in an effort to break the dominant belief that Islam discriminated against women. A prime opportunity arose in 1990 when, in the case of *Aishah Abdul Rauf v. Wan Mohd Yusof Wan Othman*, the Selangor Syariah Appeals Court decided that the husband did not have the right to take a second wife as he had not fulfilled the four conditions under Islamic Family Law that sought to ensure that justice would be done.

The judgment—and the ensuing debate on the right of men to enter polygamous relations—encouraged SIS to write letters to the editors of all the major newspapers as a strategy for an alternative voice to be heard in the public space. Searching for a name, the group chose to sign their first letters as 'Daughters of Islam', naming themselves after a group they met at a women's meeting on 'Reading the Qur'an for Ourselves' in Karachi, Pakistan. Their letter was published the next day in the English-language daily, *The Star*, to immediate enthusiastic response. So groundbreaking were the group's views that a rival English-language daily, the *New Straits Times*,



Strengthened by public support, SIS adopted another strategy to influence public policy: it began submitting memoranda to the Government on law reform. It sent its first memorandum in 1993 to then Prime Minister Datuk Seri Dr Mahathir Mohamad, and argued against the proposed Kelantan Syariah Criminal Code (the so-called '*Hudud* law'). The memorandum detailed

the draconian nature of the proposed criminal penalties, as well as systemic discrimination against women presenting arguments from religious, legal, and socio-historical perspectives. It also provided empirical evidence of injustice and gender discrimination in Muslim countries where similar criminal laws were in place. In 1994, SIS submitted its second memorandum to the Government on the Domestic Violence Act, arguing on religious and legal grounds that Muslims should not be excluded from the jurisdiction of the proposed law.

The Larger Context

From the beginning, SIS has recognised the importance of engaging the larger issues of nation-building, governance, Islamisation, and the challenge of change and modernity. In 1992, SIS organised its first national conference on ‘The Modern Nation State and Islam’, thus expanding its tradition of learning and engagement with the Islamic tradition, and beginning a deeply rewarding collaboration with international scholars of Islam on issues of contemporary relevance to the *ummah*. It also began to take weekly lessons on the Qur’an and Islamic law and social change and modernity from the renowned Egyptian reformist scholar, Dr Fathi Osman, who was then a visiting professor at the Law Faculty of the International Islamic University for two semesters in 1993 and 1994.

By the end of the 1990s, SIS activism expanded to include even broader non-sectarian issues such as upholding democratic principles and the fundamental liberties guaranteed by the Federal Constitution, as well as urging the observance of human rights principles and international treaties and conventions signed by the Malaysian Government. SIS then began to take public positions on freedom of religion and expression—positions of critical importance in the face of attempts to prosecute Muslims attempting to leave Islam, and efforts to silence differing opinions in Islam.

Underlying these activities was the firm belief that, as a concerned group working towards a better society, SIS could not isolate itself from the larger human rights and democratic movements in the country. A movement for gender justice must necessarily be a part of the larger human rights movement, and viceversa. The protection and expansion of the democratic space enabling a civil society to thrive—and upholding the fundamental liberties of the Malaysian Constitution—are the responsibilities of all citizens, for it is precisely these liberties that have enabled groups like SIS to exist.

For the first 11 years of its existence, the members of SIS have worked on all the group’s projects without pay, offices, or support staff. Love, passion, and emotional and financial support from family and friends sustained the eight members through their activities and

publications. But as Islam and politics continued to impact on the lives of Muslims and peoples of other faiths throughout the world, the demand for SIS’s work and the SIS voice of reason and compassion also grew steadily. By 1998, SIS finally established an office with permanent staff. Two founding members became co-directors: Zainah Anwar and Sharifah Zuriah Aljeffri.

Continuing Expansion

From a focus on research and advocacy, SIS began to expand into public education. In 2000, it began work on a training module on women’s rights in Islam and revived its original study sessions. The impetus came from the expansion of SIS membership to include younger women, many of whom were fresh graduates who had just begun their professional careers. At the same time, more and more people, Muslims and those of other faiths—both men and women—had become interested in the SIS voice for change.

These study sessions, which in the first year of their revival were open only to Muslim women, soon welcomed everyone—men and women, Muslim and those of other faiths alike. SIS also began conducting two-day training programmes on women’s rights in Islam that would reach wider audiences and build a public constituency to support the Islam of justice and equality that SIS stands for.

Further expansion took place in 2003 when SIS established its service arm: a legal clinic offering

legal counselling via email, fax, letters, telephone and face-to-face meetings. By the end of 2006, the clinic has served 1,768 clients.

The demand of SIS work at the international level has grown phenomenally. SIS is at the forefront of a growing international movement seeking to develop an understanding of Islam as a religion of justice and equality in the modern world. As women have been the first and the most affected by the rise of political Islam in their own communities, it is no surprise that in many Muslim countries women’s groups are organising and networking at the international level to build support, and to share knowledge and strategies to develop a more egalitarian and just vision of Islam.

Today, SIS continues to evolve at a pace that sees it growing ever stronger. The group now admits male associate members, and has organised supporters and volunteers into the Friends of SIS (FOSIS). SIS works with many more supportive men today, including scholars, muftis, and judges, and its list of local donors grows longer—with donations growing larger. SIS has moved into a larger office in a leafy old neighbourhood in Petaling Jaya and has 12 full-time staff, several part-time and project staff, and involves academics from local universities in its research projects.

From just one letter written by eight women who made the effort to study their religion

for themselves, SIS is now one of the main advocates of justice and equality in Islam—not only in Malaysia but throughout the world. For Muslims and citizens affected by unjust Muslim laws and the rise of conservatism and extremism in their societies, SIS has successfully created a public voice and a public space that enable Muslims to engage with their faith in the struggle for justice, human rights, and democracy in the twenty-first century.



SIS first Question & Answer booklets on equality and domestic violence launched by Datuk Napsiah Omar in 1991. Note the Bahasa Malaysia name 'Puteri Islam' used in the early years.

‘SIS has provided me with a deeper understanding of Islam as a religion of compassion, justice, and fairness. It has also demonstrated that the faith is one that respects diversity and difference. Because of its workshops, conferences, advocacy, and research that have been inclusive of Muslims and non-Muslims, I have been empowered, as a journalist, to ask questions about and write on Islam in ways that reflect the religion’s true spirit.’

Jacqueline Ann Surin
Award-winning journalist and columnist

Research

2 Research

When the SIS founding members were confronted with practices of Islam that discriminated against women, the choice before them was clear: turning their backs on Islam was not an option. They were Muslims who believed in a just God and the importance of faith in their lives. Their only choice was to discover for themselves if Islam truly discriminated against women in the way that men in authority would have it. The desire to be both Muslim and feminist—and to locate their struggle for justice and equality within their faith—led SIS to research the foundational texts of Islam and the diversity of interpretations of the Qur’anic Text, the Hadith, and juristic opinions on a range of issues.

A principal—and urgent—question before SIS was that of power and authority: Who and on what basis was it decided that a particular interpretation of a verse, a Hadith, or juristic opinion should form the sole basis of law on issues such as gender equality, polygamy, a woman’s right to divorce, women as guardians and witnesses, women and modesty? Whose interests were served in the process of making these decisions? What of the principles of justice, equality, compassion, and mercy?

Textual scholarship proved most rewarding. The founding members of SIS discovered that the Qur’an defined an ethical vision of Islam that advocated the absolute moral and spiritual equality of women and men. The Hadith, and related literature, showed the Prophet as possibly the world’s first feminist, and contained accounts of strong and capable women among his wives, companions, and others who became leaders in their own right.

The juristic texts, meanwhile, provided a rich and diverse wealth of opinion—ranging from the belief that a woman would burn in hell should she disobey her husband, to arguments that monogamy was the ideal state of marriage in Islam. Juristic scholarship also revealed principles developed by the classical scholars, such as *ijtihad* (to interpret, to deduce law from its sources in unprecedented cases), *maqasid al-shariah* (objectives of Islamic law to ensure justice), *maslahah* (considerations of public interest), and *istihsan* (juristic preference to serve the ideals of justice and public interest), which promoted the constant reform of our understanding of Islam in dealing with the challenges of changing times and circumstances.

What was clear to SIS was the role of human agency. It is we, human beings, who engage with the revealed Text and produce a body of knowledge to guide us to live a life according to God’s will. The interpretive and juristic texts produced in the early centuries of Islam constituted the work of the great jurists of that time in order to deal with the issues and challenges in the context of their times and circumstances. Given the fact that women today are far better educated, work in order to support their families and themselves, hold leadership positions and break new ground everyday, shouldn’t the understanding of Islam and production of Islamic knowledge and laws that regard them as inherently inferior to men be changed?

SIS research into the texts—as well as new scholarship in the past 15 years that has unearthed a wealth of diversity within Muslim opinion—shows that a woman’s struggle to lead a life of equal worth and dignity to men is clearly located within Islamic teachings. This research has enabled SIS to take the unequivocal position that men and women are equal in Islam, that a Muslim man does not have the right to beat his wife, that polygamy is not an inherent right in Islam but a contract permitted only in the most exceptional circumstances, that one male witness does not equal two female witnesses... and a great deal more.

Research has also served SIS directly in its advocacy. While much of SIS’s work is topical and immediately relevant to our times, it is nonetheless grounded in critical enquiry and rigorous scholarship of Muslim religious heritage. Research has formed the basis of SIS’ arguments for legal reform, the introduction of new policies, and challenges to statements made in the name of Islam that discriminate against women and violate the ethical teachings of the religion. SIS’ research is also easily available to the public. The group has believed firmly from the beginning that all research must work to ensure that discussions on Islam and women’s rights should be informed by a variety of perspectives and guided by the principles of justice and equality.

In 2006, SIS engaged itself in two major on-going research projects in the areas of Muslim family law reform and on the impact of polygamy on family life.

Model Family Law

Muslim family laws that govern the relationships between men and women based on a framework of the superior husband and the subordinate wife are unsustainable in the twenty-first century. The medieval legal reasoning that defined the roles of the husband as ‘providing’ and the wife as ‘submissive’ has little bearing on today’s realities, especially in view of the changing status and roles of women and men.



Malaysia's First Daughters at the opening of the international consultation on 'Trends in Family Law Reform in the Muslim World' in May 2006. *From left:* Nori Abdullah (daughter of current Prime Minister Datuk Seri Abdullah Badawi), Datuk Paduka Marina Mahathir (daughter of fourth Prime Minister Tun Mahathir Mohamad), and Hanis Hussein (daughter of third Prime Minister Tun Hussein Onn). Behind is SIS Executive Director, Zainah Anwar.

The Qur'an provides a wealth of guiding principles to develop a new body of law on family relationships based on justice and equality. This knowledge has led SIS to commit its resources to the comprehensive reform of the Islamic family laws in Malaysia.

Reform is possible—and eminently desirable—on several grounds. First, the Qur'an directly upholds principles of Islam that support relationships based on equality between men and women, and between husbands and wives.¹ Furthermore, these laws are based on human-made *fiqh* (jurisprudence), and are thus not

divine and immutable. The codified law is not the sacred Syariah itself, but the product of human engagement with the revealed text. Prime Minister Datuk Seri Abdullah Ahmad Badawi himself has supported the idea of reform, saying that 'the renewal of Islamic thought must be an on-going process — ensuring the universality of the message, its pluralism and diversity, and not be ossified and fossilised by blind imitation of traditional thought and opinion'.²

Secondly, existing Islamic family laws in Malaysia contravene provisions of the Federal Constitution, such as Article 8(2), which specifically forbids discrimination on the basis of gender. As they stand, the individual family laws in each State also violate key aspects of our domestic policies, and contain provisions that have proven inequitable compared to civil laws governing the same matters for non-Muslims.

Malaysia must also institute legal reform if it is to fulfil its commitments to international human rights standards. Our country is a signatory to the UN Convention on the Elimination of All Forms of Discrimination Against Women and the UN Convention on the Rights of the Child. In addition, Malaysia is morally—if not legally—bound to observe the Universal Declaration of Human Rights, which is generally recognised

² Inaugural Lecture, the Annual Abdullah Ahmad Badawi Women's Institute of Management (WIM) Annual Lecture Series, January 15, 2005, Kuala Lumpur. See also Abdullah's Address to the Oxford Centre for Islamic Studies, Magdalen College, University of Oxford, October 1, 2004, paras. 29–39.

¹ E.g. *Surah Rum* 30:21, *Surah al-Baraqa* 2:187, *Surah Taubah* 9:71.

as international customary law, the Beijing Declaration and Platform for Action and the Non-Aligned Movement's Putrajaya Declaration, which Malaysia strongly promoted in its role as host and chair of the meeting at which it was adopted.

Finally, our Islamic family laws must reflect the realities of modern life. As the Prime Minister said: 'Ensuring the rights of women will require reform and renewal in Islamic thought... The problems that contemporary Muslim societies are confronted with today are not the problems of the sixth century, and the solutions we need today do not lie with the notion of a Syariah purportedly final and complete fourteen hundred years ago - particularly in the case of women.'³ Our laws must, therefore, address the complexities and realities of modern life while accounting for the universal and eternal principles of justice and equality in Islam.

In 2005, SIS began its work on a model Muslim Family Law based on the principles of justice and equality. The model law would serve as a lobbying tool to promote law reform and provide material for SIS public education and training programmes on women's rights in Islam. Throughout 2005, key members and supporters of SIS worked on a draft of the model law and arguments for reform. In October 2005, SIS held a national consultative meeting with the Joint Action Group for Gender Equality (JAG)

and several individual lawyers. As a result of this work, and based on a similar law reform movement in the Maghreb countries, SIS produced a 194-page document entitled the 'Guide to Equality in the Family'. The Guide comprehensively addresses the necessity for reform and provides arguments to support the key concepts in the draft model legislation, such as the equal right to marriage and divorce and substantive equality in financial provisions. The Guide also contains the draft model Muslim Family Law itself.

The value of the Guide lies in the fact that SIS grounds its arguments using a holistic framework that has four levels: the religious perspective, national laws and policies, international human rights principles, and the realities of Muslim women's lives today. An additional section provides accounts of best practices in the Muslim world in each key area of family law.

The draft was presented to international scholars and activists in March 2006 at a workshop entitled 'Trends in Family Law Reform in the Muslim World'. Today, the Guide continues to be a work in progress. SIS and its international partners from 19 Muslim countries and Muslim minority contexts are using SIS's experiences and those from other countries to plan an international movement for Muslim Family Law reform, to be launched in 2008.

³ Ibid. January 2005.

Polygamy & Family Life

This large-scale study on the impact of polygamy on the family began in 2003, when the issue of polygamy again dominated national news headlines and the imaginations of decision-makers and the public. In January of that year, the Perlis State Government proposed to relax conditions previously imposed on men seeking to contract polygamous marriages—a development that included removing the requirement of consent from existing wives. The ensuing controversy resulted in strong proposals to amend the existing Islamic Family Laws of each State; and arguments were presented both for and against the facilitation of polygamous marriages, and for the standardisation of the law in all States.

SIS initiated a campaign called ‘Monogamy: My Choice’ (*Monogami Pilihanku*), which in turn caused further debate in Parliament and the media. In the midst of these discussions, empirical data supporting the protection of Muslim women’s rights in the family, particularly in relation to polygamy, became critically necessary—a need which SIS identified immediately.

In 2004 and early 2005, SIS conducted a pilot survey of 41 respondents within the Klang Valley region. These preliminary results served to provide focus for more extensive nationwide research, which began in 2006 and involved a team of researchers composed of academics,

SIS staff, and women’s rights activists. This research group reviewed existing literature, built hypotheses, developed research questions, objectives, methodology, work processes and questionnaires.

The main research questions sought to determine the impact of polygamy on the quality of family life, and to examine how its practice affected five critical areas:

- Relationships within the family
- The financial situation of the family
- The health and emotional well-being of each family member.
- The social relationships of the members of the family
- How legal institutions and frameworks protect the interests of members of polygamous households.

The objectives of this survey were to:

- Deepen understanding of the experiences of family life for members of polygamous Muslim households in Malaysia.
- Assess the perceptions about, and understanding of, polygamy (in particular, against the normative discourses surrounding polygamy under Islam in Malaysia) among members of polygamous households.
- Determine the needs and concerns of members of Muslim polygamous

households in terms of quality of family relationships, finances, emotional well-being, social relationships, and legal institutions and frameworks.

- Raise awareness of the effects and impact of polygamy on families, with particular attention to the general public, legislative and religious authorities, and civil society.
- From the findings, advocate reform of Islamic laws and systems in relation to polygamy, conduct public awareness campaigns, and provide input into policy formulation on existing programmes and activities related to Muslim marriages such as *keluarga bahagia* (happy family) and *kursus pra-perkahwinan* (pre-marital courses).

To expand the breadth of and build resources for this study, the structure of the research project facilitated collaboration between SIS and researchers from three universities—Universiti Malaya, Universiti Kebangsaan Malaysia, and Universiti Sains Malaysia. SIS played, and continues to play, a central role in project coordination and implementation.

Research methodology was finalised at the end of 2006, and the research questionnaires were set after comprehensive review and assessment. The training of enumerators and research assistants had also commenced by this time, with a view to beginning fieldwork in 2007.



Launch of the SIS Monogamy Campaign in March 2003. From left: Sharifah Zuriah Aljeffri, the late Datin Paduka Seri Endon Mahmood, and Puan Mariam Abdul, Chairperson, Single Mothers Association, MUTIARA, Kuala Lumpur.

The project’s main challenge lay in securing funding sufficient to meet the sampling frame, and to provide for a nationwide research capacity. Much effort was required to coordinate funding applications with research grants at different universities, as well as to level and standardise the methodology, framework, and timelines among the parties involved.

This is a seminal research initiative, and to date no existing study on the impact of polygamy on the family institution has been conducted at a national level. The results are anticipated to impact greatly on—and benefit—policy- and law-makers. Research outcomes will also provide valuable insight for, and foundation to, SIS advocacy promoting the rights of women within the framework of an Islam based on the principles of justice and equality.

‘AMDF has always regarded SIS as the dear ‘big’ sister who played a vital role in our growth and development as individual women and as an organisation. The advanced training courses, conferences, and workshops on Islam that SIS organised provided the sustenance that we badly needed as we confronted our dilemmas and confusions as Muslim women advocating human rights and women’s rights within the context of Islam.’

Yasmin Busran-Lao
Executive Director and Founding President, Al-Mujadilah
Development Foundation (AMDF), Marawi City, Philippines

*Public Education,
Information & Communications*

3 Public Education, Information & Communications

In 2000, SIS began developing its public education programme by reviving its earlier practice of holding regular study sessions. It also developed a training module designed to expose participants to the construction of Islamic law, the methodology and principles used to derive law, and the rich diversity of the interpretive and juristic traditions which open the religion to new understandings to deal with changing times and circumstances.

SIS adopted a pro-faith position that articulated Islam's exhortations to uphold justice and equality. The group sought to raise public awareness of the diversity of opinions and interpretations of Islam, and to revive the tradition of debate and enquiry in one's continuous search for a life lived according to the principles of justice and equality, compassion, and mercy.

The SIS Public Education Unit has since expanded to include information and communications as part of a cohesive strategy to generate better-informed public discussions on Islamic issues that would in turn empower those hitherto unable to speak against injustice and discrimination, and to influence policies and laws made in the name of Islam.



Grand Mufti of Bosnia-Herzegovina Mustafa Ceric (left) and Imam Faisal Abdul Rauf leading the SIS study session on 'Muslims in Plural Societies'.

Study Sessions

When SIS revived its study sessions in 2000, it was only open to Muslim women as the group believed then that women would feel more comfortable discussing issues of discrimination and rights in Islam if they could do so in a safe and protected environment. Before long, however, a growing number of concerned Muslim men indicated an interest to join the discussions, and they were soon followed by those of other faiths. When the SIS study sessions grew to include discussions on larger issues of political Islam (for example, freedom of religion and the

application of *Hudud* laws) the group decided to open its doors to all interested parties.

In 2006, SIS continued to organise study sessions, led by local and international speakers, to provide an important forum for Malaysians of all faiths to critically engage with issues and challenges facing the Muslim world today. Speakers have included the Grand Mufti of Bosnia-Herzegovina Raisul-Ulama, Mustafa Ceric, and Imam Feisal Abdul Rauf, Chairman of the Cordova Initiative (USA), who spoke on 'Challenges of Muslims in Plural Societies' to SIS associate member, Dr Farish A. Noor, who led a discussion on 'Who Speaks for Islam? Power, Politics and Representation'. Other topics discussed in 2006 included: 'Discriminatory Amendments to the Islamic Family Law, Islamic State: Fact or Fiction', and 'Malaysian Muslim Identities: Issues and Concerns'. Attendance at SIS study sessions range from an average of 30 to over 100, depending on the topics and speakers.

Training Workshops

In 2000, SIS developed a highly popular training module dealing with the formulation of Islamic law, its application and impact on women's rights, and the possibilities for its reform. Based on these modules, SIS organised training workshops to serve the needs of different target groups—needs ranging from raising basic awareness and knowledge of Islam and women's human rights, to building capacities as rights

advocates in Muslim contexts both locally and internationally. These workshops provided SIS the opportunity to engage with journalists, lawyers, politicians, activists, students, artists, and grassroots service providers in discussions on a wide range of contemporary issues in Islam.

As part of its 2006 campaign to protest the passage of the Islamic Family Law (Federal Territories) (Amendment) Bill, SIS redoubled its efforts to reach out directly to women—especially single mothers—affected by discriminatory Syariah provisions. Two 'Women for Women' workshops sought to focus the attention of Muslim women on their rights, as well as to take positive steps to assert those rights in the face of injustice. Oriented towards capacity-building, the workshops included training in advocacy and the formation of support networks.

In 2006, SIS continued its series of Large-Group Training Awareness (LGTA) workshops, which support preliminary efforts to reach out to grassroots women and service providers. As part of this programme, SIS conducted a workshop on 'Women's Rights and Responsibilities in Islam' for 113 enthusiastic women teachers, Government officers, and NGO leaders in Kota Bharu. Jointly organised with the Syariah division of the Kelantan Bar, this LGTA included the participation of Datuk Haji Ismail Yahya, the Mufti of Terengganu, who led a session on women's rights from the Islamic legal perspective. As a result of strong interest in and support for

this LGTA, a more intensive workshop, focusing on advocacy, is currently being planned.

Public Lecture

In 2006, SIS continued organising its annual Public Lecture Series, begun in 1995 as part of the group's efforts to expose Malaysians to alternative progressive ideas in Islam. SIS Public Lecture speakers ranged from the Egyptian reformist scholar Dr Fathi Osman to Prof Abdullahi an-Naim (Sudan), Prof Amina Wadud (USA), Dr Tariq Ramadan (Switzerland), and Prof Amin Abdullah (Indonesia).

In 2006, the group spoke at a series of public forums to build support for its campaign against the discriminatory amendments to the Islamic Family Law. Beginning in December 2005, interest in the forums soon gathered momentum and SIS spoke at 10 forums between January and May 2006. Hundreds of women and men and their children attended these talks. This included a SIS-organised forum at the HELP Institute in Kuala Lumpur where an overflowing crowd of over 250 attended. The National Council of Women's Organisations (NCWO), the Women's Institute of Management (WIM), the Women's Studies Centre (KANITA) at Universiti Sains Malaysia in Penang, and the *Sin Chew Daily*, the country's largest selling Chinese-language newspaper, also invited SIS speakers to well-attended public forums on the discriminatory amendments to the Islamic Family Law.

It has also been the SIS tradition to get experts attending its closed door consultations to speak to a larger audience. In March 2006, experts attending the SIS roundtable on 'Trends in Islamic

Family Law Reform' spoke at a public forum on 'Muslim Women Speak: Claiming the Right to Public Participation'. The forum was led by cultural anthropologist Dr Ziba Mir-Hosseini (University of London), Islamic scholar Dr Kecia Ali (Boston University), and activist Cassandra Balchin from the Women Living Under Muslim Laws network.

Study Tours

There is an increasing international demand for SIS to share its knowledge, skills and strategies with other Muslim women and community leaders. In 2006, SIS organised three study tours of Malaysia for 30 activists, scholars, religious and community leaders, and public officials from Iraq, Zanzibar, Afghanistan, Pakistan, India, Bangladesh, and Nepal. The participants sought to examine how Malaysia, as an economically advanced Muslim country, balanced the needs of religion and modernity, as well as other issues including inter-ethnic and inter-religious relations, the political system as well as gender and human rights.

The group continues to receive journalists, public officials, diplomats, researchers, and academics who come to Malaysia to meet leaders and opinion makers under the ISIS International Visitors programme.

Publications

SIS places great emphasis on publishing as a means of reaching wider audiences, and has been developing a comprehensive publications programme in English and Bahasa Malaysia since 1991. To date, SIS and its members

have authored 16 of the 23 titles in the SIS publications catalogue.



Tun Siti Hasmah Mohd Ali, wife of the then Prime Minister, launching SIS's latest publications and fund-raising event in 2003. From left: Sharifah Zuriah Aljeffri, Zainah Anwar, Nik Noriani Nik Badlishah, Datuk Seri Shahrizat Abdul Jalil, Tun Dr Siti Hasmah Mohd Ali, Puan Seri Haniffa Hashim

In 2005, SIS launched its hardcopy and online bulletin *Baraza!* which seeks to make topical and contested issues in Islam more accessible, and to engage academics, researchers, students, lawyers, journalists, decision-makers, and activists in active debate. Each edition has a print run of 3,000 and focuses on a single issue only. The first issue, 'Trends in Islamic Family Law Reform', went through two reprints within six months in 2006. The same year saw the publication of the bulletin's second edition, 'Diversity of Opinions: An Islamic Legacy'. The most enthusiastic feedback has come from readers who appreciated the way SIS has packaged the state of the debate on key contested issues in Islam in ways that were easily understood through focus articles and comparative tables and world maps.

SIS publications also continue to serve the needs of many academics teaching Islamic law, gender studies, and comparative law, who use SIS materials as reference and reading sources for

students.

Some titles in the SIS question-and-answer booklets have been translated into Urdu, Bengali, and Mandarin. The group has also received requests for the some of the titles to be translated into Pashto and Dari for Afghanistan, Arabic, and Tamil.

Media

Since the publication of its first public statement (on polygamy, in 1990), SIS has been profiled by major newspapers and magazines in Malaysia, as well as international publications including *The New York Times*, *The International Herald Tribune*, *The Chicago Tribune*, *The Los Angeles Times*, *The Guardian*, *The Sydney Morning Herald*, *Time* and *Asiaweek*. SIS has also provided critical resources for television programming on Islamic matters, and SIS members and staff have appeared on programmes produced by Al Jazeera, the British Broadcasting Corporation (BBC), Public Broadcasting Station (PBS), Central Broadcasting System (CBS), Australian Broadcasting Corporation (ABC), and RTM, TV3, NTV7, and Astro Ria in Malaysia.

In 2006, SIS gave 40 published interviews and made numerous TV and radio appearances in both local and international media. SIS leadership in campaigning against the discriminatory amendments to the Islamic Family Laws brought it to front-page prominence twice in local newspapers. The group also endeavoured to engage more constructively with the Malay-language press to provide the Malay-speaking Muslim population better access to ideas of justice and rights in Islam.

Talks

Islamic Family Law – Why the Discrimination?

Organised by Sisters In Islam

Website

The SIS website *sistersinislam.org.my* was revamped in June 2006 and is now fully bilingual (in English and Bahasa Malaysia). The website contains an extensive archive of all SIS Letters to the Editor, press statements, memoranda to the Government, as well as lists of programmes and activities, and recommended reading materials. The SIS weekly legal column in *Utusan Malaysia* is also uploaded and categorised for easy reference on the website.

The website also contains an online catalogue of books and publications in the SIS resource centre, and targets the needs of researchers, activists, students, policymakers, journalists, scholars, and others in need of resources on Islam and women's rights. Users of the SIS website are mainly drawn from Malaysia, the US, Europe, the Middle East (especially Saudi Arabia

and Bahrain), as well as Asian countries such as India and Singapore.

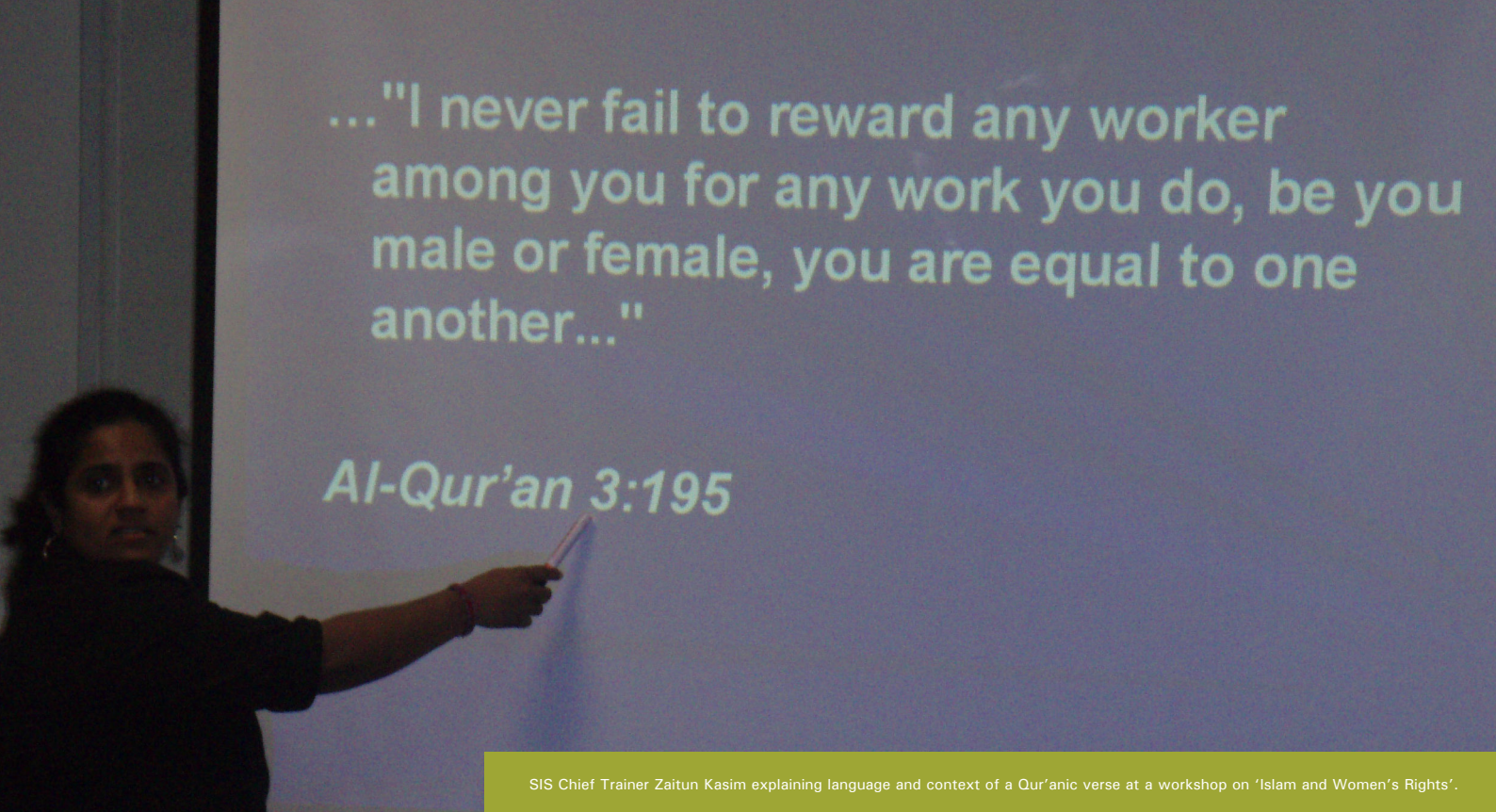
Resource Centre

In 2006, SIS moved to a new office that provided additional space for its growing resource centre. The SIS resource centre currently holds more than 2,000 books, as well as other resources such as periodicals, conference papers, pamphlets, brochures, audio-visual materials, and newspaper clippings. Use of the resource centre is free for SIS members and FOSIS, and is open to the public for a RM50 annual fee.

- 9 Apr 06 Islamic Family Law and Its Implications to Malaysians of Other Faiths
Organised by Malaysian Consultative Council of Buddhism, Christianity, Hinduism, Sikhism and Taoism (MCCBCHST)
Speaker: Nik Noriani Nik Badli Shah
- 3 May 06 Islamic Family Law
Organised by Malaysian Culture Group
Speakers: Nik Noriani Nik Badli Shah and Razlinawati Razali

Workshops/Training

- 20 May 06 Writing on Muslim Women’s Issues for Young Activists
Trainer: Jac SM Kee (social and gender activist)
- 24 June 06 *Wanita untuk Wanita* (Women for Women) with Single Mothers, Kuala Lumpur
Facilitators: Razlinawati Razali and Norhayati Kaprawi
Resource person: Nik Noriani Nik Badli Shah
- 26 June - 3 July 06 Women and Rights in Islam for Iraqi MPs, Academics and Professionals
Facilitators: Zaitun Mohamed Kasim and Shanon Shah Sidik
Resource persons: Zainah Anwar and Norhayati Kaprawi
- 17 - 21 Sept 06 Islam and Women for South Asian Muslim Leaders
Facilitators: Zaitun Mohamed Kasim, Shanon Shah, and Rozana Isa
- 2 Nov 06 Large-Scale Training Awareness: *Tanggungjawab dan Hak Wanita dalam Islam* (Responsibilities and Rights of Women in Islam) for grassroots women in Kelantan
Speakers: Mufti of Terengganu Dato’ Ismail Yahya, lawyer Ahmad Daud, and Razlinawati Razali (SIS)
- 18 Nov 06 *Wanita untuk Wanita* (Women for Women) with Single Mothers, Kuala Lumpur
Facilitators: Razlinawati Razali and Norhayati Kaprawi
Resource person: Nik Noriani Nik Badli Shah
- 4 - 8 Dec 06 Women’s Rights in Islam for Leaders of Faith-based Organisations in Zanzibar
Facilitators: Zaitun Kasim, Shanon Shah Sidik, and Rozana Isa



SIS Chief Trainer Zaitun Kasim explaining language and context of a Qur’anic verse at a workshop on ‘Islam and Women’s Rights’.



Participants at SIS training for grassroots women in Kota Bharu, Kelantan, November 2006

Study Sessions

21 Jan 06	Campaign Against the IFL Amendment 2005 By Razlinawati Razali and Shanon Shah Sidik
12 Feb 06	Challenges of Muslims in Plural Societies By Grand Mufti of Bosnia-Herzegovina Raisul-Ulama, Mustafa Ceric and Imam Feisal Abdul Rauf, Chairman of The Cordova Initiative (US),
30 Mar 06	<i>Tudung</i> (The Headscarf) By Nik Abdul Aziz bin Hj Nik Hassan, former Head of the Jabatan Pengajian Dakwah (Department of Missionary Studies), Universiti Kebangsaan Malaysia
1 Apr 06	Public Interest Litigation: The Indian Experiment with Judicial Activism By Nazia Yusuf, Harvard Law School researcher, LLM candidate
6 May 06	Islamic State – Fact or Fiction? By Khalid Jaafar, Executive Director of IKD (Institute for Policy Research)
16 Aug 06	Who Speaks for Islam: Politics, Power, and Representation By Dr Farish A. Noor
16 June 06	Women’s Rights and Identity Politics:The Bosnian & Pakistan Viewpoints By Adnan Huskic, Member of the Board, Foreign Policy Initiative of Bosnia and Herzegovina; and Gulmina Bilal, author of Women Parliamentarians: Swimming Against the Tide
9 Nov 06	A Survey on Malaysian Muslim Identities: Issues and Concerns By Dr Patricia Martinez, Asia Europe Institute, Universiti Malaya
29 Nov 06	Gender, Human Rights, and Syariah Law By Zaitun Mohamed Kasim

International Public Forum

19 Mar 06	Muslim Women Speak: Right to Public Participation Speakers: Prof Kecia Ali, Dr Ziba Mir Hossein, and Cassandra Balchin
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SIS Publications Catalogue

Q&A BOOKLETS

In English:

- *Are Muslim Men Allowed to Beat their Wives?* 1991 (2nd printing 2003)
- *Are Women and Men Equal Before Allah?* 1991 (2nd printing 2003, 3rd printing 2006)
- *Islam and Family Planning*, April 2001 (2nd printing August 2001, 3rd printing April 2003)
- *Islam and Polygamy*, 2002
- *Hadith on Women in Marriage*, 2004

In Bahasa Malaysia

- *Adakah Wanita dan Lelaki Saksama di Sisi Allah?* 1991 (2nd printing 2003, 3rd printing 2006)
- *Adakah Lelaki Islam Dibenarkan Memukul Isterinya?* 1991 (2nd printing 2003)
- *Islam dan Perancangan Keluarga*, 2001, (2nd printing 2002)
- *Islam dan Poligami*, 2003

SEMINAR BOOKS

- *Shari’a Law & The Modern Nation State: A Malaysian Symposium*, 1994 (2nd printing 1998)
- *Hudud in Malaysia: The Issues at Stake*, 1995
- *Islam, Reproductive Health and Women’s Rights, Report of Proceedings*, 1999
- *Islam, Reproductive Health and Women’s Rights*, 2000
- *Islamic Family Law & Justice for Muslim Women*, 2003

- *Muslim Women and the Challenge of Islamic Extremism*, 2005

WORKING PAPER SERIES

- *Guardianship Law & Muslim Women*, 2002
- *Women as Judges*, 2002

OTHER BOOKS PUBLISHED BY SIS:

- *Muslim Women in the Family & the Society*, Dr Fathi Osman, 1996
- *Islam & Women’s Reproductive Rights*, Masdar F. Mas’udi, 2002
- *Wanita Muslim dalam Keluarga dan Masyarakat*, Dr Fathi Osman, 2002
- *Fiqh Wanita: Pandangan Ulama Terhadap Wacana Agama dan Gender*, K. H. Husein Muhammad, 2004
- *Al-Quran untuk Kaum Wanita*, Nasaruddin Umar, 2004
- *Kudrat Wanita dalam Islam*, Nasaruddin Umar, 2004
- *Paradigma Baru Teologi Wanita*, Nasaruddin Umar, 2004

SIS BULLETIN: *Baraza!*

- *Trends in Islamic Family Law Reform*, 2005, (2nd printing January 2006, 3rd printing June 2006)
- *Diversity of Opinions: An Islamic Legacy*, 2006
- *Islam and Human Rights: Conflicting or Complementary*, 2007

‘One of [SIS’s Q&A] booklets explained that a man should never hit his wife. Prior to that, I was under the impression that a husband had some kind of right to do so.... The booklet certainly enlightened me that I was in the right and that I have a right to be treated fairly and with respect. SIS’s members were very supportive throughout my years of litigation.... It has been an amazing journey of self-growth and I would like to thank SIS for its unfailing support.’

Aida Melly Binti Tan Mutalib
Assistant Director, International Islamic University Malaysia Press

*Legal Services
&
Advocacy*

4 Legal Services & Advocacy

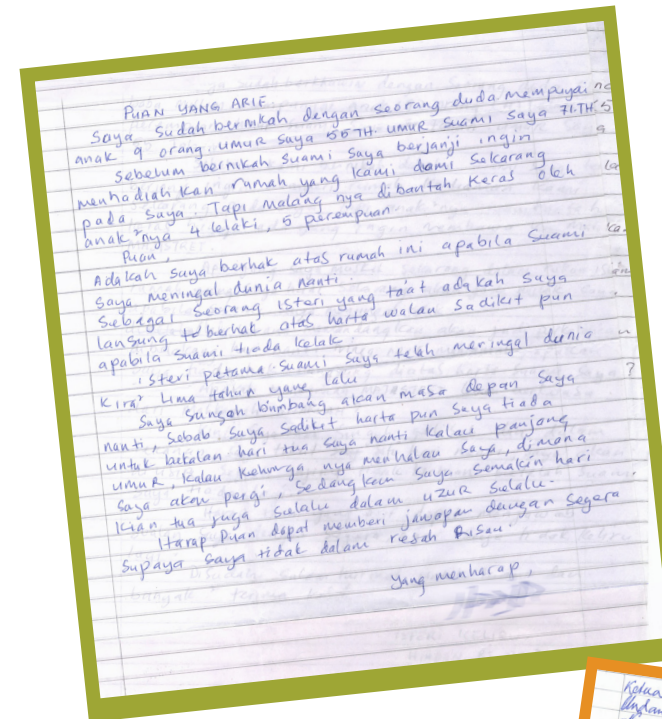
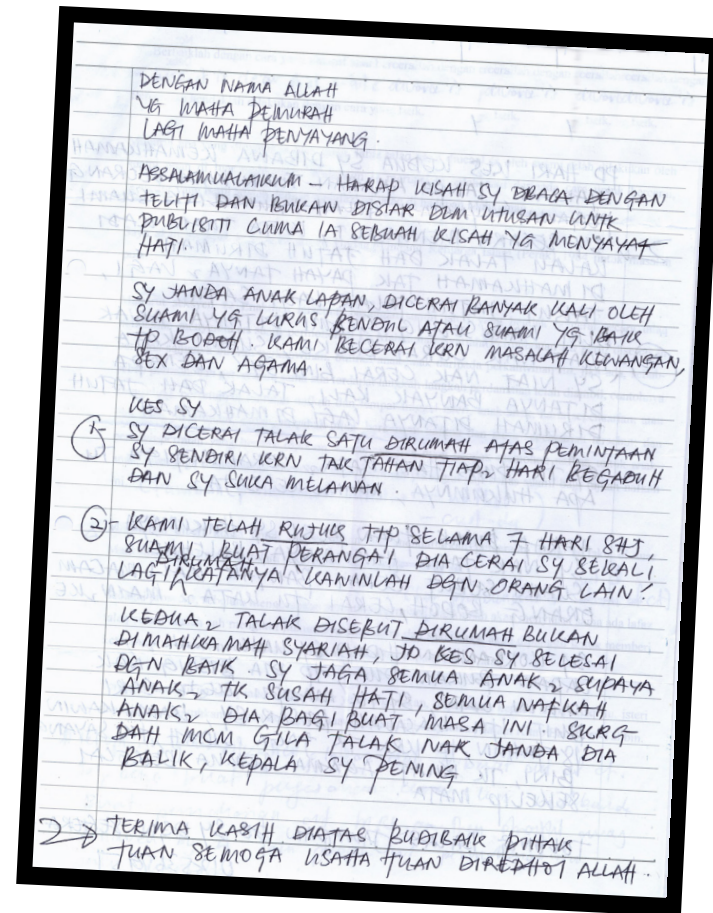
Case 1: Aida Melly Delay in Obtaining Divorce

Aida Melly was married for eight years. It took her another seven years to get a divorce from her husband on the grounds of physical and mental abuse, and non-payment of *nafkah* (maintenance). While her husband was able to begin a new life with another wife and two additional children, Aida spent seven years going up and down the courts to get her rights under the law.

Sisters In Islam worked with a single mothers' group to provide Aida with legal and moral support. It also accompanied her to the courts, and helped her with media strategies and letters of appeal to the authorities to have her case settled in the face of obvious gender bias and discrimination by the Syariah Court.

Case 2: Zaidah Matrimonial Property

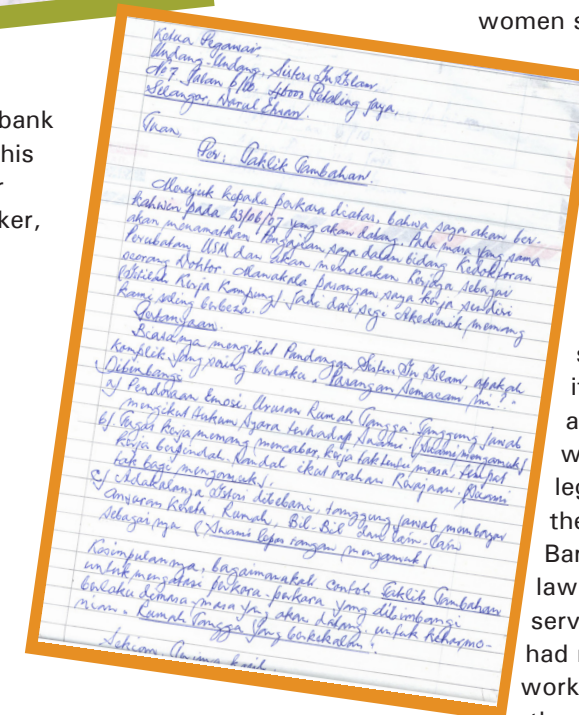
Zaidah requested help from the SIS Legal Clinic when she failed to lift a court order obtained by



Zaidah to obtain a court order to withdraw a certain amount of money on a monthly basis for her maintenance. The final settlement of her case is still being decided by the Syariah Court, but heard by a different judge.

Legal Services

The establishment of the SIS Legal Unit is grounded in the often difficult experiences of women seeking justice within the Syariah system. While SIS has assisted women, such as Aida Melly, on an ad hoc basis since 1998, it was not until 2003 that the group decided to offer regular legal services, in addition to its research, advocacy, and public education work. Given the many legal aid clinics set up by the Government, State Bar Committees, university law faculties, and other service organisations, SIS had resisted duplicating work already done by others. This decision was



her ex-husband to freeze all her bank accounts so that he could claim his share of matrimonial assets after their divorce. Zaidah, a homemaker, had no income, and depended fully on her savings. While her ex-husband, who earned about RM30,000 monthly, was able to lift two freeze orders she placed on his assets, she in turn was unable to lift his order on her accounts for over a year.

SIS assisted her in writing several letters to the authorities to point out the injustice done to her, and to highlight her case in the media. The publicity eventually enabled

reversed, however, in view of the overwhelming public response to the weekly legal literacy column SIS began in *Utusan Malaysia* in September 2002. The numerous phone calls and emails from many distressed Muslim women seeking legal advice drew SIS's attention to the urgent demand for gender-sensitive legal advisory services. Many of the women who approached SIS had already sought legal counsel from other agencies, but still needed more assistance.

Led by SIS lawyers trained in feminist legal theory and practice, the Unit provides gender-sensitive legal services and seeks to empower women by accessing the rights granted them under the Islamic Family Law.

SIS recognises that this service-based approach must be accompanied by a longer-term strategy to reform the law and the administration of justice in the Syariah system. The Legal Clinic's case-load, therefore, provides the data necessary to strengthen SIS's advocacy strategies for systemic change that will ensure justice prevails in the name of Islam. To that end, the Legal Services and Advocacy Unit promotes a legal system that delivers justice to women in terms of the substance, culture, and the structure of the law.

The SIS Legal Services and Advocacy Unit works to:

- Provide high-quality gender-sensitive legal services

- Monitor, assess, and advocate reform of the Syariah system to promote women's access to justice
- Raise women's awareness of their rights under the law, as well as enhance their critical legal literacy.

Legal Clinic

Since its inception in 2003, the SIS legal clinic has helped over 1,768 clients.

Men and women get in touch with SIS via email, fax, and post. The clinic also provides face-to-face counselling for clients who prefer personal contact with a SIS legal officer. The nature of the cases dealt with have ranged from marriage, divorce, maintenance, inheritance, children's rights, custody, and to those within the jurisdiction of Syariah criminal laws including *kebahwat* (close proximity) and *zina* (adultery). SIS's lawyers also advise and accompany women intending to lodge police reports and other legal complaints, as well as to court during the course of their cases. Lawyers also assist women in the management of their cases, and observe court proceedings. The Legal Clinic is assisted by three or four pupils-in-chambers provided by the Kuala Lumpur and Selangor Bar Legal Aid Centres for three-month attachments.

The gratitude expressed by women for the advice and support the Clinic provides continues to

assure SIS that its legal services remain highly valued by the community. Indeed, some former clients have in turn supported SIS advocacy by coming forward to share their experiences with the legal system at media events, as well as by participating actively in SIS training programmes for single mothers.

In order to ensure that legal information pertaining to the Syariah system remains adequate, accurate, and timely, SIS also conducts regular workshops for lawyers and pupils-in-chambers to familiarise them with the processes and procedures of the Syariah Court, case management, and to present first-hand experience and knowledge of the realities that women face in accessing the justice system. SIS and two other JAG members run the training programme four times a year for groups of 20.

Legal Literacy

In the course of providing its legal services, SIS found that many women were unwilling or unable to seek legal remedy because they lacked sufficient knowledge of legal procedures and information about their rights.

To address this urgent concern, SIS conducts several projects designed to raise women's legal literacy, including the projects described below:

SIS continues to write *Ruangan Undang-Undang dan Keluarga* (Law and Family) – which appears



SIS Legal Officer, Razlinawati Razali, taking down case notes from a phone-in client at the SIS Legal Clinic.

every Friday in the Bahasa Malaysia daily *Utusan Malaysia*. Due to the column's wide readership, Fridays and Mondays have proven the busiest days at the SIS Legal Clinic. The column takes the form of questions and answers focusing on a particular problem chosen from the Clinic's case files. Subjects have included the application and procedure of Islamic law on issues such as *nafkah* (spousal and child maintenance), divorce

and marriage, inheritance law and the division of matrimonial assets, *khalwat* and adultery. Besides publication in the large-circulation *Utusan*, the columns are regularly compiled and uploaded to the SIS website for easy access and reference.

SIS is grateful to *Utusan Malaysia* for continuing to provide this invaluable space, and for publicising this much-needed service to its readers for the past five years.

In 2006, the Legal Unit began producing a series of leaflets entitled ‘Know Your Rights’. Written in a simple question-and-answer format, the leaflets focus on specific topics on women’s rights, for example: *Ada apa dengan Tal’iq* (What’s with the Marriage Contract), *Nafkah Isteri* (Wife’s Maintenance), *Dicerai’kan di Luar Mahkamah*’ (Divorce Outside the Court). In addition to providing information on the law and court procedure, the leaflets help empower women and the public, and encourage them to contact the appropriate authorities to present complaints, as well as to propose reform to existing legislation and legal procedure.

A major distribution drive is planned for 2007 at outreach activities and also through other NGOs and service providers.

Court Watch

First introduced in November 2006, the CourtWatch programme seeks to monitor court

proceedings in order to identify the problems women encounter with the system.

Through CourtWatch, SIS plans to compile the documentation necessary to propose changes to legislation and court procedure, and to ensure that judges, lawyers, guardians, and psychologists execute their duties in a professional and gender-sensitive manner.

The CourtWatch programme is supported by pupils-in-chambers and volunteers who monitor and document the proceedings and processes of the Syariah Courts. Besides gathering crucial data, the programme also exposes legal students to the realities women face in the Syariah Courts.

SIS plans to analyse the compiled data and highlight the outcomes of the monitoring efforts. It will widely circulate positive court judgments and practices in the expectation that greater public attention will promote a better understanding of, and better practices within, the Syariah Courts.

Data Analysis

In 2006, SIS began analysing in greater detail the wealth of data obtained from the hundreds of cases that the Legal Unit deals with annually. The Unit has begun to develop a system to record the kinds of divorce being requested, factors cited by clients as contributing to the breakdown of their

marriages, and the problems faced in obtaining maintenance either for women or their children at the systemic or personal levels.

For example, while *kehul*’ divorce (*cerai tebus talag*) is reportedly common (and easy to obtain) in Pakistan, the process appeared unpopular in Malaysia and little was known about the reasons why. Documentation and analysis of SIS case data have indicated a possible reason: *kehul*’ divorce is time-consuming, and judges are allowed wide discretion in determining the amount of maintenance payable if no prior agreement exists between the spouses. Usually that amount has been prohibitive for women.

SIS is currently working with JAG members which also provide legal services to develop a standardised data collection form, which will provide more detailed information for analysis to support eventual policy and law reform.

Cases Handled by the SIS Legal Clinic in 2006, According to Type

Registration of Marriage/Marriage Procedures	49
Wali/Wali Hakim	11
Marriage Conditions/Additional Marriage Conditions	5
Polygamy	29
Divorce Procedures	246
Alimony, Compensation, & Matrimonial Assets	58
Wife’s Maintenance	37
Custody (Hadhanah)	58
Children’s Maintenance	32
Wife’s Disobedience (Nusyuz)	5
Domestic Violence	14
Reconciliation (Ruju’)	13
Children Born out of Wedlock	13
Adoption of Children	1
Division of Property (Faraid)	50
Wills (Wasiat)	5
Gifts (Hibah)	4
Syariah Criminal Offences	5
Conversion Procedures	8
Sexual Harassment	2
Complaints about Syariah Court	1
Appointment of Lawyers	3
Complaints about Lawyers	1
Court Orders/Enforcement of Orders	3
Counselling	10
Wakaf	1
Miscellaneous	58
Total	722

Note: The total number of cases do not directly represent the number of clients assisted by SIS. A single client may face more than one problem.

Campaign Against Discriminatory Amendments to the Islamic Family Law

SIS, together with the Joint Action Group for Gender Equality (JAG), have long been working towards reviewing and streamlining the Islamic Family Law of Malaysia to end discrimination against women.

In January 2002, SIS submitted a 42-page memorandum to the Government in response to discriminatory amendments being made to Malaysian Islamic Family Law. This draft model statute was meant to be the basis of a standardised Islamic Family Law to replace the different Islamic legislation in force in each of the 14 states. However, the draft contained several discriminatory amendments, including giving men more grounds to divorce their wives, greater freedom to enter into polygamous marriages, and more power to freeze their wives' assets in order to claim a share of the matrimonial property when a polygamous marriage or divorce takes place.

SIS held several briefings and meetings with women's groups and the authorities—including the Minister for Women, Family and Community Development, Datuk Seri Shahrizat Abdul Jalil, and Ministry officials—in order to prevent the Bill's passage in Parliament. After a consultation with 18 women's organisations in 2002, SIS wrote to the Minister requesting that:

- The proposed amendments be reviewed
- An inter-agency committee, including women's groups, be formed to conduct the review

- More women should be appointed to the National Syariah and Civil Technical Committee, which oversees the drafting of Islamic laws.

While a SIS member was appointed to the Technical Committee, all attempts to review the proposed standardised law failed despite meetings between Ministry officials and the Islamic Affairs Department (JAKIM), which was responsible for the law, and which took the view that it was easier to 'standardise first, and amend later.'

However, SIS was of the opinion that the overall objective of the amendments should not just be to achieve uniformity of Islamic laws among the states, but to also achieve a uniformly just law throughout the country.

By 2005, 11 states had adopted the new standardised law with its discriminatory amendments. When the Islamic Family Law (Federal Territories) (Amendment) Bill 2005 was tabled in Parliament for effect in the Federal Territories of Kuala Lumpur and Labuan, SIS launched a campaign to halt the passage of the Bill. SIS strategically publicised its concerns and lobbied Members of Parliament with its analyses of the discriminatory amendments and their impact on women. However, passage of the Bill was rushed, leaving little time for lobbying and even less for a wider debate of the amendments.

A number of MPs, from both Government and Opposition benches in Lower house did their utmost to point out the flaws in the law. A male backbencher in the Lower House was concerned by these developments: Ahmad Shaberry Chik, when asked to comment on the heated debate of the Bill, said: 'We all have daughters. I don't want [it said] that one day, my daughters suffer because while I was a law-maker, I did not take care of their interests.' (*The Star*, Oct 2, 2005.)

Despite this, the Dewan Rakyat (Lower House) passed the Bill. Disappointed by the outcome, SIS still held out for an opportunity to engage the Dewan Negara (Senate) in the debate. This was a new strategy for SIS, which it felt could be a productive starting point for further advocacy—especially since women made up about 30 per cent of the sitting Senators.

In this regard, SIS held several briefing sessions with small groups of Senators, taking them through the discriminatory amendments, the differing Islamic juristic opinions which advocated equality and justice for women, as well as legal and judicial practices in other Muslim countries. The Senators were outraged by the Bill.

The Senators submitted a letter to Minister in the Prime Minister's Department (in charge of religious affairs), Datuk Abdullah Zin, requesting him to withdraw the Bill and to conduct a review before retabling it in Parliament. The women Senators, among them Senator Datuk Dayang Mahani Tun Pengiran Ahmad Raffae, Senator Dr Noraessah Mohamad, and Senator Azizah Abdul Samad also spoke strongly against the flaws in the draft law during a briefing session led by Datuk Abdullah Zin. Senator Datuk Azizah

Abdul Samad, for example, questioned why joint matrimonial assets should be claimed by both parties when 'it's the husband who wants to remarry, not the wife.' (*The Star*, Dec 23, 2005.)

Sadly, the day before the debate, Minister in the Prime Minister's Department Datuk Seri Nazri Aziz invoked the party Whip, forcing the women Senators to vote with the rest of the Government in support of the Bill. The Minister was reported as saying: 'If there are Senators who are dissatisfied with this draft law, they can debate it at tomorrow's session. A motion cannot be rejected if it has not been tabled,' (*Utusan Malaysia*, Dec 22, 2005.) Furthermore, he added: 'I stress that this is a directive, not advice... it can be rejected if it is an advisory but this is a directive so it must be adhered to.' (*Berita Harian*, Dec 22, 2005).

The draft law was passed despite the concerted opposition of 19 women Senators. However, the voices that spoke in the Senate quickly drew public attention. Dayang Mahani said she cried when she saw the amendments: 'I am emotional because this issue is close to my heart. I am speaking out as I want my statements recorded.' Dayang Mahani said she would vote for the Bill 'against her conscience' and apologised to her daughter and women in general. (*New Straits Times*, Dec 23, 2005.)

SIS then urged women and men who were concerned about the developments to write to the media and relevant Ministers, including the Prime Minister Datuk Seri Abdullah Ahmad Badawi, Datuk Seri Shahrizat Abdul Jalil and Datuk Abdullah Zin. SIS also launched a signature campaign and gave many public talks

to garner support and show the Government that a significant proportion of the Malaysian public was deeply opposed to Parliament's support of the Bill.

Finally, due to the unprecedented public outcry, the Cabinet decided against gazetting the Bill. In addition, the Government directed Attorney General Tan Sri Abdul Gani Patail to consult the Syariah community (comprising several bodies including Government religious departments and NGOs) to address the concerns expressed by the Senators and women's groups, and to amend the discriminatory provisions. SIS and JAG members were actively involved in these negotiation processes.

The consultation proved productive and the meetings were steered skilfully by the Attorney General to reconcile the conflicting interests of the different communities. Although SIS is still awaiting the tabling of the new amendments in Parliament, it is proud of the debate, the public support and the media coverage it generated in support of women facing discrimination under the proposed revisions. For SIS, this episode represented progress in the journey towards achieving the spirit of justice and fairness enshrined in the Qur'an, and in opening up the public space for debate on public law.

Help Us Help Others

SIS is constantly in search of lawyers with some Syariah background willing to volunteer their time and expertise to aid Muslim women in need of legal assistance. Lawyers can participate in the SIS legal programme directly by handling a set number of cases per month through the SIS e-lawyers service, or, if they prefer, they may choose to work with clients personally at the SIS office.

Those with other crucial skills such as data-entry, case-analysis, writing, translating, editing, and design are also very much in demand.



‘Sisters In Islam’s advocacy for justice and equality for women within an Islamic framework is a source of inspiration and hope to all who are struggling to realise an ethical and egalitarian vision of Islam.’

Ziba Mir-Hosseini

An independent consultant, researcher and writer on Middle Eastern issues, specialising in gender, family relations, Islam, law, and development.

*Networking:
National & International*

5 National & International Networking

Friends at Home

The strength and effectiveness of SIS as a voice for change in Malaysia is derived partly from its membership of JAG, the Joint Action Group for Gender Equality. JAG was founded in 1985 to raise national awareness of violence against women, and to campaign for a domestic violence law. SIS has long been a part of this network—first as individuals and later as SIS when the group was established. JAG members now comprise SIS, All Women’s Action Society (AWAM), Women’s Aid Organisation (WAO), Women’s Centre for Change, Penang (WCC), Women’s Development Collective (WDC), and Women’s Committee of the Malaysian Trades Union Congress (MTUC). The coalition works to push for reform of laws that discriminate against women, and to raise public awareness of the urgent need for gender equality.

Given the special focus of each JAG member, one NGO usually leads a particular issue, with support and input from others. In 2006, SIS led JAG in the campaign against discriminatory amendments to the Islamic Family Laws, including the subsequent negotiations with the Attorney General’s Chambers to review and



JAG and NCWO CEDAW Shadow Report team at the UN in May 2006, lobbying the CEDAW committee when the Malaysian government submitted its report on the status of women in Malaysia. *From left:* Zaitun Kasim (SIS), Ivy Josiah (WAO), Vizla Kumaresan (WAO), Meera Samanther (WAO), Zarizana Aziz (WCC), and Hamidah Karim (NCWO).

make amendments. SIS also provided input into other JAG activities, including submissions to the Parliamentary Select Committee on reform of the Penal Code and the Criminal Procedure Code (especially on the issue of marital rape), as well as consultations in drafting the Gender Discrimination Bill (both of these were led by WCC). In preparing for the NGO Shadow Report on CEDAW (Convention on the Elimination of All Forms of Discrimination Against Women), JAG,

led by WAO, worked closely with the National Council of Women’s Organisations (NCWO).

SIS played an important role in the processes leading to the drafting of the Shadow Report, as well as during the NGO Informal Meeting with the 35th Session of the CEDAW Committee in New York in June, to raise critical issues affecting women in Malaysia.

SIS provided significant input regarding the growing trend of discrimination against Muslim women, with particular focus on amendments to Islamic Family Laws over the past two decades that have systematically diminished the rights of women through the creation of unfair conditions regarding polygamy, divorce, maintenance, and child custody. The NGOs also raised awareness on the range of problems resulting from the separation of jurisdiction (and application of different laws) for Muslims and people of other faiths—especially in cases where one of two non-Muslim spouses decides to convert to Islam. Another issue of discrimination highlighted at the CEDAW Committee session was the impact of the Syariah Criminal Offence Enactments, which have increasingly infringed upon the privacy of citizens under the guise of ‘morality’ and ‘public decency’.

Many NGO inputs were taken into consideration by the CEDAW Committee leading to its Concluding Comments which, among others, called for the Malaysian Government to

undertake a process of law reform to remove inconsistencies between civil and Syariah law, and to source information on jurisprudence based on progressive interpretations of Islamic law. SIS continued to work with JAG and NCWO in proposing actions the Government should take to address the concerns and recommendations of the CEDAW Committee.

Apart from being an active partner in the women’s movement in Malaysia, SIS has always believed that the struggle to uphold and defend full human rights for women cannot be achieved in an environment in which basic civil and political rights are denied. Specifically in Malaysia, SIS understands that, as a women’s organisation, it is imperative that the group supports larger coalitions and campaigns seeking to expand the Malaysian public space for the purpose of debate, dialogue, and access to information. In addition, it has become ever more important that women’s human rights issues are understood to cut across a range of disciplines and cannot thus be isolated under the misleading banner of ‘women’s issues’ alone. Women’s issues include the right to assemble freely, workplace rights and freedoms (including issues surrounding women migrant workers), the need for greater participation and representation in decision-making, and a host of other concerns.

For these reasons, SIS is an active partner in many coalitions and efforts to uphold fundamental liberties and to strengthen

democratic principles and practices. In 2004, SIS and WAO led the initiative that gave birth to the Article 11 coalition.¹ Article 11 is now a coalition of diverse civil society groups committed to upholding the Federal Constitution as the supreme law of the land. The group also works to protect the fundamental liberties, which includes freedom of religion, guaranteed to all citizens and residents of Malaysia.

The case that inspired the creation of Article 11 involved a non-Muslim woman, Shamala, a client of WAO, who lost parental rights over her children’s freedom of religion when her husband converted to Islam. He then converted their two small children to Islam with the Syariah Court’s consent.

For SIS and WAO, the case clearly denied a woman’s equal right to the guardianship of her young children, and of her equal right to decide on their religion as recognised by civil law. These rights had apparently been lost in a single stroke upon her husband’s conversion to Islam.

The civil High Court, which has the power to decide on matters in a marriage where one party has converted to Islam, ruled that it had

no jurisdiction over her application to have the conversion of her children nullified as they were now Muslims.

The implications of this case (and a number of subsequent high-profile cases), especially the impact of the High Court’s decision on the right of belief and the right to practise one’s belief as guaranteed under Article 11 of the Federal Constitution, led to the expansion of the Article 11 coalition to include nine other civil society organisations. In 2006, Article 11 launched a series of national public forums throughout the year to protect and uphold the Federal Constitution. However, after only the third public forum in Johor Baru, the Government ordered a halt to further forums due to tensions caused by the mobilisation of conservative Islamist groups.

Besides its work with Article11, SIS also supports other campaigns that uphold civil, political, economic, social, and cultural rights. SIS showed solidarity by signing and issuing public statements to protest the forced eviction of the Kampung Berembang settlers in November 2006. SIS also continues to support the Centre for Independent Journalism’s work on freedom of information regarding the state’s banning of several publications, and supported the centre’s call for a Freedom of Information Act. SIS also continues to be a member of the *Gerakan Mansubkan ISA* (Abolish ISA [Internal Security Act] Movement).

¹ Article 11 comprises 11 member organisations: The All Women’s Action Society (AWAM), The Malaysian Bar Council, Catholic Lawyers’ Society, The Malaysian Civil Liberties Society, Protem Committee (MCLS); The Malaysian Consultative Council of Buddhism, Christianity, Hinduism, Sikhism and Taoism (MCCBCHST), The National Human Rights Society (HAKAM), Sisters In Islam (SIS), Suara Rakyat Malaysia (SUARAM), The Vivekananda Youth Movement, Seremban, The Women’s Aid Organisation (WAO), and The Women’s Development Collective (WDC).

Question	Answer	2003 (%)	2006 (%)
Do you believe there are circumstances when a man can beat his wife?	Yes	40	13.2
	No	58	85.0
	No idea	2	3.6
Can a wife disagree if her husband wants to practise polygamy?	Yes	65	71.0
	No	30	25.0
	No idea	13	4.0
Should there be a law or a dress code to regulate women’s dressing?	Yes	(no similar question asked)	14.8
	No		79.0
	No idea		5.5

16 Days of Activism: 2006 Poll results indicated a heartening growth in public awareness of key issues.

Annually, SIS joins other NGOs to celebrate two international events: International Women’s Day (IWD) on March 8, and 16 Days of Activism Against Gender Violence (Nov 25–Dec 10). In 2006, SIS joined WAO, AWAM, the Malaysian Aids Council (MAC), Amnesty International (AI), and UNICEF to celebrate IWD together with Red Communications, the producer of the popular youth programme, 3R. As part of its public outreach work SIS organised a booth to distribute and sell SIS publications, *Know Your Rights* leaflets, and stickers. Given that the event took place in a shopping complex and the target audience was young, SIS also conducted public polls and quizzes and gave away prizes.

For the annual 16 Days of Activism, SIS combined with WAO, MAC and AI under the theme *Learn, Speak Out, and Take Action*, and similar

outreach activities as those of the IWD were held at a shopping mall in Kuala Lumpur. During this period, SIS staff and members gave five interviews on radio and television to speak on domestic violence, rape, personal safety, and emotional and mental violence.

From Local to Global

The impact of rising conservatism and extremism in the Muslim world has been most debilitating on women as they watched the rights and status they have struggled for over the decades being steadily chiselled away in the name of Islam. It is thus not surprising that in much of the Muslim world, women’s groups have been at the forefront of a progressive movement to recognise justice and equality in the face of the realities of changing times and circumstances.

As early as 1992, SIS began its international networking and invited progressive Islamic scholars to its first conference on 'Islam and the Modern Nation State'. This was the first SIS workshop to discuss contemporary problems and the methodological framework for addressing the debate on Islam and democracy. Since then, SIS has organised five international meetings and established a tradition of bringing together scholars and activists to discuss issues ranging from Islam, Culture, and Democracy to Islamic Family Law and Justice for Muslim Women.

2006 saw an expansion of SIS work at the international level in terms of capacity-building, networking, and consultation on issues surrounding women's rights in Islam. In March, SIS organised an international consultation on 'Trends in Islamic Family Law Reform in Muslim Countries'. It was jointly opened by Nori Abdullah, Marina Mahathir, and Hanis Hussein, three daughters of the present and past Prime Ministers, who performed a special monologue based on the hundreds of cases at the SIS Legal Clinic. The seminar brought together activists and scholars from Morocco, Turkey, Iran, Britain, Indonesia, the Philippines, and Malaysia, who shared their most problematic challenges as well as arguments and strategies to reform their respective national personal status codes. As a result of this roundtable, SIS has initiated global reform movement for reform of Muslim Family Law within the framework of justice and equality. A planning committee of 12 scholars

and activists from 11 Muslim countries was to begin meeting in 2007 to plan the launch of the movement in December 2008.

A major outcome of the intensive SIS international networking was a demand for the group to organise a short course on understanding Islam from a right perspective for Muslim women leaders. Designed for those already grounded in gender and human rights principles, this two-week course seeks to help women understand Islam better in order to assist them in their advocacy for reform in the face of attacks from conservatives and extremists. The inaugural course on 'Understanding Islam from a Rights Perspective' was held in August at the Rockefeller Study and Conference Centre in Bellagio, Italy.

Another outcome of SIS international networking has been the demand for SIS to host study tours to Malaysia for religious and community leaders, activists, politicians, and public officials from various Muslim countries and Muslim minority communities. These tours allowed visitors the opportunity to network with Malaysian NGOs and learn the challenges and strategies of working for women's rights within Muslim contexts. This initiative began in 2005, and in 2006 SIS conducted training programmes on women's rights in Islam to groups from Afghanistan, Pakistan, India, Nepal, Bangladesh, Iraq, and Zanzibar. The success of this project led to a subsequent request for more intensive training for Iraqi activists, which was conducted in Beirut by the SIS Chief Trainer, Zaitun Kasim.

SIS has emerged to be an important global resource on Islam, human rights and gender. At many international meetings, SIS staff and members have played important roles as panellists, speakers, and resource persons. SIS has provided input at roundtables to advance a rights-based understanding of Islam, and has shared strategies in dealing with the impact of political Islam on women's rights and fundamental liberties. In 2006, these activities included a conference on Social Justice and Gender Equity organised by the Bangladesh Women Lawyers Association, the Women Living Under Muslim Laws network's Plan of Action Meeting in Senegal, and the ASMA Society Women's Islamic Initiative in Spirituality and Equity in New York. This initiative brought together over 100 Muslim women leaders, including activists, scholars, Sufi practitioners, writers, journalists, and also leading women's human rights advocates of other faiths. SIS also attended several meetings promoting democratisation in Muslim societies organised by activists in the Philippines, Indonesia, and Malaysia.

There is also increasing interest among some Arab activists to interact more with Southeast Asians. In April, SIS was invited to share its experiences at an international meeting organised by the Cairo Institute for Human Rights Studies and the Swedish Institute in Alexandria on 'Human Rights and Renewal of Religious Discourse: How the Arab World Would Benefit



Friends from Indonesia consulting with SIS on their training module on Islam and Gender. *From left:* Zainah Anwar, Lies Marcoes Natsir, Faqihuddin Abdul Kodir, Zaitun Kasim, and Kiyai Husein Muhammad.

from the Experiment of Renewal of Religious Discourse in the Non Arab Context'.

SIS also responds to requests from NGOs and donors requiring names of scholars, activists, as well as available research on various issues on Islam and women's and human rights. In 2006, SIS assisted various groups in the areas of women as leaders, domestic violence, post-conflict reconstruction, democratisation, and constitutional law.

It is important that SIS continues to strengthen and build on its networking and alliances, both locally and internationally, within the women's movement and outside of it. These alliances help SIS members and staff situate the group's work within the larger political context in which it operates. The support and acclaim that SIS receives nationally and internationally—from both Muslim and non-Muslim activists, scholars and leaders—is crucial to the SIS support system and its effectiveness in building national and international public constituencies that work for a just Islam.

Understanding Islam from a Rights Perspective: SIS Short Course, August 3-16, 2006.

In 2003, SIS brought together Muslim women's groups from Indonesia, Malaysia, Singapore, and the Philippines, to meet with their counterparts from Egypt, Jordan, Morocco, Iran, Turkey, and Palestine. The meeting discussed the challenges participants experienced in the face of rising conservatism and extremism in their countries. The three-day Building Bridges Roundtable focused on the legal, political and social impact of political Islam in participants' respective societies, its impact on women's lives in particular, the strategies used by women's groups to deal with these challenges, and plans for future collaborations.

At the end of the Roundtable, participants identified the urgent need to deepen their knowledge of Islam, in particular to understand the emerging progressive scholarship that recognises justice and equality. This, they determined, would enable them to challenge more effectively the use of Islam to justify discrimination against women and to delegitimise women's demands for change. At other regional and international meetings, SIS staff and members met many more women activists who expressed the same need for a better understanding of Islam in the face rising extremism and intolerance in their societies.

It was to meet this demand that SIS organised a two-week short course on 'Understanding Islam from a Rights Perspective' from August 3–16, 2006. SIS brought together 14 Muslim women activists who represented organisations and networks from 11 countries: the Philippines, Thailand, Egypt, Yemen, Palestine, Sudan, Nigeria, Tanzania, Gambia, Afghanistan, and Bangladesh. Four progressive and gender-sensitive scholars of the Qur'an and Islamic law led the teaching, and three SIS staff from Malaysia facilitated and provided input into strategic planning and advocacy. The group could not have asked for a more ideal environment to organise such an intensive course than the calm and contemplative environment on the shores of Lake Como in Bellagio, Italy, where the Rockefeller Foundation generously granted SIS the use of their Conference and Study Centre.

The Course

The course, which was designed for activists who were already grounded in gender and human rights principles, but wanted to understand the possibility of working for justice and equality within the Islamic framework, had two objectives:

- to illuminate the vibrant tradition of diversity in Qur'anic interpretation and juristic opinion that permeated Islamic scholarship and society in the early years of Islam, and to understand how this diversity has influenced and impacted on women and their rights.
- to introduce alternative approaches to interpretation, namely gender-inclusive readings of the texts that address contemporary challenges and circumstances, and to understand the social construction of Islamic law, the principles used by the jurists to derive

legal rulings in the context of their times, and how these principles and approaches create possibilities for reform in the context of changing times and circumstances.

In the first week of the course, sessions began with participants sharing their individual experiences of the legal, social, political, and personal impact of rising religious conservatism and fundamentalism in their societies. This enabled scholars, facilitators, and participants to place subsequent coursework within context. Participants were introduced to the science of the



Participants, resource persons, and facilitators at the SIS two-week short course on 'Understanding Islam from a Rights Perspective'.

Qur'an and methodology of Hadith classification, and how different contexts in the centuries that followed had resulted in different interpretations of these texts. Tied closely to this was a session that examined the construction of Islamic law in the formative period of Islam, as well as a session on the construction of gender in Islamic legal thought. Ending the first week of the course were sessions which considered legal and social relationships in the Syariah, and a panel which discussed the place of Syariah in the modern world (including the human rights framework and the compatibility of Islam and human rights).

The first few days of the second week focused on examining contemporary approaches in interpreting the Qur'an and reading the Qur'an from a woman's perspective, with special regard to several verses that had been particularly problematic to Muslim women, including the verses on polygamy and wife-beating. Using the effort to reform the *Hudud* laws in Pakistan as an example, participants were then taken through the social construction of Islamic law, and the challenges to law reform in the modern context. The remainder of the course concentrated on discovering strategies for reform and advocacy. Spinning off these sessions were workshops conducted on communications and media strategies which participants requested during the course.

An important component of the course was work done to bridge the gap between the

activists working on Muslim women's rights and the scholars of Islam—both are key agents of change in societies undergoing reform. For activists, the knowledge from the scholars provided them with the confidence to tackle the challenges they encountered, especially in relation to interpretations of the text that serve to perpetuate injustice towards Muslim women. For the scholars, the interaction with activists gave meaning and relevance to their academic work as scholarship and lived realities met to bring about change on the ground.

Gaining Confidence

At the beginning of the course, some of the participants spoke of their discomfort at having to engage with the religious text. By the end of the course however, many of them felt that their initial fears had been allayed and, moreover, they had gained knowledge, confidence as well as the support of other participants.

One of the participants from Afghanistan recently informed SIS of her experience in engaging with 25 mullahs, and how she felt that the course had given her the knowledge and confidence to argue with them substantively within the Islamic framework on the notion that women were inferior to men. Many participants remain in touch with SIS, sharing continuing experiences and responding to each other's requests for assistance.

The next course is planned for 2009 and participants will be selected from those who will attend the launch of two global movement for Muslim Family Law Reform Initiative.

SIS owes a debt of gratitude to the scholars who took two weeks off their busy schedules to engage and share their insights with critical feminists: Prof Khalid Masud and Prof Ziba Mir-Hosseini led the sessions on Islamic Law and Hadith, while Prof Amina Wadud and Prof Abdullah Saeed led the sessions on the Qur'an.

From Sisters In Islam, Zainah Anwar was Project Director, Zaitun Mohamed Kasim, chief facilitator, and Rozana Isa took charge of rapporteuring, documentation, and logistics.

Participants' Feedback on the Course

- Brilliant resource persons!
- This was a dream-come-true course for me!
- It is great work because it brought different participants (from different cultures, backgrounds) who are engaged in exchanging ideas and experiences, besides learning new information and knowledge.
- The course was useful and interesting at three levels:
 - to meet women from other context/ countries and to exchange experiences
 - to learn from the facilitators, working with each other (how SIS works as a team) and organize the course and materials and how to facilitate effectively
 - to meet the resource persons and to discuss and learn from them
- Just to express my appreciation to the Sisters In Islam for creating the opportunity to participate. I have learnt a lot from this training which I hope to take home and share with other groups. I hope that this will be the beginning of collaboration between feminist activists in Asia and Africa in promoting Muslim women's rights from a rights perspective. This is a great job, keep it up.

‘Sisters In Islam has approached Malaysian questions by firmly grounding itself in the country’s different cultures and faiths. It is, therefore, a model of Islamic organisation and leadership that is not only exemplary and laudable but viable.’

Sumit Mandal

A Historian at The Institute of Malaysia and International Studies (IKMAS), Universiti Kebangsaan Malaysia

Organisational & Financial Matters

6 Organisational Matters

Given the expansion of SIS's activities, the increasing number of visitors to its office and participants in its activities, the need for more space became urgent in 2006. In August, SIS moved into a spacious, bright new office in a leafy part of old Petaling Jaya, with enough room to hold its training and study sessions, and to host more than one meeting at a time.

Staffing

As is the common experience with NGOs, recruiting the right staff and retaining them remains a challenge. SIS strives to provide a nurturing, empowering, and intellectually challenging working environment. For SIS, the recruitment pool is particularly small, given the nature of the work that it does.

In 2006, SIS employed 12 full-time staff: the Executive Director, two managers, five programme officers, one accounts officer, two programme assistants, and one administrative assistant. The legal officer, an administrative assistant, and two officers under probation left and a recruitment drive was undertaken for their replacements to take over. SIS also employed four staff on a part-time or project basis. A

programme manager and a programme officer worked three days a week, and a researcher was hired to coordinate the SIS nationwide polygamy research project. A SIS member was also employed on a project basis to coordinate study tours, strategic consultation, and the annual evaluation and planning meetings.

As an organisation that believes in the pursuit of knowledge for empowerment, SIS regularly sends its staff and members for training in Malaysia and abroad. Besides regular weekly English classes, 10 staff and members attended various training courses in 2006. These ranged from administrative, management, and financial planning skills, to understanding human rights, women's rights, and feminist legal theory and practice.

SIS also accepts interns on a short-term basis. In 2006, a Malaysian graduate student doing her PhD at the University of California in Los Angeles spent seven months at SIS. She assisted in research, writing, and the rapporteuring of various SIS meetings, all of which was done in the midst of intensive research and interviews for her thesis topic, 'Recreating Communities of the Faithful: Negotiating Gender, Religion and Feminism in Malaysia and Egypt', which explores

the ways SIS and the Women in Memory Forum in Egypt engage in the discourse of Islam, gender, and feminism. An Australian law student also spent a month at SIS to learn methods of advocacy and education that allowed for better understanding and access to the law for Muslim women, as well as to explore methods of educating the broader Australian community about the cultural circumstances in which Muslim women live in Australia.



SIS staff and members evaluating SIS work at the Evaluation and Planning retreat in November 2006. From left: Zaitun Kasim, Sharifah Zuriah Aljeffri, Shanon Shah, Adibah Mohammad Jodi (hidden) Prof Dr Rashidah Shuib, Nik Noriani Nik Badli Shah, and Norhayati Kaprawi.

Governance

SIS is governed by a Board made up of two members and a Programme and Management

Committee (PMC) made up of four members. The Executive Director sits on both bodies as ex-officio member. While the Board has the minimal legal role of examining and approving SIS audited accounts, the major role of monitoring the organisation is vested in the PMC. Members with diverse skills and knowledge in organisational development, management, financial planning, fundraising, research, and advocacy, are elected to serve two-year terms. The PMC meets up to four times a year to monitor SIS programmes and activities, financial planning and fundraising, organisational development, and staff welfare and capacity building. It also gives support and guidance to the Executive Director in managing the organisation.

To strengthen the commitment and ownership of SIS, and to promote transparency and accountability, SIS staff and members meet once a year at a three-day evaluation and planning (E&P) retreat to evaluate the group's organisational vision and direction, and to develop an 18-month strategic plan. In planning for the 2006 E&P retreat, SIS organised a strategic consultation meeting among supporters and friends to discuss ways to strengthen SIS's work and ensure that it remained relevant to the evolving needs and concerns of Malaysian society. SIS staff also prepared for the annual retreat by undertaking a comprehensive reporting process on all activities, measuring the successes, failures, and making recommendations for improvement.

A major issue of concern discussed both at the strategic consultation and the E&P in November was the rise of supremacist thinking and mob mobilisation in the name of race and religion. These developments had directly impacted on SIS work and the political context in which the group operated. Given the disturbing political scenario, SIS identified the importance of building strategic alliances with individuals and groups at the national and international levels to protect and expand a democratic space that would enable progressive civil society organisations to grow and continue to influence public policy in Malaysia. SIS also recognised the need to intensify its training programme to build a larger grassroots constituency of empowered Muslim women who were aware of their rights, the violations of these rights when they occur, and what actions they could take to redress these situations.

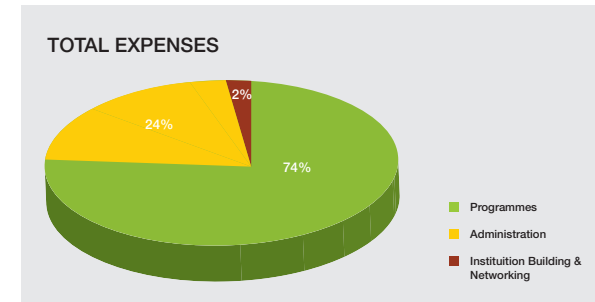
Financial Highlights

SIS has been very fortunate to have enjoyed strong financial support from individual Malaysians and corporations, as well as international donors. Even though many major international donor agencies do not support national-level work because Malaysia is categorised as a rich country, some foundations have been willing to support SIS because of the international impact of its activities. For the financial year ending Dec 31, 2006, foreign grants received by SIS amounted to RM868,981,

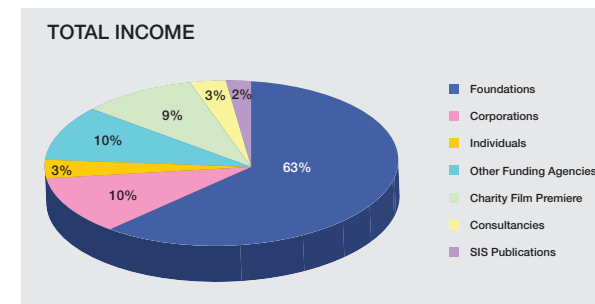
which is a 21.6 per cent decrease compared to grants received in 2005. Our key foreign funders for 2006 included the Global Fund for Women, the Friedrich Nauman Foundation, the Ford Foundation, the Rockefeller Foundation, the Asia Foundation, and the British and Canadian High Commissions.

The decrease in foreign funding was due to a strategic decision by SIS to raise more funds among local donors. Given the rising conservatism and extremism, SIS felt that it was important for Malaysian individuals, corporations, and foundations to support the work of SIS in building the voice of moderation in Islam. SIS issued appeal letters to potential donors and 48 individuals, corporations, and foundations responded with a total of RM151,073. SIS also began work in November 2006 to plan a Charity Film Premiere of the award-winning Indonesian film on polygamy, *Berbagi Suami*. It sought to raise RM120,000 to fund its nationwide research on the impact of polygamy on the family. The SIS fundraising team worked intensely to raise RM102,270 by the end of December, and was confident it would reach its target by the time of the premiere in January 2007.

SIS is pleased that funds received from local donors in 2006 amounted to RM253,343, a 69.3 per cent increase compared to donations received in 2005. Also, income from SIS publications amounted to RM21,328, an increase of 82.5 per cent compared to the previous year.



A breakdown on SIS expenditure in 2006.



SIS total income for 2006 with breakdown of funding categories.

This reflected the rising interest in and relevance of the SIS strategy of knowledge-production to counter the use of Islam to discriminate against women. The demand for SIS publications came mainly from university libraries, professors, researchers, visitors, students, and NGOs in Malaysia, as well as abroad.

SIS's total expenses for 2006 amounted to RM1,065,742, an increase of 40 per cent compared to the previous year. This included a 141.2 per cent increase in programme

funding, largely due to the two-week course in Bellagio, Italy, for Muslim women leaders on 'Understanding Islam from a Rights Perspective'.

SIS Membership

SIS membership is by invitation only. Given the nature of the work, SIS from the very beginning did not choose an open membership system. It saw itself as a research and advocacy group where every member was expected to be actively involved in the organisation. For a long time, many were stunned that all that work was done by just eight women without an office or paid staff. Many remain surprised that SIS today is composed of no more than 30



SIS members and staff regularly come together to celebrate birthdays and other special occasions. *Back row (from left):* Sharifah Zuriah Aljefri, Zainah Anwar, Puan Sri Jamilah Ibrahim, Nik Noriani Nik Badli Shah, Azza Basarudin (intern), Norhayati Kaprawi, Ili Farhana Norhayat, and Erzalina Shahabu Ramali. *Front row (from left):* Mariyana Eszet Zaidel, Nur Fadhlil Mohd Yusof, Hartini Abdullah, Prof Norani Othman, and Nurul Amani Faisal.

members. Potential new members are expected to attend SIS events regularly, especially its study sessions, and volunteer time with SIS to understand and fully support the SIS vision and programme work, and to enable both sides to feel comfortable with each other.

SIS members actively participate in SIS research projects, fundraising activities, are elected to and sit on governance bodies, contribute to evaluation and planning retreats, volunteer to represent SIS at meetings locally and internationally, and assist in various programme and outreach activities.

Recognising the important role they play in helping SIS be more effective in its work, the group also opened its doors to gender-sensitive men committed to the SIS vision. Two men have been admitted as associate members since 2004.

Over the years, many men and women (both Muslims and those of other faiths) have expressed their interest to be a part of SIS, but have little time to be actively involved on a consistent basis. In 2005, SIS established a new category of membership called Friends of SIS (FOSIS), for which an annual contribution of RM50 is charged. FOSIS members are invited to all SIS events and special study sessions intended for SIS members and supporters only. They also receive discounts on SIS publications, merchandise, and have free use of the resource centre and receive complimentary copies of *Baraza!*.

There are currently 15 FOSIS members, and a formal launch and recruitment drive for new members is planned for 2008.

SIS Organisation in 2006

Board of Directors

Rozana Isa, Yasmine Merican, and Zainah Anwar (ex-officio)

Programme and Management Committee

Prof Norani Othman, Puan Sri Jamilah Ibrahim, Rozana Isa, Yasmine Merican/ Rashidah Abdullah, and Zainah Anwar (ex-officio)

Executive Director

Zainah Anwar

Managers

Rashidah Hashim (Operations)
Norhayati Kaprawi (Public Education, Information Communications)
Zaitun Kasim (Legal and Campaigns, part-time)

Officers

Razlinawati Razali (Legal)
Noraini Abdul Murat (Legal, resigned in September)
Adibah Mohammad Jodi (Information)
Hartini Abdullah (Accounts)

Programme Assistants

Erzalina Shahabu Ramali (Legal)
Nurul Amani Faizal (PEIC)

Administrative Assistant

Esteena Arnieza Zais (resigned in October)

Project / Part-time Staff

Nik Noriani Nik Badli Shah (legal consultant/ Muslim Family Law researcher)
Jac Kee Siew Min (Polygamy research coordinator)
Jana Rumminger (Muslim Family Law researcher)
Shanon Shah Mohd Sidik (*Baraza!* coordinator and campaigns officer until March)
Rozana Isa (study tour, evaluation and planning and strategic consultation coordinator)
Farida Cheryl Faizal (programme assistant for December)

Polygamy lead researchers

Prof Norani Othman (Universiti Kebangsaan Malaysia)
Dr Shanthi Thambiah (Universiti Malaya)
Prof Dr Rashidah Shuib (Universiti Sains Malaysia)

Interns

Azza Basarudin (PhD Researcher, University of California, Los Angeles, USA)
Lynette Coleman, (Post-Graduate Bachelor of Laws and Legal Practice, Flinders University, Adelaide, Australia)

Volunteers

Students from Sunway College who helped to catalogue books and newspaper clippings (Sept – Nov 2006)

‘SIS has helped many women all over the world to be confident and to claim their rights while staying intact with their identities and religious traditions.’

Roya Rahmani

National Human Rights Activist Award Winner, Afghanistan

Getting Involved

7 *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 SIS campaigns and at 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 at www.sistersinislam.org.my



SIS staff members and friends at an outreach event on International Women's Day. *From left:* Esteena Arnieza Zais, Sharifah Zuriah Aljeffri, Razlinawati Razali, Dina from 'Malaysian Idol', Hartini Abdullah, Sharifah Mas'ad, and Rashidah Hashim.

Acknowledgements

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Friends of Sisters In Islam

Notes

Notes

Sisters In Islam
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Sisters In Islam

empowering voices for change

Annual Review **2006**



‘For Muslim men and women, for believing men and women, for devout men and women, for truthful men and women, for men and women who are patient and constant, for men and women who humble themselves, for men and women who give in charity, for men and women who fast, for men and women who guard their chastity, and for men and women who engage much in God’s praise, for them God has prepared forgiveness and a great reward.’

Surah Al-Ahzab, 33:35

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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 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.

Contents

	Message from the Executive Director	vii
1	The SIS Story	1
2	Research	13
3	Public Education, Information and Communications	21
4	Legal Services and Advocacy	33
5	Networking: National and International	45
6	Organisational and Financial Matters	57
7	Getting Involved	65

‘Knowing that SIS exists in an extreme world today gives me hope that the image of a moderate, accepting and nourishing Islam is possible, and what more powerful than the implementation by Muslim women! I love the open arms of the members of SIS and the inclusion of people from all walks of life. It is time that Muslims around the world accept the realities of a changing world in front of our eyes.’

Rangina Hamidi
Women’s Rights Activist in Afghanistan

*Message from the
Executive Director*

Welcome to the first annual report of...

Sisters In Islam (SIS). For years we have sought to produce annual accounts of our activities, but time and human resource constraints have proven perennially problematic. This year, we were determined that the 2006 annual review would appear, no matter how late, and that similar reports will appear with regularity every year thereafter.

What makes this report special is the story of SIS in the first chapter. We have given numerous interviews over the years to researchers and journalists who have wanted to know why and how we were formed. Here at last is the official story, but there are details and personal journeys that we have not included for lack of space. Perhaps these will appear in a special anniversary report, or in a future book on SIS.

2006 was a particularly challenging, yet rewarding, year. It opened with the Joint Action Group for Gender Equality (JAG)—which includes SIS—embroiled in a controversy over the discriminatory amendments to the Islamic Family Law. The issue, however, generated a heartening amount of public and media support for the position that justice must remain the paramount objective of Islamic law.

In view of public outrage, the Cabinet ordered the suspension of the amendments, and invited SIS and JAG to a series of meetings, led by the Attorney General, to negotiate fresh changes to the proposed legislation. This was a major step forward as for the first time the Government recognised the importance of women's voices in drafting the Islamic Family Law.

Indeed, our long-term campaign for Islamic Family Law reform took another step forward in March 2006, when SIS organised an international seminar on 'Trends in Islamic Family Law Reform in Muslim Countries'. This led to a momentous decision to bring together key women's groups and scholars to spearhead a global movement for Muslim family law reform within the framework of justice and equality. SIS is leading this initiative with support from a planning committee of 12 scholars and activists from 11 Muslim countries.

The year thus saw a significant expansion of the international component of SIS's work. Given the rise of political Islam and its impact on the status and rights of Muslim women in most Muslim countries, as well as Muslim minority communities in the West, the demand grew phenomenally for SIS to share its experience and strategies in working on women's rights within the Islamic framework.

In August 2006, SIS organised a groundbreaking inaugural short course on 'Understanding Islam from a Rights Perspective', which brought together 14 Muslim women leaders representing organisations and networks from 11 Muslim countries. The course was designed for women leaders already well-versed in gender and human rights principles, who also wished to understand Islam better in order to make their advocacy for women's rights more effective and holistic.

The demand for our two-day training programme on 'Islam and Women's Rights' also expanded to include the participation of foreign visitors on study tours to Malaysia. SIS conducted briefings

and training for visiting activists, political and religious leaders and public officials from South Asia, Iraq, Afghanistan, and Zanzibar. Through this networking, some groups abroad have taken on the task of translating our question-and-answer booklets on issues such as equality, domestic violence, polygamy, and family planning into their local languages for use in their own contexts.

The passion with which SIS and its allies championed the causes of justice and equality in the name of Islam also led to the consolidation of conservative opinion. Reactionary groups launched campaigns against what they perceived as the evils of 'liberal Islam'—campaigns that included open hostility directed at SIS and its associates in public forums, mosques, and demonstrations under the banner of 'Islam Under

"Justice is the paramount objective of Islamic Law."

Siege'. Two issues in particular, espoused by old and new Islamist groups, caused concern for those working for a more just society: *Bahaya Murtad* (the danger of apostasy) and *Bahaya Islam Liberal* (the danger of liberal Islam).

Regrettably, these attacks found echoes in the UMNO General Assembly in November 2006. However, SIS and its friends in broader civil society and human rights movements—particularly the Article 11 coalition—remained unmoved throughout. The Prime Minister's closing remarks at the general assembly, expressing concern on the growing intolerance and 'ultra-conservatism', went some way to douse the inflammatory language and sentiments raised. The English-language media (and online

news portals) rose to the occasion by highlighting the dangers of this kind of hate language and mob mobilisation tactics used to silence dissenting voices.

Opposition towards SIS in 2006, therefore, created valuable opportunities to widen the public space for discussion of urgent issues of concern. The extremism displayed by the ultra-conservative segments of society served as a wake-up call to many quiescent Muslims and Malaysians and helped them perceive what was really at stake for the preservation of Malaysia's future as a peaceful, stable, prosperous, democratic, multi-ethnic, and multi-religious society. It was indeed reassuring and most uplifting for SIS that more voices, more groups, informal networks and coalitions emerged in the ensuing months to demand respect for the

Federal Constitution and a preservation of the social contract that has recognised a rightful and legitimate place for every Malaysian regardless of race, religion, and opinion.

This is the basis of our hope for change—that in the end, a more democratic and just Malaysia will provide the impetus for a more democratic and just Islam.



Zainah Anwar
Executive Director
Sisters In Islam