Malaysian Muslim women in Kuala Lumpur. Photo by Vin Crosbie, Flickr Creative Commons: http://bit.ly/2v47REp

Note on this Case Study:

When considering this case study, remember that every major world religion originated and has grown in patriarchal societies—that is, societies where men hold most of the culture's power, and people of any other gender are largely excluded from power. In this patriarchal context, religions have responded in very different ways, sometimes upholding and supporting misogyny, and sometimes subverting and rejecting it in favor of gender equality. Powerful women, feminists, and members of the LGBTQ community have played major roles in all faith traditions, in diverse ways across different times and cultures.

As always, when thinking about religion and gender, maintain a focus on how religion is internally diverse, always evolving and changing, and embedded in specific cultures.

The Religious Literacy Project is directed by Diane L. Moore and all content is constructed under her editorial direction.

Malaysia's Sisters in Islam (SIS)

The southeast Asian country of Malaysia names Islam as its official religion, but it is a diverse, multicultural, and multireligious nation. Just over 60% of Malaysians are Muslim. Most of the remaining 40% are Buddhists, Christians, and Hindus.[1] Malaysia suffered a long history of colonial oppression; Portugal, the Dutch, Britain, and Japan all took part in colonizing the nation between 1511 and 1957. Thus, its institutions are deeply impacted by colonialism. Under British rule, colonizers demanded Malaysian civil and criminal law follow British models, but left Islamic law—or *sharīʿah* (*syariah* in Malay)—to apply in family law. However, even *syariah* was deeply influenced by British law in this period. In addition, centuries of colonial "divide and conquer" strategies led to mistrust between Malaysia's ethno-religious groups, and after independence, the Malay Muslim population worked to ensure their supremacy in the young nation. Islam was made the official religion, and a divided judicial system based on the colonial system was confirmed: secular courts to address civil and criminal law, and Islamic *syariah* courts for family law for Muslims. However, secular laws and *syariah* laws often interact in modern Malaysia, and divisions between the two are unclear, particularly in cases involving gender and non-Muslims.[2]

Malaysia prides itself on being a "modern" and "moderate" Islamic nation, which skillfully balances Islam, democracy, and capitalism. However, there are many interpretations of *syariah*. In Malaysia, *syariah* laws have historically been written by the *'ulama*—an elite class of male religious scholars. But some Malaysian Muslims believe the *'ulama* has created an Islamic law code which is discriminatory towards women. As evidence, they point to the courts' approval of polygamy, a tacit acceptance of domestic violence, punishments for extra-marital sex even in cases of rape, unfair marriage laws, punishments for converting to a different religion, and more.[3]

In the mid 1980s, one such group of women in Kuala Lumpur, the nation's capital, began holding a Qur'anic study circle. They called themselves Sisters in Islam (SIS). The women of SIS

[1] Azza Basarudin, *Humanizing the Sacred: Sisters in Islam and the Struggle for Gender Justice in Malaysia*, (Seattle: University of Washington Press, 2016), 42.
[2] Ibid., 43-47, 50.
[3] Ibid., 8, 52-53.

believed that justice and equality formed the core of their faith, a conviction which led them to assert that the Qur'an supports gender equality.[4] Co-founder of the study group Zainah Anwar said their discussions were grounded in "deep concerns over the injustice women suffered under the implementation of *syariah* law," and that "this questioning and above all the conviction that Allah could never be unjust, led us to go back to the primary source of the religion, the Qur'an."[5]

Sisters in Islam co-founder Zainah Anwar, by Anasuyas, Wikimedia Commons: http://bit.ly/2vdIYGE

From its roots as a Qur'anic study group, SIS transformed into a non-governmental organization in 1993 with two intertwined goals: helping women gain positive rulings from the *syariah* courts and pushing for systemic change in the Islamic judicial system. SIS offers legal clinics and counseling services for women navigating the courts and public education events. They research women's issues, publish Islamic opinion pieces in Malaysian newspapers, and lobby the Malaysian government, where they have established powerful connections.[6]

SIS pursues countless advocacy efforts, promoting women's rights in issues of polygamy, divorce, inheritance, veiling, and more.[7] In all its efforts, SIS puts Islam at the center. The women use gender egalitarian interpretations of the Qur'an and the *sunnah*—or traditions of the Prophet—to advocate as both women and Muslims. While the *'ulama* has significant power in interpreting Islamic law, SIS claims that Muslims must learn to separate *syariah* (the way of God) from *fiqh* (laws derived from a human effort to understand God's way, rooted in history and culture). SIS admits the *'ulama* are creating *fiqh*, but since the laws are not just, SIS believes that the *'ulama* has failed to produce *syariah*. Their claim is based on the Islamic legal concept of *ijtihad*—or independent reasoning: that individual Muslims can interpret the way of God. In short, SIS is dedicated to "promoting an understanding of Islam that recognizes the principles of justice, equality, freedom, and dignity within a democratic nation state."[8]

Still, while many have benefited from the work of Sisters in Islam, some Malaysian Muslims are hostile towards them. Many of the *'ulama* resent SIS's challenge to their authority. Some Malaysian men and women accuse SIS of accepting of only elite, wealthy members. Many accuse the group of adopting foreign ideas, claiming that feminism is a Western movement alien to Malaysia. Plus, since the Islamic family law that SIS challenges was the only part of the law code not directly adopted from the colonial powers, it is often seen as the only truly native Malaysian law. This reinforces the claims that SIS is foreign at best, or a tool of Western imperialists at worst. On the other hand, some Western feminists claim Islam and feminism are incompatible, and are also hostile to SIS.[9] The organization is constantly facing opposition from many sides. SIS, however, continues to advocate for equal rights for Muslim women in Malaysia and across the world, rooted in the teachings of the Qur'an and the Prophet.

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[4] Basarudin, "Humanizing the Sacred," 12.
[5] Cecilia Ng, Maznah Mohamad, and tan beng hui, *Feminism and the Women's Movement in Malaysia: An Unsung (R)evolution* (New York: Routledge, 2006), 98.
[6] Basarudin, "Humanizing the Sacred,"13-14.
[7] Yasmin Moll "Islamic Feminism between Interpretive Freedom and Legal Codification: The Case of Sisters in Islam in Malaysia," in *Contesting Feminisms: Gender and Islam in Asia*, ed. Huma Ahmed-Ghosh (New York: State University of New York Press, 2015), 167.
[8] Basarudin, "Humanizing the Sacred," 4-6.
[9] Ibid., 147-150, 164-179.

Additional Resources

Primary Sources:

- SIS official statement on public caning (2017): http://bit.ly/2vedqjZ
- SIS official statement on head coverings in universities: http://bit.ly/2h8Chzx
- Anti-polygamy video produced by SIS: http://bit.ly/1FU32OO
- Malaysian news organization Free Malaysia Today interviews members of Sisters in Islam on International Women's Day in 2011: http://bit.ly/2tJEzqx
- Short two part documentary about Zainah Anwar, co-founder of SIS including her upbringing (part 1) and her experience in the organization (part 2). Part 1: http://bit.ly/1QdpTa5. Part 2: http://bit.ly/2vPUhlz
- Amina Wadud, co-founder of SIS, explains in 2011 why she chose to lead a mixed-gender Muslim prayer in 2005: http://bit.ly/2tJa4RK

Secondary Sources:

- FMT reporting on SIS's approval of 2017 court decision regarding the naming of children born out of wedlock: http://bit.ly/2h9bQJW
- The Sun reporting on Malaysian mufti (member of the *'ulama*) disagreeing with SIS and the 2017 court decision regarding the naming of children: http://bit.ly/2tJnsW9
- FMT reporting on SIS's challenges to Islamist party in caning case: http://bit.ly/2tJCL0W

Discussion Questions

- How do different interpretations of *syariah* in Malaysia show how Islam is internally diverse?
- Why do you think some Muslims in Malaysia feel so strongly attached to Islamic family law? What in their historical and cultural context would cause this attachment?
- How do Sisters in Islam show some of the ways that Islam changes over time?
- Why might some Malaysian Muslims be concerned that the efforts of SIS are coming from the West, and not from native Malaysians, despite the fact that SIS is a Malaysian organization?
- Read the first two secondary sources listed above about differing Malaysian Muslim reactions to a court decision. Sisters in Islam and the *'ulama* both use the Qur'an and the *sunnah* to make their theological and legal points. Why do they come to different conclusions? How might they do so?

Muslim girls in Malaysia, by Anuarsalleh, Wikimedia Commons: http://bit.ly/2v4jefD