

THE STOCKHOLM FORUM ON GENDER EQUALITY

RELIGIOUS LEGISLATION AND NORMS: FRIEND OR FOE IN THE WORK FOR WOMEN'S RIGHTS?

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OVERVIEW

Religious law and religious influence over legislation impact the fulfilment of women's rights including sexual and reproductive health and rights (SRHR). The seminar focused on strategic practices and possible ways of collaboration that can advance women's rights in a religious world and in a context of growing conservatism and roll-back on human rights. It showed that the involvement of, and engagement with, religious actors is imperative for the advancement of women's rights, including SRHR.

KEY TAKEAWAYS

Where are we?

Globally there have been positive developments for gender equality, but many countries are not faring well. More conservative legal systems are recognised in addition to legal institutions. Religious family laws often regulate matters that are crucial for sexual reproductive rights and women's rights, including legal age of marriage, dowry, domestic violence, rape, custody of children, inheritance, etc. Religious institutions have authority over women's bodily autonomy and other rights. Religious authorities have allied with other conservative groups to undermine women's rights such as abortion legislation, LGBTQI rights, etc. But, they can also be allies to women's rights and offer protection.

Challenge 1: Sharia law dictates day to day life in Islam. Islam is used as source of public law and family law. Those laws are based on patriarchal laws that discriminate against women in the family. The reality has changed, and women are providers of the family, but the law has not changed to reflect this new reality. There is public contestation between different groups in the Muslim countries. Muslims in the non-Arab world are not seen as having the right to talk and 80 per cent of Muslims live outside of the Arab world.

Challenge 2: Women activists don't want to engage with religious authorities, so they have left the authority to interpret Islam to these groups. These conservative groups claim the hegemonic understanding of religion, so a new counter-narrative emerges.

Challenge 3: Christian tradition is embedded in the culture subtly. Family architecture gives the cultural notion that it is sacred, and you cannot challenge it with human rights language. Within the church circle, we need to create a discourse that creates a conversation between feminists and the conservative groups. There's need for a critical reading and building of a mindset that has a new sacred value for men and women where they have an equal relationship. Justice is a biblical word and the justice notion can be put on the same level as equality.

Challenge 4: Opposition to gender equality and sexual reproductive health and rights is better coordinated, mobilised and funded. Populist groups and religious authorities form alliances and come together to oppose abortion, sexual education and gender identity. These alliances are very powerful. When they win, they have a voice in the UN system and other global structures as well. Hate groups have now gained mandates to participate in these structures. Opposition to gender equality is highly coordinated. Rhetoric of gender ideology keeps this opposition together to mobilise conservative agendas in many countries across the world, such as Peru, Colombia, Croatia, etc.

What are we doing?

- Using religion as a public source of justice and equality, and human rights practices. Positive verses in the Quran, such as those about the diversity of thoughts and justice, are not utilised. Legal theory and tools in Islam are rich, but existing religious authorities are not using them.
- Producing new feminist religious knowledge. Challenging the patriarchal voice with an alternative discourse that reflects the world we live in. Constructing and deconstructing knowledge to understand that God's voice is a human construct.
- Working with churches, theologians, progressive and conservative voices all together.
- Discussing violence against women in a faith-based context. Using language that is understandable by religious groups, such as using gender justice to understand gender equality or the lack thereof. Churches are now adopting this new language and policies that embrace this language.
- Adopting new and more progressive family laws, especially in terms of divorce, custody and inheritance law.

RECOMMENDATIONS

Where do we go from here?

Contributions from participants

- Faith-based organisations are not homogenous and are not immune to dialogue, so they should be cooperated with in areas such as legalisation of abortion and SRHR.
- Working with imams to respect the rights of women and LGBTQI.
- Introducing secular solutions (in European countries) for religious individuals.
- Using theological language to understand and promote issues of gender equality, women's and SRH rights.
- Multiculturalism and religious rights.
- 'Unbreakability' between religion and marriage.

Contributions from panellists

- Bringing voices from southern nations and making them heard in the global arena in order to counter the politicisation of religion and the spread of the notion of a 'gender ideology'.
- Interact with religious leaders because they are concerned about religion being hijacked by different political forces.
- Multi-sectorial and multi-stakeholder approach that brings together religious and women's and SRH rights. ■

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