



"Muslim Women: A Human Rights Perspective on balancing cultural traditions and practices with contemporary needs for social development"

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Imam Al-Shafi' has said: *"My opinion is right but maybe wrong, and the opinion of others is wrong but maybe right!"*. This implies the need to respect the differences and diversity of opinion, essential for conducting an inclusive and well-rounded discussion on balancing cultural traditions and practices with contemporary needs for social development in a Muslim society.

The universality of human rights underscores respect for cultural diversity and the need for bridging perceptual gaps. Human rights, while rooted in the dignity of every human being, transcend borders, ideologies, and political interests. However, we must ask ourselves: Are we truly living up to this universal vision? Or have human rights become instruments of division rather than unity? I believe human rights must be used to protect human dignity and promote constructive dialogue rather than as a stick for punishment.

The modern feminist movement, which emerged in the late nineteenth century, was driven by the belief that progress in science, technology, and reason would be sufficient to resolve all human problems. However, over time, the feminist movement was hijacked by consumer culture, reducing feminist ideals to marketable commodities and leading to the *'commodification of women'*.¹ Moreover, by focusing primarily on legal and formal equality, the liberal movement has often neglected the more profound cultural and social transformations required to achieve substantive equality in the different roles to be played by women within families and societies. **So, how do we perceive these issues based on specific reference points in historical and contemporary contexts?**

Social development in Islam is a moral and spiritual imperative as much as it is material and social, without any distinction of class, color, caste, or sex. One of the key aspects of the concept of development in Islam is to focus on realizing substantive equality, equity, and distributive justice according to the needs and circumstances of every segment. Unlike Western traditions, Islamic thought attempts to interpret religious texts and traditions to promote women rights within an Islamic framework, teachings, and practices ordained by Allah the Almighty. When viewed from a human rights perspective, the status of Muslim women is aligned with universal Islamic egalitarian principles of equality, justice, rights, and freedoms. It is essential to recognize that these interpretations and practices vary widely among Muslim communities due to socioeconomic, cultural, historical, and geopolitical differences. Therefore, it is vital to approach this discussion with care, taking into account the diversity of Muslim women in Islamic countries.

Islam has heralded an unprecedented era of women emancipation by establishing normative equality between men and women. Allah the Almighty Says²: *وَالْمُؤْمِنُونَ وَالْمُؤْمِنَاتُ بَعْضُهُمْ أَوْلِيَاءُ بَعْضٍ*. *'Both men and women are considered equal in their spiritual and moral standing before Allah'*.³

¹ <https://doi.org/10.1590/1982-7849rac2020190378>

² Sura Al Taubah: Verse 71

³ Surah Al Nahl: Verse 97

"مَنْ عَمِلَ صَالِحًا مِّنْ ذَكَرٍ أَوْ أُنْثَىٰ وَهُوَ مُؤْمِنٌ فَلَنُحْيِيَنَّهٗ حَيٰوةً طَيِّبَةً وَلَنَجْزِيَنَّهُمْ أَجْرَهُمْ بِأَحْسَنِ مَا كَانُوا يَعْمَلُونَ"

Whoever does good, whether male or female, and is a believer, We will surely bless them with a good life, and We will certainly reward them according to the best of their deeds

The status of women in Islam was exalted from a tradable commodity of pre-Islamic times to claimant of codified rights. The agency and autonomy of Muslim women through these codified rights were too modern for the contemporary societies of that time. However, it is crucial to understand that equality stands for complementarity rather than sameness as far as gender equality is concerned. Also, Islam emphasizes women's pivotal role in raising a strong and integrated family and has called for access to all opportunities, in particular, good education, health care, and nutrition to girls and women to effectively contribute to building a prosperous and sustainable society.

وَمِنْ ءَايٰتِهِۦٓ أَنْ خَلَقَ لَكُمْ مِّنْ أَنفُسِكُمْ أَزْوَٰجًا لِتَسْكُنُوا إِلَيْهَا وَجَعَلَ بَيْنَكُم مَّوَدَّةً وَرَحْمَةً

And one of His signs is that He created for you spouses from among yourselves so that you may find comfort in them

Empowerment is described as a "multi-dimensional social process that helps people gain control over their own lives. It is a process that fosters power (that is, the capacity to implement) in people for use in their own lives, communities, and society by acting on issues that they define as important."⁵ The role of women, half of the world's population, in social development is a key factor in ensuring the sustainability of development through participatory processes and judicious allocation of resources based on the interests and needs of every segment of the population, including women. A human rights-based approach to social development takes into account women's needs, concerns, knowledge, and skills, which in turn enables policymakers to develop appropriate policy responses and actions for the promotion of just and inclusive societies.

Women are usually their families' nutritional gatekeepers, saving stimulators, and well-being moderators.⁶ Their knowledge, enterprise, and collective social action have a huge potential to improve resource productivity and conserve social and biological ecology. Growing statistical and empirical evidence suggests that women empowerment and social development are mutually reinforcing. Women reinvest up to 90% of their earnings into their households to improve health, education, and family well-being, which is key to breaking the cycle of intergenerational poverty⁷. Several World Bank studies show that development strategies that take into account women register more substantial economic growth than neutral strategies⁸. Women participation in public policy has also resulted in more allocation of resources to human development priorities, including child health, nutrition, and access to civic amenities.

⁴ Surah Rum: Verse 21

⁵ 'Empowerment: What is it? By Nanette Page and Cheryl Czuba, 1999

⁶ The World Bank "Engendering Development through Gender Equality in Rights, Resources and Voices"

⁷ <https://www.fao.org/newsroom/detail/Women-hold-the-key-to-building-a-world-free-from-hunger-and-poverty/en>

⁸ Enhancing women's participation in economic development (English). A World Bank policy paper, Washington DC ; World Bank. <http://documents.worldbank.org/curated/en/764641468135599885>

A well-known scholar said: '*A woman is to a nation as light is to a lamp. Will not the light be dim if the oil in the lamp is low?*'⁹ Around 1 billion females live in the OIC Member States, constituting half of the OIC's total population. This essentially means that Muslim societies cannot achieve their social developmental goals by ignoring the problems faced by half of their population. The OIC region has made significant progress in improving the status of women, either by enhancing Female Development Index scores or reducing female illiteracy in the Member states. Also, all OIC Member States have signed the UN Covenant on the Rights of the Child, which shows a consensus on the issue of the rights of the girl child for education and development. Muslim women have come a long way in shattering stereotypes and barriers that impede the realization of their inherent human rights guaranteed to them by Islam. Women in the OIC countries are taking leading roles in all walks of life, be it economic, social, cultural, or political fields. Despite progress, serious challenges persist as women and girls in some parts of the Muslim world continue to face regressive, disproportionate, and discriminatory treatment, which is in contradiction with Islamic principles and international human rights law, knowing that Islamic principles and values strongly advocate for adopting legal and administrative measures to comprehensively eliminate these practices to achieve equality, equity, social justice, and sustainable development for all.

The Independent Permanent Human Rights Commission (IPHRC) of the Organization of Islamic Cooperation (OIC) upholds that the right of women and girls to all levels of education, including tertiary level, is a fundamental right that must be respected by all at all times without discrimination. It is the duty and responsibility of governments to ensure that women are protected against archaic, harmful cultural practices. Within this context, it is noteworthy to recall that IPHRC held a workshop on the: ***Right to Education for Women: Challenges and Way Forward: Case of Afghanistan***". It is also crucial to facilitate women access to their right to education in accordance with various relevant instruments, which include the Convention on the Elimination of All Forms of Discrimination against Women (Article 10)¹⁰, International Covenant on Economic, Social and Cultural Rights¹¹ (Articles 2 and 13; General Comments 13¹² and 16¹³), Convention on the Rights of the Child¹⁴, (Articles 2, 28 and 29; General Comment 1¹⁵), International Covenant on Civil and Political Rights¹⁶, (Articles 2, 3, 24, 25 and 26), OIC Charter¹⁷, OIC Ten Year Program of Action-2025¹⁸, OIC Plan of Action for the Advancement of Women in the Member States¹⁹, and the OIC Resolution No. 4/48-Pol²⁰ on the Regional Initiatives in support of Afghanistan, which recognizes the importance of greater inclusiveness, including strengthening the participation of women and girls in all aspects of the Afghan society.

⁹ Khalil Gibran: The Broken Wings: Chapter Seven - Before the Throne of Death

¹⁰ <https://www.un.org/womenwatch/daw/cedaw/>

¹¹ <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-economic-social-and-cultural-rights>

¹² <https://www.refworld.org/legal/general/cescr/1999/en/37937>

¹³ <https://www.refworld.org/legal/general/cescr/1999/en/37937>

¹⁴ <https://www.ohchr.org/sites/default/files/crc.pdf>

¹⁵ <https://www.ohchr.org/en/resources/educators/human-rights-education-training/general-comment-no-1-aims-education-article-29-2001>

¹⁶ <https://www.ohchr.org/sites/default/files/ccpr.pdf>

¹⁷ https://www.oic-oci.org/page/?p_id=53&p_ref=27&lan=en

¹⁸ <https://www.oic-oci.org/docdown/?docID=16&refID=5>

¹⁹ https://www.oic-oci.org/upload/documents/opaaw/opaaw_en.pdf

²⁰ <https://www.oic-oci.org/docdown/?docID=8660&refID=4261>

OIC has adopted a revised *Cairo Declaration of the OIC on Human Rights*²¹ in which specific sections are included on '*Human Rights of Women*,' which calls for the *protection of women against all forms of discrimination, violence, abuse, and harmful traditional practices*. New provisions were also added to the document to protect their rights within the context of Family and Marriage and during conflict. In yet another significant development, the IPHRC has introduced similar safeguards to protect the rights of the girl child in the revised **OIC's Convention on the Rights of the Child**, which is being negotiated by the OIC Intergovernmental Working Group.

Also, the Jeddah Document on Women's Rights in Islam of the International Conference of Women in Islam, issued in Jeddah and adopted by the fifteenth Islamic Summit in The Gambia, stands as a prominent reference for policymakers, legal experts, scientists, and academics in shaping women status, thereby empowering them in the Muslim societies. The IPHRC actively contributed to the drafting of the said document, which unequivocally affirms that women have codified rights and responsibilities, ensuring equal opportunities for safety and protection from violence and abuse, as well as financial independence and access to all levels of education. Furthermore, the document urges the OIC Member States to reconsider old practices and traditions wrongly associated with Islam, thereby reinforcing the need to align policies with inherent Islamic principles that uphold women's dignity and rights.

It is clarified that advocating for women rights should not create **winners and losers**. Instead, it should uplift women, ensuring their dignity and fostering sustainable change from within societies. There is an age-old adage: '*If you educate a mother, you educate a nation*,' which emphasizes the pivotal role of women in raising a strong and integrated family. To advance women's rights meaningfully, we must move beyond rhetoric and condemnation by embracing a principled yet pragmatic approach, fair and firm. This means:

(a) **Engaging governments and societies in constructive dialogue** rather than imposing external solutions that ignore cultural and social contexts. The effective implementation of international human rights obligations is essential to ensuring the protection and promotion of fundamental rights, particularly for women and girls. Member States must translate these commitments into national laws and policies as signatories to universal human rights instruments like the UN Convention on the Rights of the Child (CRC) and the Universal Declaration of Human Rights (UDHR). However, challenges remain in bridging the gap between international norms and domestic implementation, particularly in ensuring alignment with cultural and religious values. IPHRC stands ready to collaborate with governments in addressing these challenges by providing technical expertise, capacity-building initiatives, and policy recommendations that ensure both compliance with international obligations and compatibility with Islamic principles;

(b) creating **Normative Frameworks** based on centuries-old, time-tested Islamic principles to equate and balance the concept of *Women equality* with *equity*. It is timely that OIC may

²¹ http://oic-iphrc.org/ckfinder/userfiles/files/FINAL%20OHRD%20CLEAN%20%20VERSION%2024_12_2020.pdf

consider adopting an OIC-specific Covenant on Elimination of Discrimination against Women, which addresses the limitations/reservations of CEDAW;

(c) **Integrate Digital technologies**, particularly artificial intelligence (AI), to transform access to education, healthcare, and economic opportunities for women who face societal, geographical, or financial barriers. These digital learning platforms can provide personalized education, enabling women to gain skills and knowledge remotely and overcome mobility or cultural norms restrictions. Similarly, internet-based commerce empowers women entrepreneurs by facilitating online businesses and financial inclusion, eliminating traditional barriers to market access;

(d) **Women Support Fund**, where OIC Member States may consider establishing a fund to support educational and social development activities for women and girls in different parts of the world, especially for skill-oriented vocational training in the field of science and technology;

(e) creating a disaggregated database for women, categorized by age, education, employment status, geographic location, disability, socioeconomic background, and access to digital resources, would allow policymakers to identify gaps, track progress, and design targeted interventions. In this regard, the role of SESRIC as an institution of excellence is of paramount importance;

(f) **Advocacy**: Finally, the role of civil society, media and National Human Rights Institutions is paramount to create an enabling environment of equality for implementing policies. It is also vital to integrate the role of men as agents and beneficiaries of change in achieving equality and empowerment of women. We must work with men, boys, and community elders because it has been proved over the years that they dramatically enhance the reach and effectiveness of the message.

In conclusion, it is underscored that change does not come through pressure alone but through understanding, dialogue, and gradual reform. Societies evolve not when they are forced to change but when they recognize the benefits of change for their own people.

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