Muslim Women and the Challenge of Religion in Contemporary Mumbai

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Religious freedom for Muslims in general, and the rights of Muslim women in particular, has been a matter of serious contention in post-colonial India. Although the right to religious freedom is enshrined in the Constitution, and India is signatory to several international conventions, it continues to be highly contested not just in the courts of law, but also in everyday life. The rights of women to equality of religious practice seems to throw up greater political challenges since the guardians of most religions are men, while religion itself is seen by many feminists as another institution that constitutes patriarchal power, to which Islam is no exception.

Religious personal laws, for instance, have posed a major challenge to the career of secularism and one such debate has been the role of religious orthodoxy on the question of Muslim women's autonomy in marital and family life. The Shah Bano case (1985–86) highlighted how the interests of women are particularly vulnerable to exploitation by an alliance of religious and secular interests (Pathak and Rajan 1989). Muslim women's activism in India has been trying to challenge patriarchal interpretations of the Quran, calling for broader and more inclusive interpretations of women's social and religious identity within Islam; a perspective that has influenced change in other parts of the world (Mernissi 1991). Patriarchal interpretations of the Quran have not only been forced upon the unlettered Muslim masses, but also those who leave the interpretations to the male
**ashraf** (high status)-dominated **ulema** (clergy). In recent times, there have been several efforts in various parts of the country for Muslim women to enter the religious realm as **alimanas** and **qazis**, interpreting the Quran and Shariat from a women's perspective (Vatuk 2008; Albuquerque 2004; Schneider 2009). Although there continues to be much focus on Muslim women's rights in marital life, the Muslim religious elite in India, much like their global counterparts, have also been preoccupied with dictating the terms of feminine modesty and piety.

Globally, the issue of the veil has dominated questions of Islamic female modesty in ways that posit the conflict as between individual and cultural freedom versus collective, religious, and patriarchal orthodoxies (Moghadam 2002; Badran 2009). In India, Islamic notions of modesty and feminine piety have been deeply influenced by indigenous cultural practices of seclusion that differ across social hierarchies. The phenomenon of caste hierarchies among Muslims defines feminine modesty and piety, that is largely dictated by the **ashrafs**. The norms of seclusion and purity seem to be more stringent for **ashraf** women while the non-**ashrafs** (**ajlaf** and **arzal**) are expected to appropriate these norms to attain a higher status.

Scholars have argued that, the processes that enable social mobility also maintain a system of hierarchy among Muslims in order to address a spectrum of hierarchies (Ahmad 1976; Bhatty 1996). The anxiety of the male religious elite has been to rescue some **ashraf** women from “Westernisation” since a significant proportion of them have had access to secular and modern education, and have integrated themselves into mainstream society by appropriating non-Islamic (majoritarian and Western) dress codes. On the other hand, non-**ashraf** women are seen as not “Islamic” enough and in the need of being rescued from indigenous cultural markers. The two issues on which this
paper focuses—women's right to worship at a Sufi shrine and the practice of *khafz* or female “circumcision”—reflect the new contests over Muslim women's position and status. Muslim women's activism on both these issues unsettles what religious freedom could mean to women of a minority group against, or in spite of, constitutional guarantees.

**Reclaiming the Right to Worship**
The Haji Ali Dargah is an iconic Sufi landmark in Mumbai. It is a site of pilgrimage and recreation for several Muslim and non-Muslim residents and visitors in the city. The *dargah* is one of the many symbols of the city’s religio-cultural location in the rich and diverse trans-oceanic Sufi tradition of the Konkan region (Green 2012). The popular and public image of the *dargah* as a metaphor of a cosmopolitan subaltern devotion has inspired cinematic representations in Hindi cinema. In March 2011, during one of their occasional visits to the shrine, a few Bharatiya Muslim Mahila Andolan (BMMA) activists noticed that women were being barred from entering the inner sanctum of the shrine that held the Saint's tomb (*mazaar*), which had not been the case earlier. Founded in 2007, BMMA is an autonomous, secular, rights-based mass organisation led by Muslim women that works towards understanding and addressing the marginalisation of the Muslim community, and women in particular. With its headquarters in Mumbai, it has nearly 30,000 members across 15 states. On a subsequent visit in June 2012, they discovered that a steel barricade had been put up at the entry of the inner sanctum preventing the entry of women devotees. The managing trustees of the *dargah*, when questioned, justified the move on the grounds that they were upholding the purity of the shrine based on Islamic values by preventing women from entering the inner sanctum as they are rendered impure when they...
According to them, women were also a source of sexual distraction to men because of their inability to maintain proper modes of modesty. They thought it was an error to have allowed the entry of women into the inner sanctum for years due to ignorance of the provisions in the Shariat. The imposition of a ban on the entry of women in the inner sanctum was a step towards rectifying this error. The BMMA decided to file a public interest litigation (PIL) in the High Court following the Managing Trust’s insistence on preventing women from entering the inner sanctum of the shrine. The Petition argued that the prohibition on women entering the inner sanctum was a violation of Articles 14 and 15 that guarantee citizens equality before law and non-discrimination on the grounds of religion, caste, sex or place of birth, respectively. Furthermore, the move by the dargah trust also violated Articles 25 and 26 of the Constitution that guarantee citizens the right to practise and propagate religion, and the freedom to manage religious affairs.

A second set of submissions made by the BMMA pertained to women’s rights in Islam based on a women-centred interpretation of the verses in the Quran and the Hadith to counter the dargah trust’s arguments before the court justifying their decision to prevent women from the inner sanctum. The information that the BMMA had collected through their visits to other Sufi shrines across the city was used in the petition to challenge the claim that Islam does not allow women into Sufi shrines and that the Shariat claims that women should be prevented from entering shrines and graves. Furthermore, Sufi shrines were open to people from all faiths and social groups and BMMA activists were concerned about safeguarding them as spaces of cosmopolitan tolerance. Prevention of women from the inner sanctum could just be the beginning of many more restrictions in the future.
What is evident from the legal battle for women's right to worship at the Haji Ali Dargah is that Muslim women challenged patriarchal interpretations of the Quran on modesty and impurity perpetrated by the male religious elite. The latter's views on feminine piety seemed to centre around women's bodies as sites of perpetual impurity and perverse sexual desire that were justified as Islamic. While the mosque is often defined as a highly cultural, exclusively male domain, Sufi orders not only welcome women supplicants, initiates and adepts, but, historically, there have been prominent Sufi women saints or shaykh and some even have shrines (Werbner 2010). For Muslim women elsewhere, Sufi shrines and sanctuaries have been the locus of anti-establishment, anti-patriarchal mythical figures that provide them with a space where complaint and verbal vituperations against the system's injustices are allowed and encouraged (Mernissi 1977). Sufism in India has been associated with countering the dominance of the ulema and ashraf in matters of faith, and Sufi shrines as places of worship often surpass mosques in popularity. The BMMA argued for Sufism as a vibrant form of Islam, a source of tolerance and healing social ruptures, and an integral part of the spiritual cosmology of subaltern everyday life beyond religious boundaries.

Reclaiming female pleasure, remaining Bohra

In 2011, a pseudonymous online petition calling for a ban on the practice of khafz or female “circumcision” among the Dawoodi Bohras was filed by a woman calling herself Tasleem. The Dawoodi Bohras are an Ismaili Shia sect that trace their origins to the Fatimid dynasty in Egypt, whose missionaries spread their faith in India among a few Hindu trading castes of Gujarat (Engineer 1980). The customary practice of female “circumcision” as it is practised in Asia and Africa has attracted much attention...
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in the international policy arenas for the past three decades (Rahman and Toubia 2001). However, this is the first time that this issue has gained public attention in India. The petition was addressed to the spiritual head of the Dawoodi Bohra sect, appealing for an end to a barbaric practice that was un-Islamic. Nearly 3,500 supporters signed the online petition.

The practice of khafz as it is known among Dawoodi Bohras, is seen as a rite of passage for a young girl to “become” one of the community. Unlike male circumcision, khafz is performed on seven-year olds, through the involvement of female family members, including mothers, in secrecy and is mostly done without the celebratory fanfare (Ghadially 1991). The ritual involves the removal of the clitoral hood, earlier done by community midwives, although the practice now increasingly involves professional medical practitioners certified by the clergy to address contemporary concerns of hygiene and pain reduction. Although female “circumcision” may seem to imply an analogy with male circumcision, both practices have important distinctions. Male circumcision is cutting of the foreskin from the tip of the penis without damaging the organ itself. The degree of cutting in female “circumcision” is anatomically much more extensive having far more physiological implications (Gruenbaum 2001; Toubia 1994).

Another important distinction is the social and sexual message associated with the practice. Male circumcision affirms manhood with its superior social status and association to virility. Female circumcision is explicitly intended to show a woman her confined role in society and restrain her sexual desires (Rahman and Toubia 2001: 4–5). Women who conform to societal role expectations gain acceptance and are socially rewarded for perpetuating the system, whereas those who defy it stand the risk of social ostracisation. The practice has severe physical and emotional implications for Dawoodi
Bohra women that remain largely undocumented, although there are now compelling personal testimonies gaining visibility. There are several conflicting and shifting versions of the origin and justification for the practice. However, the most commonly cited within the community is that the removal of *haram ki boti*, literally meaning the “flesh of sin,” protects feminine modesty and purifies a girl’s genitalia.

Beginning in 2015, a group called Sahiyo started as a conversation between five women who felt strongly about the ritual of *khafz* in the Bohra community. It started as a blog, but soon turned into an important web-based resource and social media interface on the issue of female circumcision among the Dawoodi Bohra community. The founders of Sahiyo or “friends” in Lisan-ud-dawat (a Gujarati dialect and the language of Dawoodi Bohras) are a diverse group of young women professionals that comprises survivors, community members, and a non-Bohra member based in India, the US and Hong Kong. Their stated mission is “to empower Dawoodi Bohra and other Asian communities to end female genital cutting and create a positive social change through dialogue, education and collaboration based on community involvement.” Sahiyo’s activities have rapidly expanded to conducting community outreach through education, collecting and disseminating testimonies of survivors and engaging with the mainstream media for well-informed and sensitive reporting on the issue. In 2015–16, Sahiyo conducted an exploratory study to understand the extent of *khafz* practised within the community through an online survey that revealed some startling findings. Out of the 385 Dawoodi Bohra women who participated in the study across the world, 80% experienced *khafz*, while 88% know a family member on whom it was performed. In spite of the high prevalence, only 7% of the respondents stated that they had no issues with the practice continuing within the community (Taher 2017).

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Sahiyo has been generating a debate within the community by raising two main concerns: one is the issue of consent of minor girls, and the other is questioning the Islamic basis of the practice itself. Although the practice still remains rampant among the community, the manner in which it is being practised is changing, and so are the justifications for it. *Khafz* is often justified by the Dawoodi Bohra clergy and proponents of the practice as “good” for a woman and to ensure her modesty and purity by reducing her sexual desire. Performing the practice is associated with the attainment of social status for Dawoodi Bohra women and a societal requirement for the marriageability of women within the community. With the growing criticism and disillusionment within the community regarding the practice, opposition to the practice is also being justified as a way to enhance sexual and spiritual intimacy with one’s partner. The medicalisation of the practice can also be seen as a way of finding solutions to anxieties around hygiene, pain reduction, and the prevention of haemorrhage. Dawoodi Bohras are an urban community with high levels of literacy, largely belonging to the middle and upper classes. Despite being close knit, the community has a vibrant global diaspora. The members of Sahiyo strongly believe that the best strategy to eliminate the practice is to urge the community members, both men and women, to question it themselves and collectively pressurise the clergy to call for an end to the practice.

While neither the Quran nor the Hadith include a direct call for female circumcision or FGM, debate over interpretations of statements from one *hadith* continue (Rahman and Toubia 2001). If it is just another form of corporeal invasion, culturally prescribed for women that has continued unquestioned all these years, it is probably high time to ask why. Sahiyo members argue that although it is only fair to be sensitive to the community’s
need for ritualising the body as an act of defining Bohra personhood and community identity, why does it necessarily have to be an act of violence? What might hold the key to putting an end to the practice is creating a space for and paying attention to women's perspectives. Sahiyo's activism has opened up a floodgate of personal testimonies on the experience of female circumcision within the community, life as a survivor, and the moral dilemmas of being part of a community that perpetrates such a practice without being able to speak out against it.

Conclusions
The two recent mobilisations of Muslim women described in this paper challenge the content, purpose, and practice of contemporary Islam in India by initiating a debate within the community and society at large about who the appropriate authority is for determining such rights. Their activities clearly challenge the authority of the male religious elite and their exclusive claim to the interpretation of the Quran and the Hadith. Their activism complicates the constitutional right to religious freedom in illustrating that different actors within a group or community can use a variety of vocabularies to make religious claims that may not necessarily be congruent. A different set of expectations are raised of the state on the one hand, and civil society on the other, in acknowledging and accepting the uneven and even unjust proscriptions on women's desires, whether they are of a spiritual or a sexual kind. At the same time, the activists, rather than renouncing or campaigning against the religion, have made an ethical (and sometimes legal) appeal to the custodians of religion, not necessarily out of tactical necessity, but from a deeply held belief and practice.

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Notes:
The president of the Haji Ali Dargah Trust disclosed that the reasons for imposing such a ban/rule were: (i) women wearing blouses with wide necks bend on the mazaar, thus showing their breasts; (ii) for the safety and security of women; and (iii) that earlier they were not aware of the provisions of Shariat and had made a mistake, therefore they had taken steps to rectify the same.

Female circumcision or female genital mutilation (FGM) is a collective name given to several different traditional practices that involve the cutting of female genitals (Rahman and Toubia 2001).

According to the United Nations Children’s Fund (UNICEF), female “circumcision” or khafz is practiced in 30 countries worldwide and an estimated 200 million girls and women have undergone it, although the exact number remains unknown. See https://www.unicef.org/media/files/FGMC_2016_brochure_final_UNICEF_SPREAD.pdf, viewed on 24 June 2017.

References:


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