

ISLAMIC DECLARATION ON GENDER JUSTICE FINAL DRAFT

The following organisations contributed to the consultations:



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Islamic Relief has initiated a faith perspective on gender injustice and is calling on organisations to support the Declaration as we work in partnership to tackle one of the greatest injustices of our time.

The **Islamic Declaration of Gender Justice** is a landmark initiative that presents key faith principles of justice and balance to challenge harmful cultural practices and social conditions. It affirms the God-given rights of all human beings, and our duty to stand up firmly to uphold justice. The proposed Declaration mobilises global and regional action and advocacy, and calls for signatories to pledge their commitment to ending gender injustices.

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INTRODUCTION

This is a declaration of our commitment as Muslims, and as humanity, to achieving gender justice. We are inspired by the Islamic values of human rights to call for the equal value of all human beings irrespective of the social ideas, roles, characteristics and behaviours we attach to gender.

This declaration is a reminder of our duty to protect and serve the most vulnerable and marginalised in our societies, and to uphold justice even if it is against our own selves. We are therefore committed to ending human suffering by supporting those affected by poverty and socio-economic inequalities; those without access to education and fair employment; and those whose worlds have been turned upside down by natural disasters, climate change and conflict.

Girls are 2.5 times more likely to drop out of education in conflict-settings compared to boys, whereas if women simply completed a primary education, maternal deaths could be reduced by 66 per cent. Women are paid 24 per cent less than men on average for the same work, simply because of their gender. 35 per cent of women worldwide experience physical or sexual violence and 71 per cent of all human trafficking victims are girls and women. In all of the above situations, women and girls are often the worst affected.

In recognition of our shared humanity, and in the spirit of the Hilf al-Fudul (Pact of the Virtuous), a pact signed by the Prophet Muhammad (pbuh) forming allegiance to a set of universal principles outside of the Islamic tradition, we believe that a collective global approach can bring the energy to tackle such injustice. In 2015, 188 countries declared their commitment to working together to transform our world through the Sustainable Development Goals (SDGs). There has never before been a commitment of this scale and ambition, with the potential to change our future so drastically within one generation. One of these crucial goals is SDG 5 – ‘Gender Equality and Empowering all Women and Girls’. Gender justice also cuts across all 17 goals because it is undeniably one of the greatest obstacles to a sustainable future that is free of poverty. Whilst women and girls are disproportionately affected, we must fight to overcome gender injustice in all its forms to create a truly just and balanced world.

Many Muslim majority countries have made further commitments towards ending gender injustice. The Independent Permanent Human Rights Commission (IPHRC) was set up by the Organisation of Islamic Cooperation (OIC) in 2011, with a Plan of Action for the Advancement of Women (OPAAW) in 2016. These and other such commitments prove the timely and critical need for collective action by Muslims all over the world, and across different sectors, cultures and societies.

Faith actors and organisations have an incredible important role in achieving gender justice. We have a long-standing tradition of providing vital support to communities in the form of health and education services, humanitarian relief and social and spiritual support. Our trust among communities and our ability to reach some of the most marginalised people are just some of the reasons why faith actors and organisations are importantly placed to act for gender justice. Islamic Relief, as one of the largest Islamic humanitarian aid agencies in the world is pioneering an effort to address gender injustice from a faith perspective. As spiritual, social and humanitarian forces, we must all act to lead the world into a fairer, more just and compassionate future for all.

We affirm:

1. That God created all human beings as equal

Allah (God) is the Lord of Mercy (Ar-Rahman), the Giver of Mercy (Ar-Raheem):

“All praise belongs to God, Lord of the worlds, the Lord of Mercy, the Giver of Mercy,”
[Qur’an (1:1-2)]

Who created women and men from a single essence:

“People, be mindful of your Lord, who created you from a single soul, and from it created its mate, and from the pair of them spread countless men and women far and wide...,”
[Qur’an, 4:1]

As equals before Allah, distinguished only by our actions:

“Whoever does righteousness, whether male or female, while he or she is a believer - cause him or her to live a good life, and We will surely give them their reward [in the Hereafter] according to the best of what they used to do,” [Qur’an 16:97]

2. That every human being has innate dignity and God-given rights

Every human being has the right to a life of dignity and respect simply by virtue of being human; irrespective of gender.

“We have bestowed dignity on the progeny of Adam... [...] and conferred on them special favours, above a great part of Our creation,” [Qur’an, 17:70]

3. That every human being has the right to self-determination

Every human being is accountable for their own actions and advised to be mindful of God, whether in the practice of culture, tradition or other social norms.

“And every soul earns not [blame] except against itself, and no bearer of burdens will bear the burden of another. Then to your Lord is your return, and He will inform you concerning that over which you used to differ,” [Qur’an, 6:164]

⁴ <https://www.oic-iphrc.org/en/about>

⁵ https://www.oic-oci.org/subweb/woman/6/en/docs/final/6wom_opaaw_en.pdf

We affirm (continued):

4. That God commands us to act kindly and justly

God made love and kindness between us one of His signs, and a path to knowing Him:

"Another of His signs is that He created spouses from among yourselves for you to live within tranquillity: He ordained love and kindness between you. There truly are signs in this for those who reflect," [Qur'an 30:21]

Allah commands humanity to uphold justice, even if it is against our own selves:

"O you who believe! Stand out firmly for justice, as witnesses to Allah, even though it be against yourselves, or your parents, or your kin, be they rich or poor, Allah is a Better Protector to both (than you). So follow not the lusts (of your hearts), lest you may avoid justice, and if you distort your witness or refuse to give it, verily, Allah is Ever Well-Acquainted with what you do," [Qur'an 4:135]

As stewards (khalifa) of God's creation on earth, we are warned against abusing our trusts:

"...I am putting a successor on earth....," [Qur'an 2:30]

"O You who believe! Do not betray Allah and His Messenger, and do not knowingly betray your trusts," [Qur'an 8:27]

5. That those in power should not abuse their privilege or deny the rights of others

No human being has the right to deny the God-given and inalienable rights of humanity. Through violations of human dignity and the abuse of reciprocal rights and responsibilities in the family, community and society at large; denial of the human right to security, protection and dignity, can lead to acts of gender-based violence (GBV); harmful gender-based practices and abuse of children's rights.

You who believe, be steadfast in your devotion to God and bear witness impartially: do not let hatred of others lead you away from justice, but adhere to justice, for that is closer to awareness of God. Be mindful of God; God is well aware of all that you do. [Qur'an, 5:8]

6. That gender-based discrimination has no place in Islam

Gender injustice is rooted in discriminatory and harmful attitudes that deny the human rights protected by Islam. Socio-cultural ideas, norms and practices that violate the rights of others cannot be equated with religion or be used to justify discrimination against people based on gender. This includes inequitable access and opportunities in political, economic and social spheres, and the propagation of harmful practices that affect the physical, spiritual and psychosocial health of individuals and communities.

"Indeed, Allah orders justice and good conduct and giving to relatives and forbids immorality and bad conduct and oppression. He admonishes you that perhaps you will be reminded."
[Qur'an 16:90]

7. That the Prophetic message is one of balance and justice for all

Challenging patriarchal structures that discriminate against women and girls is part of the Prophetic example. The Prophet Muhammad (peace be upon him) did this by declaring the equal status and rights of women before God and in relation to men; encouraging the pursuit of knowledge for all human beings irrespective of gender; respecting and valuing the participation of women in society and work; emphasising equal status and rights of wives and husbands; equating the violation of women's marital rights to a breach of the covenant with God. "Assuredly, women are the twin halves of men" - Prophet Muhammad (s). [Abu Dawood, 234].

"On the Resurrection Day, the rights will be paid to those to whom they are due so much so that a hornless sheep will be retaliated for by punishing the horned sheep which broke his horns." – Prophet Muhammad (s) [Muslim Riyad al Saliheen, Chapter 26:204]

8. That we are obliged to tackle injustice in all its forms

We have a God-given duty to overcome gender injustice globally, and this means overcoming the many other forms of discrimination linked to it. The disparities between all men and all women are not equal, and those between all women are not, and those between all men are not. Gender injustice is intersectional, and it is exacerbated by other inequalities such as those based on ethnicity, age, disability, political, economic, socio-cultural factors and more.

"People, We created you all from a single man and a single woman, and made you into races and tribes so that you should recognise one another. In God's eyes, the most honoured of you are the ones most mindful of Him: God is all knowing, all aware," [Qur'an 49:13]

Call to action

We call on all people to contribute their voice to this Islamic Declaration of Gender Justice. In particular we call on the following key stakeholders to be part of the Declaration process and to shape and promote its calls to action through commitments:

- * National Governments;
- * Inter-governmental Organisations;
- * Non-Governmental Organisations; including women's organisations
- * Faith Actors;
- * Activists and Community leaders;
- * And all people engaging with Muslim communities:

1. Economic justice

1.1. Work to alleviate extreme poverty and uphold Islamic principles of socio-economic justice, in particular for women who are adversely affected, through the Islamic obligation of zakat (Islamic wealth tax) and encouraged practice of sadaqah (charitable giving).

1.2. Promote equal access to economic opportunities and ownership of economic assets irrespective of gender.

1.3. Advocate for just and non-discriminatory inheritance laws and practices 'according to Islamic principles and in national laws including for example the equal right to land ownership and financial assets irrespective of gender.

1.4. Promote the appreciation and recognition of unpaid domestic and care work.

1.5. Engage with the concept of Wilayah in relation to economic justice to ensure the economic rights of all people. Engage with the juristic concept of Qiwamah as constructed in classical jurisprudential texts to ensure economic justice and rights of spouses are protected.

1.6. Promote the equal right to decent work and leave irrespective of gender.

1.7. Establish equal and inclusive policies in the work place irrespective of gender.

2. Justice and equity in the family

2.1. Clarify and work to end harmful socio-cultural gender-based practices through faith-based education and international human rights principles and laws, in particular with the support of fatwa councils and fuqaha. Women's rights activists, academics, have built expertise on Islam and are experts at the impact of laws on women's daily lives.

2.2. Use faith to promote positive rights and responsibilities within the family, and to protect the psychosocial and physical wellbeing of all family members against harmful socio-cultural ideas.

2.3. Promote the rights of the child as outlined in Islamic law, and international law such as the United Nations Convention on the Rights of the Child (UNCRC).

2.4. Engage with the concept of Wilayah to promote mutual cooperation, empowerment, protection and justice in the family through improved understanding of rights and obligations and other support mechanisms.

3. Social and political rights

3.1. Ensure women's equal right to access and participation in political processes.

3.2. Advocate for adoption and implementation of national and international policies that promote the representation of women in national and local decision-making bodies, in particular in government and civil society.

3.3. Ensure women's equal access to justice and increase women's participation and representation in the justice sector.

3.4. Ensure women's equal access to faith institutions, in particular mosques and Islamic learning institutions.

3.5. Expand safe spaces at the community level for women to speak, develop and empower themselves.

3.6. Promote Islamic understandings of gender justice in order to delink harmful socio-cultural ideas around masculinities and femininities in communities.

4. Education

4.1. Increase awareness of the Islamic emphasis on education, and ensure equal rights and access of all children, in particular girls, to quality and free education.

4.2. Protect and prevent children, in particular girls, from falling out of education due to poverty, crisis and conflict.

4.3. Eliminate all legal, economic, and socio-cultural barriers to girls' education.

4.4. Ensure education facilities are gender sensitive and provide safe, non-violent, inclusive and effective learning environments as outlined in target 4A of SDG 4.

4.5. Ensure the equal participation of all women and men to affordable and quality technical, vocational and tertiary education as outlined in target 4.3 of SDG 4.

4.6. Provide all children, youth and adults with knowledge and skills derived from the Islamic tradition required to uphold social and gender justice.

5. Protection and health

5.1. End gender-based violence in all its forms including female genital mutilation (FGM) and domestic violence through faith-based principles, teachings and rulings.

5.2. Protect the rights of all people and in particular children, from forced marriage.

5.3. Invest in the health of women, adolescents and children, in particular that of women in pre-natal, birth, and post-natal care, to end preventable maternal and new-born death.

5.4. Support and protect the sexual and reproductive health of all people, in particular women and adolescent girls.

5.5. Protect the rights and health of those who are disproportionately vulnerable within gender groups due to socio-economic, ethnicity, ability, age, faith and other factors.

5.6. Address harmful masculinities, in particular those propagated through religious misrepresentations and strengthen support for men's psycho-social wellbeing.

5.7. Protect the most vulnerable from the effects of climate change, conflict and natural disasters, in particular women and children who are 14 times more likely than men to die during a disaster.

5.8. Uphold the Islamic and universal right to human dignity by working to eliminate the human trafficking and exploitation of all people, in particular women and children.

5.9. Prevent and respond to sexual and gender-based violence in displacement contexts, in particular against women and girls on the move, including refugees, internally displaced persons and migrants.

6. Leadership

6.1. Develop female Islamic scholarship that contributes to Islamic thought leadership, and addresses social issues affecting Muslim women and men through faith-based frameworks.

6.2. Promote women's participation, space and leadership in Islamic institutions such as mosques, fatwa councils, and more.

6.3. Support female and male religious scholars along with faith actors to work together to combat myths and misconceptions that can lead to harmful gender-based practices in faith communities.

6.4. Ensure gender-blind policies and staff development within faith institutions and faith-inspired organisations.

6.5. Increase representation of women within leadership and senior management at faith institutions and faith-inspired organisations.

6.6. Support youth organisations to develop and support leadership that is gender inclusive.

For more details on the Islamic Declaration on Gender Justice and Islamic Relief policies on gender justice visit www.islamic-relief.org/gender-justice