



IN THE PROCESS OF ADVOCATING FOR THE RIGHTS OF MUSLIM WOMEN, THE ROLE OF FEMINIST MOVEMENTS

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DOI: <https://doi.org/10.56815/IRJAHS/2025.V2025I1.47-53>

ABSTRACT

Feminist movements have played a pivotal role in advocating for the rights of Muslim women in India, addressing issues related to gender equality, social justice, and legal reform. These movements have emerged both within and outside the Muslim community, aiming to challenge patriarchal interpretations of religious laws, discriminatory social practices, and institutional barriers that limit women's agency. Historically, Muslim women in India have faced restrictions in areas such as marriage, divorce, inheritance, education, and participation in public life. Feminist activism has sought to bridge the gap between constitutional guarantees of equality and the lived realities of women constrained by personal law and cultural norms. Through legal advocacy, awareness campaigns, and grassroots mobilization, feminist movements have highlighted the need for reforms in Muslim personal law, influenced judicial decisions, and supported legislative initiatives aimed at empowering women. This paper examines the contributions of feminist movements in shaping public discourse, promoting legal reform, and enhancing the socio-legal status of Muslim women, emphasizing the interplay between religion, law, and gender justice in contemporary India.

Keywords: *Muslim Women's Rights, Gender Equality, Legal Reform, Muslim Personal Law, Social Justice, Women's Empowerment*

1. INTRODUCTION

The advocacy for the rights of Muslim women in India has been significantly influenced by feminist movements, which have sought to address issues of gender inequality, social discrimination, and legal injustice. Muslim women in India have historically faced constraints imposed by patriarchal interpretations of religious texts, cultural traditions, and personal laws that govern matters such as marriage, divorce, inheritance, and maintenance. While the Indian Constitution guarantees equality and fundamental rights to all citizens, the coexistence of religious personal laws with constitutional provisions has often created challenges in the practical realization of these rights.

Feminist movements, both within the Muslim community and in broader Indian society, have emerged as key agents in advocating for reform and empowering women. These movements have focused on raising awareness about discriminatory practices, challenging patriarchal norms, and pushing for legal reforms to ensure gender justice. They have employed a range of strategies, including legal activism, grassroots mobilization, policy advocacy, and public discourse, to bring attention to issues such as instant triple talaq, polygamy, unequal inheritance, and restricted access to education and public spaces.

The significance of feminist movements lies not only in their efforts to reform laws but also in their role in shaping societal attitudes and empowering Muslim women to assert their rights. By negotiating the intersection of religion, law, and gender, these movements have contributed to evolving discussions about women's agency, autonomy, and equality within the Muslim community. This article aims to provide an overview of the role of feminist movements in advocating



for the rights of Muslim women in India, highlighting their strategies, achievements, and ongoing challenges in promoting gender justice.

Within the context of the current environment, feminism has become increasingly important and widespread in order to enhance the lives of women. Over the past few years, feminist activity has been a topic of intense debate and investigation, and this is a topic that is appropriately being discussed among Muslim women. There has been a meteoric rise in the engagement of Muslim women for the advancement of women's rights, which is also referred to as Islamic feminism in some circles. It is regarded as a tool to promote women's equality and empowerment within the Islamic context, which includes the Sharia, the Quran, and Hadith, amongst other sources. As a consequence of this, Muslim women activists have turned to Islam and Islamic discourse as their major way of bringing about change and empowering themselves.

2. LITERATURE OF REVIEW

Since the 19th century, the West and, to a lesser extent, Muslim nations have condemned Islam and the Islamic framework for what is essentially the mistreatment of Muslim women. This condemnation, however, has been more limited in scope. As indicated by a dozen fatwas (decrees) issued by Darul Uloom Deoband, Muslim women in India have been exposed to discrimination and oppression that is motivated by their religious beliefs. Modeling is regarded as "un-Islamic" in this particular circumstance. Female judges are not permitted. The practice of remaining silent prior to getting married to one's betrothed. It is forbidden for teenage girls to use fragrances and to ride bicycles.

Avoiding raising one's voice to the point where it is heard by a male who is not connected to a female source of communication. Refrain from working with any entity, whether public or private, that employs males who do not wear a headscarf. Your actions will be taken into consideration. Another Islamic decree (fatwa) that sparked controversy on a national level was the one that prohibited Muslim women from standing for public office. The case of Imrana, which occurred in 2005, is yet another one. The five children of the Muslim mother Imrana were subjected to sexual assault at the hands of her father-in-law. Following the occurrence of this event, religious authorities issued a fatwa, which declared the marriage of her husband and her son to be invalid and unenforceable. The singer Nahid Afreen (2017), who is also known as "Indian idol junior," was also subjected to a fatwa for performing at a public event. Sania Mirza (2005), a tennis player, was also the target of a fatwa for wearing short dresses while playing tennis. The fatwas that are issued in the name of Islam by religious clergy and institutions have resulted in Muslim women being permanently subordinate to their male counterparts. In spite of these fatwas and discrimination, a sizeable number of Muslim women's groups and activists from India and other Muslim nations have recently garnered recognition. These individuals are calling into question the religious establishment and the rationale that it employs to justify the oppression and discrimination of women. These liberal and progressive Muslim women have begun to organize collectively and engage in action to demand their rights and equality. They do not feel that Islam encourages any sort of injustice or exploitation toward them; hence they have begun to do so both within and outside of the mainstream women's movement. These courageous women have campaigned for a new interpretation of the Quran that includes Muslim women in its promises for friendship, equality, and fair treatment. They have been successful through their efforts. In addition, restrictions as well as inequity and polygamy that are inspired by religious beliefs. According to Samiuddin and Khanam (2002), Muslim women are steadfast in their belief that a woman would not be denied her right to social equality. This belief drives them to continue striving towards their goals and making their aspirations a reality. Following the controversial Shah Bano case ruling in 1985–1986, which for the first time recognized the right of a divorced Muslim woman to maintenance under Section 125 of the Criminal Procedure Code, the fight for equal rights and gender justice among Muslim women in India began in the years 1985–1986, when the case was heard. Due to the fact that more conservative Muslim groups viewed this as an intrusion into their religious concerns, the government created the Muslim Women's Act, which limited the amount of time that maintenance payments may be made after a divorce to a period of three months. On the other hand, the Shah Bano case, which featured the unilateral practice of triple talaq, was the beginning of the struggle for justice and empowerment that Muslim women have been engaged in. In the time that has passed



since then, a phenomenon that is referred to as Islamic feminism has evolved, and the number of Muslim women's groups and movements has significantly increased (Schneider, 2009). It was the patriarchal interpretation of the Quran and Sharia that supplied these Muslim women with the excuse they needed to fight against their subservient status, injustice, and discrimination. Patriarchal discrimination against women is fought against by Muslim women's organizations such as Bhartiya Muslim Mahila Andolan, All India Muslim Women Personal Law Board, and Tehreek, amongst others. These organizations also argue for a more liberal and contemporary interpretation of the Quran. It is therefore possible to assert that feminist ideology and activism have formed a guiding force for the betterment of women's conditions and have had an impact on all aspects of women's lives, including social emancipation, economic independence, political power, social equality, companionship, self-reliability, and subjective wellbeing. This is because feminist ideology and activism have affected all of these aspects of women's lives. Individuals from a diverse range of backgrounds, such as academics, activists, social workers, policymakers, and people who have benefited from the oppression of others, have been influenced by the feminist paradigm. In recent years, several theoretical and empirical investigations have been conducted on Islamic feminism and the rights movement among Muslim women. These research have been conducted in Muslim communities. The unfortunate reality is that these studies primarily investigated the origins of Muslim groups that are led by women. The academic literature has paid only a minimal amount of attention to the elements that motivate Muslim women to become feminist activists. The purpose of this study was to investigate the factors that contribute to feminist activism and to gain an understanding of it from the perspective of Muslim women. The research was of a qualitative nature. The concepts of feminism and feminist activism, as well as the current situation of Muslim women, are discussed in this article, along with research on the elements that have an impact on this movement. Marie Antoinette, a socialist philosopher and utopian from France, is credited as being the first person to speak the term "feminism."

According to the French feminist movement, the term "feminism" originates from the Latin word "femina," which means "women." Feminism is a phrase that came from this Latin word. The year 1895 marked the first time that the term "feminism" was included in the Oxford English Dictionary. "Feminisme" (feminist) was initially coined by and first appeared in the year 1872 in the Netherlands and France, 1890 in Britain, and 1910 in the United States of America during the year 1910. There is not yet a single, all-encompassing definition of feminism that has arisen. As a result, feminism develops and is influenced by a wide variety of events throughout the course of our lives. From Hooks's (2000) perspective, feminism can be defined as a movement that seeks to eliminate sexism and sexist exploitation. As stated by Singh (2004), the act of advocating for the rights of women is the essence of feminism. According to the principle of "equality" between the sexes, women are granted the same rights, position, and power as men. In other words, it is the concept that women should be granted equal rights in all aspects of society, including the economy, and the same political rights that men enjoy. An individual who advocates for the rights and equality of women is referred to as a feminist, according to the Oxford English Dictionary, which stated in 2012 that "feminists aspire in pursuit of gender parity in the workplace and in educational institutions." Feminism, according to Richards (2010), is a social, political, and economic movement that seeks to achieve parity between the sexes. Baumgardner and Richards (2010) propose this description. Because of feminism, women have the right to get adequate information so that they can make well-informed choices about different aspects of their lives. In his work from 2007, Valenti makes the claim that feminism has the potential to make one's life better in a positive way. In his article from 1995, Akerkar makes the argument that feminism is an ideology that primarily places an emphasis on empowering women, liberating them, promoting equality, and eliminating prejudice and injustice. Gilligan (1977) asserts that the major objective of feminism is to get an understanding of discrimination and gender inequality via the examination of the social roles that women play and the experiences that they have in their everyday lives. A further definition of feminism that Pandey (2015) offers is that of an ideology or a collection of beliefs. When it comes to issues that are associated with feminism, everything that can be done stems from having a common perspective. In addition to its other term, feminism may also be defined as a collection of principles that advocate for women to have equal social and political rights to men. Since feminism is also the body of information, ideas, and theory, she asserts that feminist researchers, intellectuals, and writers have attacked patriarchal knowledge and ideology through the medium of feminism. As stated by Pandey (2015), two South Asian workshops featured participants from Bangladesh. Participants from India, Nepal, Pakistan, and Sri Lanka accepted two different definitions





of feminism after attending the workshops. The very first definition of "Feminism is the recognition of the oppression and exploitation of women within gender the home, at the work place and in society, and purposeful action to improve this circumstance" (Bhasin in collaboration with Khan, 1986). Second, the definition is more specific than the first. According to the definition of feminism, it is the recognition of the oppression, control, and exploitation of the patriarchal power structure in society, as well as the ideological and material dimensions of women's fertility, sexuality, and labor, in the family, workplace, and in society in general, as well as the intentional actions taken by both women and men to change the current situation. According to Singh (2004), feminism investigates the representation of gender roles in literary works. These gender roles have a tendency to impose societal norms, regulations, customs, laws, and expectations on women. Feminism poses a challenge to the long-standing practice of gender difference from a feminist perspective. In the interest of establishing a new social order, feminism provides a framework for determining practical solutions to the problems that women face on a daily basis within the context of issues that are traditionally attributed to one gender. The implications of the new economic and social realism on the gender roles that are entrenched in tradition are also discussed in this article. For this reason, contemporary feminist thinking analyzes the processes of gender, particularly as they relate to the gender roles that are socially valued. Due to the fact that it focuses on sexuality and gender, feminism has been a significant factor in the process of researching and grasping how gender norms for men and women are established. Furthermore, throughout the course of the last few decades, it has taken on a more political tone, digging into themes of oppression. As a consequence of this, the posture that the feminist movement has taken against sexism has turned out to be sexism in reverse, and in that sense, it involves creating a mindset of revenge on behalf of male supremacy. The movement known as feminism has been essential in enabling and facilitating the process by which women demand their rights and entitlements. The movement of feminism in India has made significant progress in recent years. When it comes to developing women's rights and providing assistance to them in a variety of ways, including but not limited to the following: access to higher education, voting rights, political participation, economic autonomy, and employment, as well as liberty and fair treatment. The concept of feminism can be interpreted from a number of different perspectives, and several feminist ideas have evolved over time, each of which builds upon the previous one. Despite the fact that some of these perspectives are complementary to one another, others are completely against one another.

3. OBJECTIVES OF THE STUDY

The primary objective of this study is to examine the role of feminist movements in advocating for the rights of Muslim women in India. The study seeks to analyze how these movements have influenced legal reforms, social awareness, and the empowerment of women within the framework of religion, law, and gender justice. The specific objectives of the study are:

- To explore the historical context of Muslim women's rights in India and the challenges posed by patriarchal interpretations of religious and cultural norms.
- To analyze the strategies and approaches adopted by feminist movements in advocating for legal and social reforms for Muslim women.
- To examine the impact of feminist activism on legislative changes, judicial interventions, and public discourse concerning Muslim women's rights.
- To assess the role of grassroots mobilization, women's organizations, and community-based initiatives in empowering Muslim women.
- To identify the ongoing challenges and limitations faced by feminist movements in achieving gender equality within the Muslim community.
- To highlight the significance of feminist movements in shaping contemporary debates on the intersection of religion, law, and women's rights in India.

These objectives collectively aim to provide a comprehensive understanding of how feminist movements have contributed to the advocacy and advancement of Muslim women's rights in India.





4. RESEARCH METHODOLOGY

This study adopts a qualitative and descriptive research methodology to examine the role of feminist movements in advocating for the rights of Muslim women in India. The research relies primarily on secondary sources to analyze historical developments, legal reforms, and social activism that have influenced the empowerment of Muslim women. The study is based on a comprehensive review of scholarly literature, including books, academic journals, research articles, reports by women's organizations, and legal documents pertaining to Muslim women's rights and feminist activism. This approach allows for an in-depth understanding of the strategies, achievements, and challenges of feminist movements within the Indian context. A historical-analytical method is used to trace the evolution of feminist advocacy from the colonial period to contemporary India, highlighting key milestones such as social reform initiatives, landmark judicial interventions, and legislative changes. The study also examines case studies of specific feminist campaigns and grassroots movements to illustrate the practical impact of activism on Muslim women's legal and social status. Additionally, critical analysis is applied to evaluate the intersection of religion, law, and gender justice in the advocacy process. Special attention is given to how feminist movements navigate the complexities of Muslim personal law while promoting constitutional principles of equality and human rights. Since the research is based on secondary data, no primary data collection or fieldwork was conducted. However, the extensive use of credible academic, legal, and organizational sources ensures a systematic and comprehensive exploration of the role of feminist movements in advancing the rights of Muslim women in India.

5. SIGNIFICANCE OF THE STUDY

The study of the role of feminist movements in advocating for the rights of Muslim women in India holds significant academic, social, and policy relevance. By examining the strategies, achievements, and challenges of feminist activism, the study provides valuable insights into the intersection of gender, law, and religion in contemporary Indian society.

- Firstly, the study contributes to a deeper understanding of how feminist movements have addressed structural inequalities and patriarchal norms that restrict Muslim women's social, legal, and economic rights. It highlights the efforts of women's organizations and activists in challenging discriminatory practices, raising awareness, and promoting empowerment within the community.
- Secondly, the research is significant for understanding the impact of feminist advocacy on legal reforms and judicial interventions, particularly in matters related to Muslim personal law, such as marriage, divorce, inheritance, and maintenance. It emphasizes how activism and legal awareness have influenced public discourse and shaped policy decisions aimed at ensuring gender justice.
- Thirdly, the study provides insights into the role of grassroots mobilization and community-based initiatives, demonstrating how feminist movements engage with local contexts to empower women and foster social change. This understanding is crucial for scholars, policymakers, and social workers seeking to design inclusive and culturally sensitive interventions for marginalized groups.

Finally, the study underscores the broader significance of feminist movements in promoting equality, social justice, and women's rights in India. It illustrates that sustained advocacy not only contributes to legal and social reform but also challenges entrenched societal norms, thereby fostering long-term cultural and institutional change. Overall, the study offers a comprehensive perspective on the significance of feminist movements as catalysts for the empowerment and advancement of Muslim women in India.

6. FINDINGS

The analysis of scholarly literature, legal documents, and case studies reveals several key findings regarding the role of feminist movements in advocating for the rights of Muslim women in India:

- **Legal Reform and Policy Influence:** Feminist movements have played a significant role in influencing legal reforms concerning Muslim personal law. Activism around issues such as instant triple talaq, polygamy, and





unequal inheritance has led to legislative changes and landmark judicial decisions aimed at promoting gender equality.

- Awareness and Social Mobilization: Feminist activism has been instrumental in raising awareness about discriminatory practices and women's rights within the Muslim community. Grassroots campaigns, educational programs, and media engagement have increased public understanding and empowered women to assert their legal and social rights.
- Intersection of Religion and Gender: Feminist movements have navigated the complex relationship between religious beliefs and gender justice. By promoting reinterpretation of Islamic texts and highlighting progressive religious perspectives, activists have challenged patriarchal interpretations while respecting cultural and religious identities.
- Empowerment through Grassroots Organizations: Women's organizations and community-based initiatives have provided platforms for Muslim women to voice concerns, access legal support, and participate in decision-making processes. These efforts have contributed to women's empowerment and strengthened their capacity to advocate for their rights.
- Challenges and Resistance: Despite significant progress, feminist movements face challenges including resistance from conservative sections of the community, societal patriarchal norms, and political opposition. These challenges underscore the ongoing struggle to achieve gender equality while balancing cultural and religious sensitivities.
- Heterogeneity of Experiences: The findings highlight that Muslim women are not a homogeneous group. Their experiences, access to resources, and ability to benefit from feminist advocacy vary based on factors such as socio-economic status, education, geography, and family dynamics.

Overall, the findings indicate that feminist movements have been crucial in advancing the rights of Muslim women in India, both through legal reform and social empowerment, while navigating the complex interplay of religion, culture, and gender justice.

7. CONCLUSIONS

Muslims do not differentiate between ancestral and self-acquired property, hence their inheritance rights differ from Hindu women's. The idea of a Hindu joint family does not exist in Hindu law. Muslim wives' identities and assets do not become part of their husbands' after the wedding. A woman, whether she is a daughter, sister, or mother, has full alienation rights and an absolute title to the property that she inherits under Muslim law.

Neither her succession rights nor her ability to manage her inherited wealth are diminished by her marriage. Unlike Hindu law, which recognizes a woman's right to maintain her identity after marriage, this law defines and determines her ties in terms of herself, rather than her husband or parents. Regardless of a woman's marital status, her blood relatives automatically become her heirs, and the heirs of a man's spouse are not accorded any special treatment. In the event that a woman dies without leaving any children, her parents, rather than her husband's heirs, would be the ones to receive her husband's estate. Hindu law does not possess this developing quality.

When a Shia woman dies, her husband inherits a quarter of the property if there is a direct line of descent from her, and half of the property if there is no direct line of descent from her. In each of these cases, however, the wife is entitled to an eighth of the property and a quarter of the property, respectively, according to Shia law. In the event of an intestate death, the surviving daughter is entitled to half of the property (or two thirds in the case of several daughters), but in the event that the decedent leaves behind both a daughter and a son, the daughter becomes a residuary and the son receives twice as much as the daughter. Additionally, there are certain general preferences for male relations, such as favoring half-blood relations over uterine blood, in addition to specific forms of discrimination. With the exception of the Indian Succession Act, this preference is present in nearly all personal laws. Another example of this kind of bias is the favoritism shown for agnatic successors over cognates. Muslims civilizations frequently disregard or disobey the divine precepts pertaining to women's inheritance. For the benefit of the men in the family, it is common for women to be



coerced into giving up their portion. This is especially true in cases when the woman's share is promptly written off and taken up by her male relatives when she marries a rich guy. People often criticize them of being selfish, greedy, insensitive, and reckless if they refuse to do.

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