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COMMISSION ON HUMAN RIGHTS
Sub-Commission on the Promotion
and Protection of Human Rights
Fifty-seventh session
Items 2 and 6(a) of the provisional agenda

**QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL
FREEDOMS, INCLUDING POLICIES OF RACIAL DISCRIMINATION AND
SEGREGATION, IN ALL COUNTRIES, WITH PARTICULAR REFERENCE TO
COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES:
REPORT OF THE SUB-COMMISSION UNDER COMMISSION ON HUMAN
RIGHTS RESOLUTION 8 (XXIII)**

**SPECIFIC HUMAN RIGHTS ISSUES:
WOMEN AND HUMAN RIGHTS**

**Joint written statement* submitted by the International Humanist and Ethical Union, a
non-governmental organization in special consultative status, and the Association for
World Education and Association of World Citizens, non-governmental organizations on
the Roster.**

The Secretary-General has received the following written statement which is circulated in
accordance with Economic and Social Council resolution 1996/31.

[4 July 2005]

* This written statement is issued, unedited, in the language(s) received from the submitting
non-governmental organization(s).

Women Victims of Traditional Islam

Introduction:

On 18 April 2005 during the 61st session of the Commission on Human Rights (CHR), a Parallel NGO Conference (Victims of Jihad: Muslims, Dhimmis, Apostates, and Women) was held, sponsored by three NGOs: the International Humanist and Ethical Union (IHEU), the Association for World Education (AWE), and the Association of World Citizens (AWC).

The matters debated during that day by historians, writers, and human rights defenders are of crucial interest for human rights worldwide. The dire effects of the situation of women in certain Islamic States is most pertinent to item 2 of the agenda, as CHR resolution 8 (XXIII) of 16 March 1967, § 2, requests “information on violations of human rights and fundamental freedoms from all available sources for the use of the Commission.” Item 6 (a) deals specifically with women and human rights, and four speakers covered this grave matter. This statement is adapted from the conference text of Ayaan Hirsi Ali.¹

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1. This subject is very sensitive and a distinction should be made between Islam and Muslims. Islam can be described as a civilization, as a source of spiritual guidance, as a way of life and so on. Most of all Islam is a moral framework, and central to this moral frame is the decree that a believer or follower submit his will to Allah. How this submission should be practiced is worked out in the Qur'an and the hadith.

2. A Muslim is anyone - regardless of race or sex - who subscribes to or testifies to believing, among other things, that there is no god but Allah and that Muhammad is his prophet. Besides accepting Allah and his Prophet, a Muslim also believes in a host of other things like the existence of angels, a hereafter with a range of different heavens and hells, more prophets, and the view that the world will come to an end as predicted in the holy Qur'an.

3. Islam as compiled in the Qur'an and Hadith could be viewed as static. The way Muslims believe or practice their religion is dynamic. The individual Muslim can choose to change. As humans they are endowed with reason and, if free, Muslims can – like Christians and Jews have done in the past and still do – progress by means of critical self-reflection. As Hirsi Ali explained:

“I regularly criticize Islam and especially the treatment of women as prescribed in the Qur' an and Hadith. By doing that I have annoyed many Muslims some of whom actually want to hurt me. Despite this, rejecting some of the teachings in Islam is not the same as rejecting Muslims. Muslims deserve and should be viewed in Europe and elsewhere like all other humans. What I ask is not to fear Muslims or persecute them for their beliefs. What I expect – both from Muslims and their non-Muslim supporters – is to have the opportunity to think, publish my ideas and engage in societal discussion about Islam as a moral framework without having to fear for my life.”

4. She went on to defend the proposition that in Islam women are subordinate to men, since the sexual morality propagated in Islam leads – when put into practice – to cruel

violations of the rights of women and girls. She recognised that, by making a statement as she was now doing, she was inviting disagreement, but she was interested in the arguments of her critics. She then gave examples to demonstrate the inequality between men and women. According to Islamic teachings in the Qur'an and hadith:

- Muslim men are free to go where they want while most Muslim women are confined to their houses.
- Muslim men do not need permission to leave the house; women do. Muslim men are not obligated to veil their beauty but Muslim women must.
- A man may divorce his wife as easily as repeating the words "I divorce you" three times in the presence of two witnesses. A woman who wants to leave her husband must prove at least that he does not meet her material needs. She must prove that he is impotent. She must prove that he cannot make her pregnant. She must have the approval of her wali (or guardian).
- A man may inherit twice as much as a woman.
- His testimony in matters of conflict is worth twice hers.
- Women know from the Prophet that their sort is over-represented in hell, while men can look forward to 72 virgins and companionship with their men folk.
- It is demanded in the Qur'an that a woman obeys her husband indefinitely. For the man conforming to the wishes of his wife is an option.
- A man may have sexual intercourse with his wife when and how he wants. Her refusal will invite the curses of angels and the wrath of her husband. If a man rejects his wife in bed the angels are silent and her disappointment may lead her husband to think that she is the grip of the devil who fills her with uncontrollable desires.
- Even though a man may marry four wives provided he promises to treat them equally, a woman has the right to only one man. And even this right is limited by the fact that she cannot do so without permission from her guardian (father, brother, or paternal uncle).

5. Hirsi Ali stated that some of the Muslims who disagree with her say that she is confused by the way that Islam is practiced in war-torn and backward Somalia, her country of birth. According to them, she should look at the way millions of Muslims practice their religions in more peaceful and modern countries. This was her frank reply:

"I acknowledge that there are indeed areas in the world such as the large cities of Indonesia (the world's largest Muslim country), Turkey and some North African countries where Islam has somehow found a compromise with modernity. I also recognize that there are thousands of Muslims who treat men and women, boys and girls in an equal manner. However I invite those who disagree with my statement on inequality between the sexes in Islam to compare the consistence between the teachings in the Quran and hadith and real life circumstances in the

majority nations with large Islamic populations and specially those whose state of affairs are regulated according to the model of the Prophet Muhammad.”

6. She then posed a number of crucial questions:

– “Is one who takes note of the daily suffering endured by girls and women in Saudi Arabia and Iran (two countries [whose laws are] based on the sharia) deranged and traumatized? Or is the reality of the Sharia difficult to endure for those who will tolerate no criticism of Islam?”

– “Is the high rate of illiteracy among girls and women in the UNDP report on Human Development in 22 Arab-Islamic countries an outcome of the lowly position women and girls are accorded in their religion and culture, or is the report only meant to defame and insult the countries researched?”

– “Why are Muslim girls and women over-represented in the shelters of the abused and the crisis houses for teenagers who run away from home? Is it a coincidence, or is the strict virginity required in Islam a possible explanation of why these girls are haunted by their families: their fathers, brothers and husbands, the very people who should be protecting them from external harm?”

7. Her conclusion: "In order to reject the statement that women are subordinate to men in Islam, my opponents will have to answer disturbing questions like these honestly."

8. She then addressed an argument often heard in defence of Islam – that the cruel treatment of Muslim women is not so much the outcome of the Qur'an and hadith as God originally meant them to be, but a narrow and opportune abuse of these holy sources by men in patriarchal societies. She maintained however that this argument is not convincing because Islam was founded by a man in a patriarchal society. Islam, she declared, is a tribal religion, founded under tribal conditions, and a moral framework whereby those virtues held high in the Arab tribe are made divine. One should not deny that the Prophet Muhammad may have improved the position of women in the 7th century AD – for example, he contributed to abolishing the custom of burying girls alive at the age of seven, and the right of men to marry as many wives as they wished. Such improvements may have seemed revolutionary fourteen hundred years ago, now they are horribly outdated.

9. She remained convinced that continual references to the improvements made so long ago do not make the current suffering of women in the name of Allah more bearable. All it does, she argued, is to divert the attention from the inhuman treatment of Muslim girls and women today and the fear they live in.

10. In her concluding appeal she challenged directly "those Muslims who agree with me, and for those Europeans who do not wish to look away", inter-alia, to:

- Debate with Muslims living in Europe. Through words and pictures challenge the sexual morality in Islam held by so many European Muslims;
- Provide protection from honour killing for Muslim women who are on the run;

- Introduce a control system as an instrument to eradicate female genital mutilation (there is controversy on whether this is Islamic. It is remarkable however that many Muslim countries practice FGM. Indonesia, is an example of a country where FGM came with the Muslim missionaries).

* This statement is adapted from the presentation by Ayaan Hirsi Ali at a Parallel NGO Conference (61st session UNCHR), 18/04/05, VICTIMS OF JIHAD: Muslims, Dhimmis, Apostates, Women. Co-sponsored by the International Humanist and Ethical Union, Association for World Education, and Association of World Citizens. Born in Somalia, Ayaan Hirsi Ali is a women's rights activist and member of the Dutch Parliament. The full texts of the presentations made at the conference can be found at www.iheu.org/UNCHR2005; and the text used by Ayaan Hirsi Ali is at: www.iheu.org/modules/bfsection/article.php?articleid=

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