

Sisters in Islam

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On Tuesday 23rd August 2011 at the Supreme Court the NT Women Lawyers Association hosted a Seminar conducted by Ratnawati binti Osman Executive Director of Sisters in Islam. Ms Osman was in Darwin for a series of lectures supported by the United Nations Association of Australia NT Division and the Northern Territory Government through the Office of Women's Policy. She was welcomed by the Darwin Islamic Society.

Sisters in Islam was formed 20 years ago in Malaysia by a group of women lawyers. It is today part of an international movement throughout the Islamic world which promotes equality and fairness in family and civil life regardless of gender. The name of the movement is Musawah. A number of countries have banned polygamy, child brides and given women equal status in divorce and property rights. Malaysia is not such a country.

Sisters in Islam provides legal services and advice, advocacy, both individual and systemic, carries out research and education.

Gender discrimination in Malaysia under the civil law, into which Sharia law is incorporated, has been justified by Islamic jurists who interpret the Quran. Ms Osman explained that the Quran is not prescriptive of behaviour but provides guidelines. Sisters in Islam refer to the principles of fairness, justice and respect in the Quran to debate male dominated interpretations which sanction polygamy by men, but not by



Ms Ratnawati binti Osman with NTWLA Patron, the Hon Justice Jenny Blokland

women; the right of a man to beat his wife; marriage of a girl from the onset of puberty even if that be below nine years of age; forced marriage not the choice of the woman; disparity in the right to divorce which is easily available to men without cause or legal process but may take years for a woman.

Ms Osman spoke eloquently and passionately about the law which gives guardianship of children after divorce to the father, and is a right forever denied to the mother who most often has custody of the children with no effective way to receive maintenance payments for herself or the children, and little entitlement to a just property division on divorce or on her husband taking a second, third, or fourth wife.

On the death of her husband a wife's maximum inheritance is one eighth of the estate or one quarter if she has children. Ms Osman told the story of an Englishman who converted to Islam to marry an Islamic woman and provided for her future on his demise with an insurance policy in the millions. On his death the woman whom he loved was prohibited from receiving any more than 12.5% of the proceeds of the policy. The only way the man was permitted to marry was to convert.

It has become policy that when registering the birth of a first child the Birth Registry requires

production of the parent's marriage certificate. If the marriage predates the birth by less than six months the child's father is not acknowledged on the child's birth certificate. This has implications for a lifetime in a country where everyone is required to have an identity card to access civil and social service.

The work of Sisters in Islam and its success in defending itself from attacks on its existence, on its name and on its work is nothing short of remarkable. The extent of discrimination, the level of injustice, and the indignity and suffering imposed on women and children in a country as developed as Malaysia claims to be was as unexpected as it was heartbreaking to hear.

Sisters in Islam receive requests from many countries for advice on family relationships and Islamic family law. Any practitioner who wants information to assist a client that has a Muslim background may approach Sisters in Islam. A practitioner can represent a client better by understanding the cultural factors and pressures that may be affecting that client ●



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