

Beyond the impasse: 'Muslim feminism(s)' and the Indian women's movement

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Since its inception, the contemporary women's movement has had a contentious relationship with religion. This was demonstrated most clearly in the debates around the cases of Shah Bano and Roop Kanwar during the 1980s, which sparked a period of reflection within the women's movement over the question of representation. Since then, the movement has evolved considerably, becoming increasingly institutionalised at one level, and at the same time experiencing fragmentation and diversification. This article looks at the emergence of two networks advocating Muslim women's rights, the Muslim Women's Rights Network (MWRN) and the Bharatiya Muslim Mahila Andolan (BMMA), and contextualises their emergence within the wider context of the women's movement and the evolution of feminism in India. MWRN and BMMA are indicative of the growing assertion of 'minority feminisms' in India and aim to represent women's multiple identities, including their religious identities, while also struggling for gender justice. Both networks differ in the way they approach religion ideologically and strategically as well as in the way they position themselves vis-à-vis the women's movement. However, their appearance marks an important shift both within the women's movement as well as in the formulation of community identities in India, with 'Muslim women' being positively reformulated by these networks as a category that asserts political agency rather than passivity and victimhood.

Keywords: Women's movement, Muslim women, minority feminisms

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I *Introduction*

Since its inception, the Indian women's movement has grappled with questions related to religion.¹ This article focuses on advocacy around Muslim women's rights as this is the area in which the relationship between religion and gender has been the most contentious in the Indian context. This was demonstrated most clearly during the Shah Bano case during the 1980s (discussed in detail later), when the women's movement was forced to rethink its strategy vis-à-vis religion in the face of growing support for Hindu nationalism and increasing bouts of violence targeting religious minorities. Since then, several groups have emerged in various parts of the country that focus their efforts on advocating Muslim women's rights, with some of these groups forming networks. However, with the exception of Vatuk's work on Islamic feminism in India (2008), little has been written about these new developments, including the relationship between Muslim women-led groups and networks and the wider women's movement.

This article aims to move the discussion of feminism, religion and representation beyond the impasse reached during the 1980s and 1990s by exploring the discourse of two networks in particular: the Muslim Women's Rights Network (MWRN) and the Bharatiya Muslim Mahila Andolan (BMMA). It looks particularly at how these networks engage with the issue of religion, feminism and the wider women's movement in the context of growing feelings of exclusion and marginalisation amongst Muslims as a threatened minority. The aim of this article is to understand how advocates for Muslim women's rights negotiate their multiple identities in the context of complex matrices of power based on gender, class, caste and religion in ways that both challenge the categorisation of *Muslim women* as a victimised group and recreate the category as one that asserts political agency. It explores these networks in the context of emerging minority feminisms in India and argues that the

¹ By 'women's movement' I am referring to the movement which emerged during the 1970s—what is often called the 'autonomous women's movement'—rather than movements that involve women and may also call for gender-related changes. This movement is in no way uniform or fixed, but rather is made up of loosely organised networks that are fluid and shifting (see Butalia 2002; Katzenstein 1989).

activism of women from marginalised communities is a site of dynamism within what has largely become an institutionalised and stagnating women's movement (Menon 2004).

The discussion is based on fieldwork conducted between September and December 2008 in Mumbai, Delhi, Kolkata and Lucknow, where several of the organisations involved in advocacy efforts are located. Visits were also made to Pune to meet with individuals engaged in advocacy for Muslim women's rights and to Kolkata for a national meeting of the MWRN, which was largely attended by community organisations based in the state of West Bengal. A total of twenty-four interviews were conducted as well as one focus group discussion, although not all of these interviews are reflected here. It should be noted that most of those interviewed were the leaders of these networks rather than the 'average members', which may give the false impression that these networks are unified. Rather, like all organisations, networks and movements, both the BMMA and the MWRN are internally diverse, contested and dynamic and are continuously evolving. Furthermore, both networks comprise multiple organisations and individuals. It is beyond the scope of this article to explore the activities of each of the affiliated organisations in any depth, and the discussion focuses largely on wider ideological and strategic issues taken up by the networks as a whole.

Interviews were conducted over a period of four weeks (divided between two separate field visits), in a mixture of Hindi/Urdu and English and have subsequently been translated into English. This fieldwork was conducted under the auspices of the Religions and Development Research Programme based at the University of Birmingham and was part of a wider study exploring the strategic engagements of social movements with religion.

II

The women's movement and religion: A troubled relationship

From its inception, the contemporary autonomous women's movement has had a very different relationship with religion than the social reform movements and the early women's movement of the 19th and early 20th century in India, which engaged positively with religious discourses in order to promote women's rights. The autonomous women's movement, on the other hand, was based on the principle of secularism, avoiding

questions related to religion or at times even criticising and challenging religious practices outright. This was partially because many of those that joined the women's movement had their political roots in Marxist-inspired groups that they had abandoned because these groups did not adequately address the multiple layers of oppression faced by women (Omvedt 1993). Furthermore, the Indian women's movement was influenced by the growth of second-wave feminism around the world at the time, which for the most part rejected religion as being irredeemably patriarchal and was committed to the political project of secularism (Sands 2008).

Despite this ambivalent relationship with religion, some sections of the movement have also attempted to positively engage with religious discourses and symbols but have focused almost exclusively on Hindu religious imagery. Sunder Rajan (1998: WS36) points to the strategic co-optation of religious symbolism by some members of the women's movement who 'invoked "traditional" (read: Hindu) symbols in some cases as a means of diluting, if not countering, the western bias of "feminism"'. The use of goddess imagery, such as the naming of the first feminist publishing house, 'Kali for Women',² and celebrations of women's spirituality spearheaded by Madhu Kishwar in the journal *Manushi* can be seen as attempts to broaden the women's movement's appeal by 'indigenising' feminism.³ The eco-feminist movement has also been receptive to religious language and symbolism with the idea of *Prakriti* or the feminine nurturing force within Hinduism, being celebrated as a reclamation of 'tradition' for women (Omvedt 1993: 205–06). These developments, although limited in extent and debated among their supporters, may have inadvertently contributed to the alienation of non-Hindu women from the women's movement (Agnes 1995; Sunder Rajan 1998). For the most part, however, the contemporary women's movement has had an indifferent or at times hostile relationship with religion, often prompting criticism and backlash from religious leaders and groups.

The Shah Bano controversy, which rose to national attention in 1984, marked a pivotal moment in the discussion of women's rights, the rights

² Kali for Women, which was founded by Urvashi Butalia and Ritu Menon, has since split into two publishing houses, Zubaan and Women Unlimited.

³ It is important to note, however, that not all supporters of women's rights in India would label themselves 'feminists'. Most notably, Madhu Kishwar has spoken out against being labelled a 'feminist' because of its supposed Western bias (1990).

of religious minorities and the relationship of both with the Indian state. The case centred on an elderly Muslim woman from Madhya Pradesh, Shah Bano, who filed for maintenance from her ex-husband after almost fifty years of marriage in 1978. She was granted a small amount of maintenance by the Indore Magistrate's Court, which was later increased marginally by the Madhya Pradesh High Court. This decision was disputed by her husband as a violation of Muslim personal law and was taken to the Supreme Court in 1985. The Supreme Court ruled in Shah Bano's favour, arguing that she was entitled to maintenance payments under the Criminal Procedure Code as well as, controversially, under *sharia*.⁴ Furthermore, the Supreme Court judgment called for the abolition of separate personal laws and the creation of a Uniform Civil Code (UCC).⁵

The Supreme Court's judgment prompted strong protests by bodies such as the All India Muslim Personal Law Board (AIMPLB), which was established in 1973 with the express purpose of protecting Muslim personal law from state intervention. The AIMPLB and its supporters mobilised around the idea that 'Islam was in danger', arguing that a secular court could not decide on matters related to sharia and especially on matters related to the home and family.⁶ In order to counter the Supreme Court's verdict, a Bill that sought to exclude Muslim women from the purview of the Criminal Procedure Code was drafted by a Member of Parliament, G.M. Banatwala, and thousands were rallied in its support around the country by the AIMPLB (Kumar 1994: 84).

⁴ Much of the controversy stemmed from the phrasing of the judgement, which emphasised the fact that Muslim personal law needed to be reformed, that Muslim husbands enjoyed undue privileges over their wives and that a common civil code should be created in order to facilitate national integration, which prompted a defensive reaction from members of the *ulema* (Kishwar 1998: 207; Kumar 1994: 84). Lateef points to two court cases prior to Shah Bano in which the court awarded Muslim women maintenance. However, because those decisions made no mention of the Qur'an or the need for a common civil code, there was no outcry from the conservative Muslim leadership (Lateef 1990: 193).

⁵ Calls for a Uniform Civil Code have, in fact, been made in India since the 1930s by leaders of the freedom movement including Nehru himself and the eventual formulation of a UCC was stipulated in the directive principles of Article 44 of the Constitution.

⁶ Personal or family laws are often the terrain on which battles related to women's rights and religion are fought. This has been the case in Muslim majority countries throughout the world and it is also the area in which the most reservations to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) have been made (Moghadam 2003, 2004).

At the same time, the Hindu Right, which had been gaining popularity steadily during this period, saw the Shah Bano case as a political opportunity. Hindu nationalist groups argued in support of a UCC, citing the opposition to the Shah Bano case as evidence of Muslim 'backwardness' and resistance to national integration, forgetting the resentment of Hindu revivalists during the 1950s debates over the Hindu Code Bill, which legislated on Hindu personal laws (Hasan 1994, 1998; Kishwar 1998; Kumar 1994).⁷ They also argued that the Muslim Women's Bill was an example of the 'minority appeasement' and 'pseudo-secularism' practiced by the Congress Party. Hence, supporters of the Hindu Right and Muslim conservative groups used 'Muslim women' and personal law as the terrain on which to fight political battles over questions of group identity.

The women's movement at the time responded to the Shah Bano case by supporting the creation of a UCC with the belief that all women deserved the same rights regardless of religious affiliation.⁸ However, this position was quickly called into question after it had been co-opted by the Hindu Right (Chhachhi 1991). The large-scale campaign organised by the women's movement attempted to circumvent the question of religious identity by focusing on Shah Bano's right to dignity as a citizen of India and not as a member of a particular religious community which was in line with the movement's overall secular approach till then. Women's groups protested the government's pandering to religious conservatives as vote bank politics at the expense of women's rights (Butalia 2002: 17). However, the numbers they were able to gather were considerably fewer than those mobilised by Muslim conservatives, whose efforts were successful in eventually pushing the Congress-led government to

⁷ This echoed the colonial state's attitude toward 'native' women, whose reform and uplift was key to their 'civilising mission' (Chatterjee 1993; Spivak 1999). The symbol of oppressed Muslim women recurs in the rhetoric of the Hindu Right, as evidenced by the literature of the RSS, in which the 'oppressed Muslim woman' serves as a symbol of the violence and 'backwardness' of Muslim men. Right-wing Hindu groups see it as their 'civilising mission' to rescue Muslim women from their downtrodden state (Bachetta 1994; Butalia 1993).

⁸ However, the positions of many within the women's movement evolved in the years following the Shah Bano controversy. For example, the All India Democratic Women's Association (AIDWA) later agreed on a two-pronged strategy in which they would advocate for common laws as well as for reform of Muslim personal laws (Sunder Rajan 2000).

pass the Muslim Women's (Protection of Rights on Divorce) Act (1986).⁹ This was seen by many as a bid to appease the sensitivities of the *ulema* (Muslim religious leaders), thus legitimising their authority as representatives of the Muslim community. This case raised serious questions of representation for the women's movement in terms of the caste, class and religious backgrounds of its members, as well as calling into question its supposedly secular stance in the face of wider processes of religious consolidation and polarisation taking place in India at the time.¹⁰

The debate on Muslim personal laws¹¹ alongside the selective use of Hindu religious imagery led some critics of the women's movement including Agnes (1995) and Sunder Rajan (1998) to argue that the women's movement had not developed a clearly secular position. In the case of Shah Bano, the movement's general espousal of a liberal-democratic approach to secularism, which advocates for a clear separation between religion and politics (Kumar 1999), left little choice but to advocate for a Uniform Civil Code, rather than explore alternative avenues for reconciling religious identity and gender-related concerns.¹² This uncomfortable

⁹ The Muslim Women's (Protection of Rights on Divorce) Act states that Muslim women shall not fall under the Civil Code in cases of divorce. The maintenance for divorced Muslim women is not the responsibility of the husband but rather falls on her natal family or the local *Waaf* Board.

¹⁰ The case of Shahnaz Shaikh, which was also filed in 1984, is worth noting here. Shahnaz Shaikh, who was verbally divorced by her husband and thrown out of her marital home, filed a petition in the Supreme Court broadly challenging the discriminatory aspects of Muslim personal law related to polygamy, divorce, maintenance, custody and inheritance. This act precipitated a wave of death threats against her after which she was forced to go into hiding and to eventually withdraw her petition after she discovered her lawyer was linked with the Hindu right-wing group, the RSS (Chhachhi 1991). However, unlike Shah Bano, who withdrew from the case, she continued to struggle for women's rights even after this event and went on to found Awaaz-e-Niswan in 1987 (see Gangoli 2007). Both the cases illustrate the ways in which Muslim women's identities become restricted within rigid binaries and how the language of women's rights is co-opted by right-wing religious and nationalist forces.

¹¹ Since the Shah Bano controversy, efforts have also been made to reform Christian and Hindu personal laws. Women's rights advocates and church representatives have lobbied for changes in Christian personal laws since the 1990s and have been successful in gaining reforms in laws related to divorce. Hindu personal laws, on the other hand, have been amended with the adoption of the Hindu Succession (Amendment) Act (2005), which provides Hindu women with increased property rights.

¹² This is not to deny the important contribution of feminist thinkers who, since the Shah Bano case, have been struggling to find a position that protects all women's rights in

position vis-à-vis religion and Muslim women's rights in particular would continue to haunt the women's movement for years to come, with no reforms made to date on Muslim personal laws.¹³ Muslim women-led groups and networks are only now beginning to move the debate forward by arguing for alternative approaches to engaging with and circumventing the law in ways that recognise and respect women's multiple identities.

III

Fragmentation, institutionalisation and diversification of the women's movement

The debates around personal laws and *sati* alongside the wider shifts in the political context of the 1980s and 1990s raised important questions for the women's movement around the issues of religion and representation. One of the reasons for this was the increasing participation of women in Hindu nationalist groups as well as the emergence of powerful and vehement right-wing female leaders such as Uma Bharti and Sadhvi Rithambara, who called for violent action against religious minorities, thus challenging the notion that women were peace-loving and able to unite against a common gender-based oppression (see Basu 1998; Butalia 2002). Furthermore, the fact that many Muslim women chose to support the AIMPLB during the Shah Bano affair¹⁴ as well as the growing disaffection of dalit women from the women's movement pointed to the movement's inability to transcend caste and religious boundaries

a manner that is sensitive to difference. Sangari's (1995) work is illustrative of such approaches. She argues that feminism cannot support primordial claims to community and must be based on a conception of rights that recognises multiple identities but that demands an end to all forms of inequality. She argues neither for a Uniform Civil Code nor for reformed personal laws but for new laws that 'encourage religious diversity, establish inalienable rights for all women, as well as find ways of dealing with the diversity of patriarchies' (ibid.: 3386).

¹³ The focus on reforming Muslim personal laws has itself been questioned as further evidence of the women's movement's Hindu bias. For example, Flavia Agnes (1995) points to many of the sexist aspects of the Hindu Code Bill that went unnoticed by both the media as well as by members of the women's movement during the Shah Bano debates, which revealed the women's movement's assumptions about Islam.

¹⁴ However, it is also worth noting the participation of large numbers of Muslim women in the protests against the Muslim Women's Bill (Hasan 1998).

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(Subramaniam 2004). In all of these discussions, the issue of identity and representation has been central in terms of how the movement articulated 'women's interests' (Molyneux 1998).

The nature of the women's movement has also shifted considerably since the 1980s and 1990s as 'autonomous women's groups', which functioned independently and received no external funding, have been replaced by non-governmental organisations (NGOs), which are often affiliated with international organisations and depend on foreign funds for their survival. These NGOs are often formalised and professionalised and are involved in service provision alongside lobbying and campaigning for gender-related change. Menon (2004) refers to this as the 'professionalisation' of feminism and warns against the de-politicisation, co-optation and stagnation of the movement. At the same time, the availability of external funds may also be creating opportunities for groups that have been under-represented in the movement so far, opening up new spaces for organising.

Furthermore, the period of the 1980s and 1990s has seen a general diversification of the Indian political sphere—what Hansen (2000) has termed the 'plebeianisation of politics'—which has also affected the women's movement. Alongside the consolidation of upper-caste Hindu identities as part of growing mobilisation around Hindu nationalism, various previously marginalised groups began to effectively organise themselves politically, based on caste and regional lines, capturing political power from the upper-caste dominated parties in many parts of the country (Jaffrelot 2003). These developments have been reflected in the women's movement, which has experienced increased fragmentation along religious and caste lines since the 1990s.

The campaigning that occurred around Shah Bano can also be seen as creating a wider space within the women's movement for the emergence of new forms of mobilisation among marginalised groups of women. As Giugni (1998) points out, social movements can often have multiple effects, many of which may not be immediately apparent. A diffuse, yet significant, impact that a movement can have is to increase the level of democratisation of a society (Giugni: xii). Hence, although the passage of the Muslim Women's Protection Act (1986) was seen as a defeat by the women's movement, the ripple effects of the activism surrounding the Shah Bano case continued long after into the 1990s, forcing members of the women's movement to critically reflect on questions related to

communalism, secularism and representation. Furthermore, the public attention given to Muslim women's rights laid the foundation for future organising around this issue among Muslim women themselves.

Due to this combination of factors, recent decades have witnessed groups of marginalised women, including dalits and Muslims, aligning themselves both within and apart from the wider women's movement along multiple axes of identification, which parallels the attention to intersectionality and the multiple forms of oppression being faced by women's movements in various parts of the world (see Anderson 2005). Subramaniam (2006: 50) points to the increased challenges to urban upper-caste women's domination of the women's movement, which 'have opened avenues for newer groups (organised along caste and religious lines) to assert themselves within the wider umbrella of the movement'. The combination of self-reflection within the movement together with the burgeoning of various types of NGOs as well as the general diversification of the political sphere has led to the emergence of new forms of identity-based organising both within and apart from the women's movement by women of marginalised communities who address multiple axes of power based on gender, caste, religion and class.¹⁵

IV

The emergence of Muslim women-led networks

Individuals have long been advocating around the issue of Muslim women's rights, beginning with 19th century social reformers and elite-led Muslim women's organisations involved in the early women's movement. This carried on through the post-Independence period, with groups such as the Muslim Satyashodhak Mandal in Maharashtra arguing for reforms in Muslim personal laws during the 1960s (Interview with Anwar Rajan, 21 September 2008). However, Muslim women-led organisations began appearing during the 1980s as part of the wider growth of NGOs across the country. These organisations were few in number and were

¹⁵ It is important to also recognise the women's movement's commitment to taking up the issue of women from marginalised sections of society alongside the historical involvement of women in various localised struggles against exploitation. From its inception in the 1970s, socio-economic issues have been at the forefront of women's movement organising (Kumar 1993). Furthermore, the cases of women from marginalised communities have often been rallying points for women's movement campaigns (see Butalia 2002).

markedly different from the earlier Muslim women's organisations in that they were explicitly community-based rather than confined to the elite. The majority of these organisations emerged in urban areas, which generally have a relatively higher concentration of Muslim populations as compared to rural areas (see Sachar Committee Report, 2006). These NGOs formed the basis for the Muslim women-led networks that have emerged over the past decade.

One of the first of these groups was Awaaz-e-Niswan (AeN), founded in 1987 by Shahnaz Shaikh in Mumbai, which is partially dependent on external funding as well as on individual contributions. Although its offices have shifted frequently and it has only recently been able to purchase its own office space, AeN has always been based in working-class, Muslim-majority neighbourhoods in Mumbai, which reflects its own composition as well as that of its clientele. The organisation provides various services to women including literacy classes and training as well as marital counselling and support in domestic violence cases (Vatuk 2008). It also organises advocacy campaigns around issues such as inter-community harmony, violence against women and police excesses. Hasina Khan, who currently serves as AeN's coordinator, says that the organisation should not be labelled a 'Muslim women's organisation', as she feels this would limit its identity. Although it works largely with Muslim women, AeN is committed to secularism and the recognition that identities are complex and multifaceted and is therefore open to women from all religious communities (Interview with Hasina Khan, 16 September 2008).

In 1999, some of the members of AeN joined with other organisations such as the Women's Research Action Group (WRAG), which later helped form the BMMA, and began a network of organisations working on Muslim women's rights—the Muslim Women's Rights Network.¹⁶ Since this time, the MWRN has remained a loosely organised network of groups

¹⁶ It is worth noting that not all members of the organisations involved in MWRN and BMMA are active within the wider networks. Similarly, not all members of the networks are actively involved in organisations. For this reason, it was often difficult to assess whether an individual was speaking from her position within a particular organisation or network or simply stating her personal views. Of course, such distinctions often do not exist in people's minds; they articulate the multiple, complex and sometimes contradictory levels of discursive construction involved in the formation of organisations, networks and movements.

and individuals spread across the country. Similar to AeN, which continues to spearhead the network, the MWRN is open to women of all religious communities, although it is focused on connecting individuals and groups working on issues affecting Muslim women in particular. Its first meet-ing was held in 1999 in Mumbai and it has subsequently met on an annual basis in different cities around the country. Building on the concerns raised by women's rights activists during the Shah Bano campaign, the MWRN focuses on issues related to Muslim personal laws as well as securing women's matrimonial rights in general. It is also committed to creating understanding among women across religious boundaries as well as advocating for rights related to the expression of women's sexuality, which has been the cause of criticism from some women's rights advocates who are not affiliated with the network.

The Bharatiya Muslim Mahila Andolan, was formed more recently in 2005 and is also composed of organisations working with Muslim women across the country, many of which had previously been members of the MWRN. The BMMA also includes a large number of individual members. According to its organisers, they numbered some 10,000 at the time when fieldwork was being conducted, spread mainly across Maharashtra, Gujarat and Uttar Pradesh, which are also the states in which the founding members are based. Although the BMMA also campaigns around the issue of matrimonial rights and for a reform of Muslim personal laws, this is not its only focus. Rather, according to its promotional materials, its objectives are broader and focus on improving the socio-economic status of the Muslim community as a whole. It aims at promoting the role of Muslim women within the community to act as leaders in working towards the amelioration of 'social, economic, political, legal and educational backwardness and fight for justice'. Zakia Jowher, who is one of the BMMA's founding members, is critical of those who take a narrow approach to Muslim women's rights and focus only on a limited set of issues:

There are these people who say, 'what are the issues of Muslim women: Triple *talaq*¹⁷ and *parda*' [veiling]. No, of course triple talaq is an

¹⁷ *Talaq* is the Islamic term for divorce. The practice of 'triple talaq' refers to a man having the ability to instantaneously divorce his wife by pronouncing the word talaq three

issue; of course *parda* is an issue, but before that hunger is an issue; education is an issue; jobs is an issue. Triple talaq and *parda* are one [*sic*] of several issues. If you abolish triple talaq and take her out of *parda* but there is no food in her house, how will she ask her husband for her share when her husband is begging on the street?...What is he going to share with her? Till we address the overall exclusion of the community, Muslim women's exclusion cannot be addressed. (Interview, 15 December 2008)

This reflects the BMMA's general approach, which views Muslim women as members of the wider Muslim minority, which, they contend, is disadvantaged as a whole. Rather than struggling against the community as a source of oppression, which they say alienates women, BMMA members argue that Muslim women must be viewed as members of, and potential leaders *within*, the community. This approach attempts to reconcile gender-related interests with wider concerns of economic marginalisation and social exclusion.

Both networks focus on the issue of religious-based insecurity and maintain that Muslim women are insecure on multiple levels—both within their homes and outside. Many of the people in both networks were affected profoundly by the 1992 Bombay riots and were also involved in providing relief and justice for the victims of the 2002 Gujarat pogrom (see Helie et al. 2003). MWRN and BMMA members, along with other advocates of women's rights, were instrumental in bringing to light the countless cases of sexual violence against women in Gujarat, in which Muslim women were targeted as a means of dishonouring 'the community' (Sarkar 2002). Aqeela, who is a member of the MWRN and works as a librarian in one of the centres, stresses the importance of advocating for Muslim women's rights during times of conflict:

times. However, this is highly contested amongst Islamic scholars and advocates of women's rights alike who argue that this is not a valid form of divorce. They argue that the process of divorce must meet a certain set of criteria in order to be considered valid and in order to decrease women's vulnerability, including being phased over a period of several months and involving an arbitration process. Several High Court judgements and Supreme Court judgements have also upheld this view, although organisations like AIMPLB continue to contest their right to rule on such matters.

When riots happen, Muslim women's rights fall further behind, so our effort is that...Muslim women's rights aren't left behind. You can't say that there is an atmosphere of communalism or terrorism right now, so you cannot talk about Muslim women's rights. That is what we have always said in our campaigning no matter what the political atmosphere has been. (Interview, 20 September 2008)

There is a general consensus amongst Muslim women's rights activists that the physical insecurity of Muslims as a result of repeated episodes of violence, and the particular effects this insecurity has on women, must be a priority on their agendas. In this way, although both networks continue to engage with questions of personal laws, they are also attempting to expand the boundaries of what are understood as 'Muslim women's concerns' to include wider social, political and economic issues.

V

To be or not to be an Islamic feminist

If the wider women's movement has struggled with the question of religion, Muslim women's rights activists have especially had to grapple with this issue. Debates about the relationship between Islam and women's rights have been taking place since the Shah Bano case, with advocates such as Asghar Ali Engineer (1992, 1995) and Zeenat Shaukat Ali (1996) taking an 'Islamic feminist' approach and publishing extensively on the patriarchal misinterpretations of Islam and the need for women to familiarise themselves with religious texts in order to reclaim the rights that have been granted to them within Islam. Most of these discussions have grown out of the debates surrounding Muslim personal laws and have therefore focused to a large degree on the issue of women's matrimonial rights.¹⁸ Members of the MWRN and the BMMA have also been engaged in debates about the relationship between religion and feminism and how it relates to their advocacy and to the formulation of their collective identities. However, both networks approach the question of religion differently in the way they formulate their collective identities and strategies.

¹⁸ However, the participation in such debates has been limited to a small number of academics and activists, largely because of the constrained political space for critical discussions about Islam due to the wider atmosphere of religious polarisation and insecurity.

Although members of the MWRN work on securing rights for Muslim women, they do so from a liberal-secular 'human rights perspective' rather than a religious-based perspective—a point which has been the cause of ongoing discussion and debate within the network. Saba, a member of the MWRN in Mumbai, says that they are not confined to working within a religious context: 'If we get rights within religion then fine, and if not then we look at gender justice and we look towards human rights to inform whatever our interventions will be' (Interview, 23 September 2008). Saba points out that working in Muslim communities does not necessarily mean working within a religious framework:

Muslim as an identity has nothing to do with you being a believer because simply in this country, whether or not you believe, you are still under attack for having a name which does not sound 'nice'....The fact is that we are working with women who are believers too, so in that context there are women who would like to look at the Qur'an, look at sharia and get rights from there, but the question is, do we stop there? So it's not about saying that, 'no, we will not touch the Qur'an; we will not touch the sharia', but we also think that we are not *maulvis*. (Interview, 23 September 2008)

In this way, although members of the MWRN are not opposed to religion and recognise the rights of individuals to practise their faith at a personal level, they are clear that their main priority is protecting women's rights at all costs and that they prefer to work within a liberal-secular framework.¹⁹ Furthermore, Saba argues that women's rights activists are, for the most part, not religious scholars and do not have to be in order to argue for women's rights. However, this does not exempt them from being identified as *Muslim women* in a context in which religious identity clearly matters. Saba distinguishes between religion as practice and

¹⁹ This echoes the position of US-based Iranian feminist, Mahnaz Afkhami, who is critical of Islamic feminism. She states: 'Our difference with Islamic feminists is that we don't try to fit feminism in the Qur'an. We say that women have certain inalienable rights. The epistemology of Islam is contrary to women's rights. But you can use what you need to [to advance women's positions]. I call myself a Muslim and a feminist. I'm not an Islamic feminist—that's a contradiction in terms' (1999 interview cited in Moghadam 2002).

religion as social positioning, arguing that whether one is a practising Muslim or not, she will be identified and placed as Muslim as a 'forced identity' by society (Chhacchi 1991).

Unlike the MWRN, which is tolerant but not celebratory of religion, the BMMA actively engages with Islamic texts as part of its strategy, in the conviction that such an approach is the only option in the current political context and is the most likely and appropriate means of achieving justice for women. Noorjehan Safianiaz, a founding member of the BMMA who works with the WRAG, talks about the importance of explicitly addressing the question of religious identity:

Given the context of the issue of identity crisis that the community is going through, and given the status of Muslim women in the community...if you go and tell this Muslim woman who is a minority within a minority...if you want to involve her in the process of development and growth and in working on Muslim women's issues, I cannot tell her that 'look, damn your religion. I want you to come out on the streets and protest and demand your rights, but please keep your religion within your house'That was what was the point of departure with the mainstream women's movement....I'm a Muslim, and I am not apologetic about that, and I do not want to deny my identity. (Interview, 22 September 2008)

Members of the BMMA argue that as religion is intrinsic to the identities of the majority of Muslim women, it therefore must inform their vision and strategies as well as their articulation of a collective identity. They are also clear that religion cannot be treated as a private issue. By advocating for a progressive understanding of Islam, they aim to work within a framework that is acceptable at the community level in a context in which religious identity has become increasingly important, while at the same time campaigning for women's rights.

The difference in approach to religion is also reflected in the respective positions of both networks on the question of Muslim personal laws. The MWRN does not have a collective position on the question of personal laws. In the past it has argued for a Gender Justice Law, which would replace the system of separate personal laws and would give women wider matrimonial rights. However, according to Hasina Khan, because of internal differences of opinion, the MWRN decided to change its

position in 2005 because some of its members felt ‘the Muslim community’ was not ready for such a proposition because of their overall insecurity (Interview, 19 September 2008). AeN, however, continues to advocate for such a law.

Sandhya Gokhale, a Mumbai-based activist affiliated with AeN and the MWRN, defends the notion of a Gender Justice Law, arguing that, although most women do not have access to the courts, the provision of constitutional equality would apply more pressure on communities to respect women’s rights. Similar to the position articulated by Sangari (1995), she argues that personal laws should not exist for any religious group, but at the same time she says that, if the system of personal laws remains, it must be reformed (Interview, 19 September 2008). Members of AeN are clear that the Gender Justice Law would not favour the laws of one religious group over another, but would increase the space for all women to demand their rights regardless of their religious (or any other) identity. However, this is AeN’s position as an organisation and not that of the MWRN, which continues to support reform within the framework of Muslim personal law.²⁰

Members of the BMMA are also aware of the complexity in seeking reforms within Muslim personal laws. Noorjehan Safianiaz referred to a study conducted by the WRAG in which they found that Muslim women were divided over the issue of personal laws, with some supporting a reform of personal laws and others preferring a UCC. For this reason, the WRAG takes a two-pronged approach similar to that proposed by Flavia Agnes and the AIDWA: drafting, with the help of scholars such as Asghar Ali Engineer, a reformed set of Muslim personal laws that is both respectful of women’s rights but operates within a religious framework and drawing up an optional Uniform Civil Code. Noorjehan argues that women should have the option to choose, depending on their own preferences and without abdicating their rights (Interview, 22 September 2008).

²⁰ The details of what would constitute a Gender Justice Law are still being discussed. For example, advocates of such a law are as yet undecided about whether this would be a law women could choose to opt for or whether it would be mandatory. Sandhya Gokhale points out that the issue of whether a law is optional or mandatory is complicated when it comes to personal laws, as it is unclear who has the right to opt into or out of a law and at what time this option can be taken. She says they are currently only discussing the content of the Gender Justice Law and canvassing for a public debate on the issue (email correspondence, 21 August 2009).

Hence, members of both networks work on both levels in their organisational capacities, advocating reforms in existing personal laws as well as arguing for a common set of family laws that would apply to women of all communities. The difference, however, is on emphasis. While the WRAG prefers a flexible approach, AeN focuses primarily on promoting a Gender Justice Law. At the same time, in terms of their grass-roots advocacy, both groups are similar in that they work to educate women about all of their existing options, including telling women about the Special Marriages Act, which is intended for those marrying across religious boundaries but is open to all women and which exempts women from the strictures of personal laws. The efforts of these groups may not have been successful in enacting any legal change as of yet, but their efforts have shifted the discourse on Muslim women's rights past the limits reached by the women's movement in the aftermath of the Shah Bano affair.

VI

Part of, or apart from, the women's movement?

The women's movement has experienced serious shifts since the 1990s related to the question of religion and caste-based identities. Despite the move away from using Hindu symbolism and the growing awareness of differences in power between women since the 1990s, many argue that the mainstream women's movement has continued to be coloured in its approach and agenda by an upper-caste Hindu perspective. Flavia Agnes, a prominent women's rights lawyer and activist who is of a Christian background, is critical of the women's movement's claims to secularism and speaks of her own alienation from the women's movement:

Somewhere in the 1990s, many of us began to think that some are 'more equal than others'... I personally feel that equality is being articulated in the context of urban middle-class upper-caste Hindu women... The cultural plurality of women coming from different communities is not getting articulated. (Interview, 20 December 2008)

Agnes speaks about her experience of being involuntarily labelled as 'a minority activist' despite the fact that she did not frame herself in

that way. She argues that the movement takes upper-caste Hinduism as the norm and treats women from minority communities as representatives of their respective groups rather than as women's rights activists in their own right. Many of the members of the MWRN and the BMMA echo this sense of alienation and disillusionment with the women's movement. Although members of both networks trace the origins of their feminist consciousness to the wider women's movement, the MWRN sees itself as continuing to be an important part of the movement while members of the BMMA argue for the need to organise separately.

The MWRN is clear about its location within the women's movement, having been associated from its inception with groups such as Forum against Oppression, which emerged in Mumbai during the early 1980s and continues to be one of the few remaining 'autonomous' women's organisations in the country (Gangoli 2007). In fact, the support and participation of non-Muslim women is seen to be a crucial aspect of the MWRN's identity and reflects its ideological position. Hasina Khan explains MWRN's relationship with the women's movement:

Muslim women do need to make a space for themselves, but this does not mean that Muslim women make their own space and also carry out their struggle alone. If we say this, then we might become divided... Then we will not be able to call ourselves 'a women's movement.' There will be a Muslim women's movement, a Hindu women's movement, a Christian women's movement. (Interview, 26 September 2008)

She argues that Muslim women will only be successful in their struggle if they have the support and participation of women of other religious communities. For this reason, Hasina is careful not to label AeN a 'Muslim women's organisation', although they work primarily with Muslim women. The distinction, however, is important in that it emphasises their political position rather than religious identity, which she recognises as being shifting and multifaceted in nature. At the same time, she acknowledges the need for Muslim women to create a space in which they can articulate their particular problems, but she does not see this as an exclusive space. Rather, she is hopeful that solidarity of purpose can exist despite religious divisions.

Naila,²¹ another member of the MWRN who works with a women's rights organisation in Delhi, points to the strategic importance of religious identity in gender-related advocacy. Although she agrees that being a Muslim is not a prerequisite for speaking about Muslim women's rights, she argues that in some cases being identified as such can help in convincing people at the community level:

We are also from that community [the Muslim community], and if a woman from that community raises her voice, then that makes the point even stronger, but that doesn't mean that when there are discussions and debates, women of other communities cannot speak. They are also fully prepared to counteract these points, and that will lead to success. (Interview, 26 December 2008)

Naila says that, as a Muslim herself, she is able to speak about the particular problems that Muslim women face with greater authority than her non-Muslim colleagues because of her own experiences as well as because of the way she was perceived by members of the community. This demonstrates the MWRN's commitment to working across religious boundaries alongside an acknowledgement of the importance of religious identity in some circumstances. Such awareness is necessary, especially in the context of growing religious-based insecurity among Muslims over the last two decades.

On the other hand, members of the BMMA are more forthright in arguing that the women's movement and civil society in general have failed to address the needs of women from marginalised communities and to engage positively with religion. Zakia Jowher describes the BMMA's position vis-à-vis the women's movement:

In our vision mission document it is very clear that we will always build our struggle along with other excluded people, which includes all of the dalits and adivasis, all other women, and the workers, labourers, all other excluded people....We are very clear that whosever's fight it is, they are the ones who should lead. We don't need a brahmin woman to come and lead us....If for 60 years we haven't received justice, it is because the males have led, and within the women's

²¹ Name changed to protect the anonymity of the respondent.

movement it's always the women from the creamy layer [upper castes] who lead it. (Interview, 15 December 2008)

Members of the BMMA argue that there is a need to create a separate movement that is led and dominated by Muslim women. Their name itself, which is Hindi for 'Indian Muslim Women's Movement', reflects their self-identification and their aspirations to create a movement that is distinct from the mainstream women's movement. It is for this reason that, although the BMMA accepts membership from non-Muslim women and men, it has a rule that 70 per cent of the organisation must comprise Muslim women and that they should hold leadership positions.

In Gangoli's (2007: 211) study of feminism and the law in India, she points out that many women from minority communities do not approach women's organisations for help because 'most progressive and feminist women's groups are controlled by and run by upper caste Hindu women'. Similarly, one of the leaders of the BMMA who preferred to remain anonymous reflected on her own experience working with local NGOs:

Who are the people [leading these groups]? In the five years that I had been working [in civil society], I saw that it was the upper-class Hindus, upper-caste Hindus, those people who were associated with the elite class, so whose dream of social change are we trying to achieve? Then I left my job... I decided that I will work in bastis [poor neighbourhoods] and in Muslim bastis in particular. (Interview, 22 December 2008)

It was this experience of alienation within the civil society sector that led her to start her own organisation, which has focused its attention on working with Muslim communities and to eventually join others in establishing the BMMA as an alternative space for Muslim women.

VII

Conclusion: Shifting the terms of the debate

The appearance of Muslim women-led groups and networks reflects the changing nature of the women's movement as well as a widening of the democratic space in general. These networks can be seen both as a sign of the women's movement's failure to represent women of marginalised

communities and to deal adequately with the question of religion, or conversely, as a result of the space created by the women's movement during its campaigning and self-reflection over the past two decades. While the BMMA presents itself as a response to the women's movement's failures, the MWRN would argue that its presence is evidence of the increased space *within* the women's movement. Both perspectives point to change in the discourse on women's rights and a more nuanced approach to questions around religion and women's rights in general, and seek to bridge the divide between secular feminism and religion.

The diverse ways in which Muslim women-led networks confront the question of religion reflects the peculiarities of the Indian political context in which the discourse of secularism has been subverted by the Hindu Right as a means of exerting power over the Muslim community. This has been coupled with a growing sense of insecurity among Muslims due to repeated incidents of religious-based violence, targeting of Muslim youth as part of India's 'War on Terror',²² as well as economic and political marginalisation, creating a situation in which any real or perceived critique of religion can be viewed as an attack on 'the community'. This shrinks the space for feminist critique and dialogue considerably. In order to overcome the impasse, both networks employ a kind of 'strategic essentialism' (Spivak 1989, 1990, 1993) and use the unifying category of *Muslim women* as a means of exerting rights. This tactical use of *Muslim women* wrests the category out of the hands of the Hindu Right and the male-dominated ulema in order to assert a feminist political stance that recognises the importance of religious identity without sacrificing women's rights.

The fact that these networks are largely comprise NGOs should also not be overlooked. The increasing domination of the women's movement by NGOs has generally been viewed negatively as a sign of the movement's co-optation and de-politicisation (see Menon 2004). While the role of external funding is often viewed with suspicion by members of

²² For example, at the time fieldwork was being conducted, on 18 September 2008, two men were killed in a 'police encounter' in the Muslim neighbourhood of Jamia Nagar in New Delhi on suspicion of being terrorists. However, no evidence was found to support these claims and the circumstances of the shooting remain unclear. This incident raised an outcry amongst human rights defenders besides contributing to a growing sense of injustice amongst members of the Muslim community.

the women's movement as well as by progressives in general, this funding may also serve to enable those sections of society who would not otherwise have the resources to organise independently. At the same time, both the MWRN and the BMMA are explicit in stating that they set their own agendas through a dialogic process between their members rather than being driven by the priorities of external donors.

These networks may not have yet achieved wide-ranging concrete changes, but they have contributed to a widening of the democratic space by participating in public debates and engaging with religious and state institutions. Although the numbers of women and men involved in these networks may be few, their activities are arguably having ripple effects in society. For example, many of the people with whom I spoke pointed to an increase in Muslim women approaching the courts in recent years, which made national headlines in the past but has now become a relatively common occurrence, especially in urban areas. Although most of these women may have had no knowledge of groups such as the MWRN and the BMMA, their willingness to claim their rights is indicative of a general change in public attitudes to which women's rights activists—both within and outside of the women's movement—have arguably contributed. Such social and cultural shifts may not be easily quantified, but their significance is palpable.

The appearance of Muslim women-led NGOs and networks highlights the wider shifts occurring within the women's movement since the 1990s. The organising of women from marginalised communities including Muslim and dalit women has been an area of dynamism within and outside the women's movement, which has otherwise experienced relative stagnation and institutionalisation since the 1990s. These groups question the binary opposition between religion and gender and move the discussion forward by highlighting the complexity and multiplicity of identities.

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