



**Protecting the universal rights of  
women in fundamentalist religious  
societies**



**CSW**

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**Forum:** Commission on the Status of Women (CSW)

**Issue:** Protecting the universal rights of women in fundamentalist religious societies

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## Introduction

Within the 5 most spread religions in the world, each of them has certain gender-assigned roles which either limit or exclude women from certain everyday life activities, and religious rituals, limit their access to human rights, etc. Each religion has its own approach to women and their place in society, however, they all unite with the conservative branches being far more restricting of women's rights as a whole. This research report will focus on exploring the issue of the human rights of women in various religions and the regime's similarities in this sense.

## Definition of Key Terms

### Abortion

A termination of pregnancy with the use of medical assistance. Done by the removal of fetus/embryo. Abortion is considered a human right under the Rights to Sexual and Reproductive Healthcare by the majority of the progressive world. Abortion is a big ground for debate as it is multiple religious interpretations consider it "against the will of God". most prominent example is the United States of America.

### Rights to Sexual and Reproductive Healthcare

According to the Office of the United Nations High Commissioner for Human Rights, rights to Sexual and Reproductive Healthcare include the right to life, the right to a life free of torture, and the right to healthcare including sexual healthcare and reproductive (which can include abortion and contraception methods).

### Female Genital Mutilation (FGM)

Female Genital Mutilation (also known as "the cut") refers to a non-medical procedure involving partial or total removal of the external genitalia of a woman. FGM is practised in multiple parts of the world and is commonly done on girls under the age of 15. The procedure has no health

benefits and is internationally recognised as a violation of human rights. The operation is also extremely dangerous as it can lead to multiple complications such as infection, HIV, blood loss, severe pain and even death. FGM is most commonly spread in central and sub-Saharan Africa, some regions of South America, Southeast the Middle East, and Muslim regions of Russia and India.

### **Child Marriage**

Office of the United Nations High Commissioner for Human Rights (OHCHR) defines child marriage as any marriage with at least one of the actors being under the legal age of 18. Often child marriages involve an underage bride who is most commonly being sold into marriage. Another common variation is an arranged marriage between two families - in this scenario often both parties are under the age of 18. Child marriage can also be a reason for the kidnapping and human trafficking of children. More than 650 million women alive today have been married under the age of 18 according to OHCHR. Child marriage is more common in developing nations in areas of Africa, South and Southeast Asia and Latin America.

### **Clergy**

Clergy is a collective of formal religious leaders. More specifically, the clergy is a term used by the Catholic Christian church to address every functioning body in the Catholic church from a priest to the Pope. The clergy is only allowed to accept male candidates leaving women out of the equation as a whole. Therefore, the clergy can be seen as a misogyny showcased by Christianity as a religion in day-to-day life.

### **Sharia-based laws**

Shariah laws are Muslim laws that are to be followed which explain the physical mental and spiritual in which one should lead their life. Shariah laws are found in the Quran (the holy book of Islam), the Hadith (the sayings of Sunnah the prophet), Ijma (opinions of scholars studying Islam), and Qiyas (a comparison of various teachings of Sunnah and Quran). The following countries follow Sharia laws as a government system: Saudi Arabia, Iraq, Iran, Malaysia, Brunei, Indonesia, Sudan, Pakistan, Nigeria, Qatar, Islamic State of Iraq and Levant/Islamic State of Iraq and Syria (ISIL/ISIS).

### **Death by stoning**

Stoning is a type of punishment which consists of a group of people throwing rocks at the one being punished (who is usually tied down) until they pass away from blunt trauma. Stoning is a punishment that was used during medieval times. It is considered a violation of human rights to

subject one to stoning therefore the use of such punishment goes against the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Such punishment is still a common practice in Iran, Afghanistan, Nigeria, Somalia, Brunei, Pakistan, Mali, the United Arab Emirates, Qatar, and Yemen.

### **Female Morality Police**

The female morality police is usually a semi-official organisation consisting of groups of people (sometimes women) who enforce the religious rules of the government (usually operated within a Muslim society). Some examples of said rules enforcement are the enforcement of dress codes such as hijab or burka, shaming for incorrect behaviour, monitoring women in public spaces, restrictions of women's actions, and carrying out alleged moral offences. The existence of such sub-groups of the police department is seen in Iran, Afghanistan, Saudi Arabia, Nigeria, and Indonesia.

### **Flogging**

Flogging is a type of punishment which consists of one being punished by being beaten with a whip or a pole usually in the back. It can result in a fatal outcome although usually ends up in severe bruises. Flogging is a punishment that was used during medieval times. It is considered a violation of human rights to subject one to flogging with a whip or a pole, therefore the use of such punishment goes against the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Such punishment is still a common practice in Indonesia, Iran, Sudan, Maldives, Saudi Arabia, Singapore, Brunei, Malaysia, Tanzania, and Zimbabwe.

## **General Overview**

### **Christianity**

Christianity while being one of the most common religions in the Western world, has developed a lot of orthodox branches which limit the rights of women on religious grounds. As the Bible itself has been criticised for favouring men more in religious practices and giving them more rights in everyday life, many communities have used that as an excuse to deny women their universal rights. And while most Christian movements have adopted the idea of gender equality such as Nordic countries, there are some communities who reject such concepts as a whole demanding a more conservative way of living.

The **United States of America** is an example of a contradicting political agenda with strong religious stances. While America does put itself forward as the number one global superpower with the most progressive views, many states stay on a more conservative side embracing conservative Christian views in the society and utilising them as a political program overall. Historically, through the two-party system, half of the American society identifies as the “right” embracing religion and the “old way of life”. The States most known for their conservatism are Alabama, Mississippi, Tennessee and Louisiana which all identify with 70% or higher of “highly religious adults”. All of these states were one of the first ones to criminalise **abortion** based on religious grounds in 2022 after the overruling of *Roe v Wade*, with all of them having high societal pressure to condemn abortion at any stage of pregnancy for women. All of these violate the **Rights to Sexual and Reproductive Healthcare** which are clearly stated in the United Nations human rights Charter.

**Kenya** with a fundamentally Christian society of 85% has faced multiple accusations of human rights violations within its borders which range from **Female Genital mutilation** to access to education and **child marriage**. According to New Castle University, only 18% of women in Kenya have secondary education and less than 50% can read. Such statistics can be seen due to cultural stigmatisation around education and the view of the right to education as a male role in society while women are more stigmatised to stay at home and grow up to be stay-at-home wives. Such views and lack of education for young girls are especially prominent in conservative Christian places such as rural communities in the Rift Valley area. 14.8% of women in Kenya ages 15-49 have undergone a process of FGM which WHO defines as a process of cutting or removal of external genitalia done on girls (also known as women circumcision) often done before marriage. This process is most common in North-East region (kaskazini mashariki) of Kenya with 97.5% of women who had FGM performed on them. However, this region is predominantly Muslim with Islamic radical groups enforcing FGM and other practices making them more widespread in the Christian population. As FGM is a cultural tradition not rooted in any religion, it is important to understand that both Christian and Muslim communities in Kenya perform such practices. 23% of girls in Kenya are given away as brides before the age of 18. Child marriage is most spread in Northern Kenya at 56%, Coast Province at 41% and Nyanza at 32%. While Christianity does not specifically support child marriage practices, Christian communities end up being the ones with the highest child marriage percentage. Child marriages also almost always undergo a Christian procedure.

The centre of Christianity, **Vatican City** is one of the biggest examples of how Christianity discriminates against women as a whole. Not only is the Vatican a fundamentalistic religious society

but it is also advertised as such to millions of Christians all over the world as a touristic attraction. Also, the Vatican is a centre of the Catholic Church thus setting an example to catholic countries all over the world. The church prohibits women from priesthood completely and therefore capitalises on patriarchal views and norms of the past citing them as a tradition (although Vatican City is placed at the very centre of the progressive Western world). The **clergy** in the Vatican is also all men with no possibility of a woman ever becoming the “chosen one” for the role of representing one’s country on the world stage of the catholic church. On top of that, the Vatican has historically emphasised the value of traditional family values leaving women to be subjected to the gender roles of oppression. Thus provoking and somewhat allowing not only gender-based roles in the house but also domestic violence, abuse etc. By asserting such norms of behaviour and systems, the Vatican City paints an example to all of the other Catholic countries in the world (of which there are 50 only catholic countries) and all of the Catholics of the world that it is normal to subject women to the secondary means of treatment and discrimination for any sort of power.

## Islam

One of the most controversial religions regarding women’s rights has historically always been Islam. While Islam does have multiple branches and variations of the sayings, all of the branches start with the rule for wearing hijab for women of faith. Islam is known as one of the most conservative religions with the strictest rules regarding control over women's bodies, actions and everyday life. Some even call the religion inherently misogynistic with strict guidelines that are to be obeyed under any circumstances. Islam is also the religion most commonly seen used as a government agenda in fundamentally totalitarian regimes such as the ones seen in the Middle East. State officials commonly use radical branches of Islam in such regimes to obtain a desired political ideology.

One of the countries which enforces strict laws on women is **Brunei** as it follows **Sharia-based laws**. On April 3d 2019, the penal code was passed by the government of Brunei which requires **death by stoning** for women engaging in extramarital sex and anal sex, criminalised abortion, and imposed a punishment of 40 lashes of the whip for lesbian sex. As Brunei has signed the International Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, such methods of public death and/or torture are violations of not only the human rights of women across the country but also the International Convention against torture which Brunei has agreed to follow as a member of the United Nations.

**Afghanistan** under Taliban's rule is most widely known for its barbaric laws regarding women and the cruel application. Since the Taliban took over power on the 1st of May 2021, multiple human rights violations have been reported from Afghanistan. According to the United States Institute of Peace, the Taliban has forbidden any education for women beyond 6th grade, banned female students from attending universities or any other form of further education, established **female mortal police**, invalidated numerous divorces, banned women staff from working in any international Non-Government Organisations, dismantled the Institute of Women's affairs, banned women from most jobs, closed hospitals ran by women doctors, forbid women from working on any media centres including television, radio and newspapers, banned women from using public transport, banned women from being treated by male doctors (even though women are prohibited from being doctors), banned women from parks/gyms, banned women from playing any sports, forbid women from travelling abroad, banned women to leave the house without a male relative as an accompany. According to the United Nations, punishments that women have been subjected to for not following such rules are **flogging**, stoning, burying alive and imminent death. All of these practices, the Taliban has justified similarly to Brunei as following Sharia laws. The fundamentally Muslim society in Afghanistan has ended up utilising a radical branch of Islam to justify its political agenda.

## Timeline of Key Events

Date	Event
1945	Establishment of the United Nations;
1979	Iranian Revolution;
15 <sup>th</sup> of September 1995	Beijing Declaration and Platform for Action;
31 <sup>st</sup> of October 2000	UN Security Council Resolution 1325;
2002	Arab Human Development Report;
2011	Arab Spring;
2014	ISIS Rise in Iraq and Syria;
2017	Saudi Arabia Lifts Driving Ban;
27 <sup>th</sup> of September 2018	Repeal of Anti-Adultery Laws in India;
15 <sup>th</sup> of August 2021	Taliban Takeover in Afghanistan

## Major Parties Involved

### Women's rights Activists and NGOs

NGOs and activists whose work is solely dedicated to advocating for women's rights and protection of such in religious societies are valuable sources of information and useful partners. Partnership with such organisations can lead to better cooperation on a world stage and a deeper understanding of issues presented on hand with some possible inside information of how the fundamentally religious communities operate. An example of such an organisation is The Afghan Women's Network (AWN). AWN is an NGO created by Afghan women who advocate for women's rights under Taliban rule.

### Religious leaders

Collaboration with various religious leaders can have multiple benefits. Progressive religious leaders can help promote equality and the same rights for women across the globe by calling all followers to the acceptance of the idea of human rights for all and women specifically. It is also crucial to collaborate with religious leaders to attempt and get some inside into the mind of religious beliefs that discriminate against certain groups and what exactly is the motivation behind that. The leaders can vary from the global scale to a representative of a certain community debating on the scale of the issue at hand. An example of a religious leader would be the Grand Imam Ahmed el-Tayeb.

### Fundamentally Muslim states that function by Shariah laws

The states that recognise their juridical system as the one following Shariah laws and dictate their government choices based on the Muslim laws dictated by the Quran and the Hadith pose a threat to women's rights. Usually, such states use Islamic law as an excuse to practice human rights violations concerning women by subjecting them to strict restrictions in their lives and cruel punishments that violate the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Such states include Saudi Arabia, Iraq, Iran, Malaysia, Brunei, Indonesia, Sudan, Pakistan, Nigeria, Qatar, Islamic State of Iraq and Levant/Islamic State of Iraq and Syria (ISIL/ISIS).

### Fundamentally Christian states that subject women to violations of their human rights in the name of religion

While Christianity is widespread across countries whose governments separate themselves from the religion, there is a high percentage of states that either violate women's rights in the name



of Christianity or do not stop any violations of human rights such as Female Genital Mutilation happening on their territory in the name of religion. These states include Angola, Botswana, Burundi, Cape Verde, Central African Republic, Republic of Congo, Democratic Republic of Congo, Equatorial Guinea, Gabon, Kenya, Lesotho, Liberia, Malawi, Rwanda, Seychelles, Uganda, Zambia, and Zimbabwe.

### **UN Women**

Un Women also known as The United Nations Entity for Gender Equality and the Empowerment of Women, is an NGO of the United Nations responsible for working for gender equality and reaching for equal rights for women all around the world. Protecting the universal rights of women in fundamentalist religious societies is an issue that concerns the UN Women entity a lot as a lot of times religion of any kind is an excuse utilised to violate women's rights way too often in the modern world.

### **Possible Solutions**

The issue of protecting women and their rights is inherently difficult to solve, however, there are some possible solutions to the issue as can be seen listed below.

#### **Legal Reforms**

An adjustment to the international system should be made as the one that is already in place is not working. The system should be assigned in a way that makes violence, discrimination and harmful traditions for women forbidden around the whole world. A genuine change should be made to the policies of the state regarding women in religion.

#### **Engagement with Religious Leaders**

Collaboration and/or at least communication with religious leaders is a crucial part of finding a solution to the problem of protecting the human rights of women under religious regimes. Collaboration with religious leaders can ensure insight into the problem and understanding of the minds of the people propagating mistreatment/violence against women under the name of religion in certain communities.

#### **International Collaboration**

International collaboration within various states is required to create a solution to protecting women and their rights under such circumstances. International collaboration can include soft diplomatic power which can be used to convince the state which propagate the mistreatment of women and not oppose any violence or violations of human rights against them. Relational power can also play a very big role in the solution of such a problem with international intervention in crises.

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