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Abstract

The title of this dissertation is Islamic fundamentalism and human rights: the Sharia law and the discrimination against women. The basic aim is to study the compatibility of Islam and human rights focusing on the gender discrimination. This fundamental question has caused an ongoing debate with various and opposite opinions stemming from social or political reasons than religion. I will examine the impact that has the rise of the Islamic fundamentalism on the Muslim society and more specifically on that part of the society which is more vulnerable, women. It will be identified the fundamentalist perspective on the issue of the social situation of women, which is based on the principles of the Sharia law and most of the times their rights are being violated as they have been the main target of this movement. Moreover, in the scope of this paper is included the examination of the reasons of this strict attachment to the Sharia law, which leads to the seclusion of women from the society, the role of the Quran and also the examination of the situation of women in Islamic countries like Iran, Afghanistan, Sudan and Saudi Arabia. To this direction is necessary to give a historical review of the condition of women in such societies, the role of the veil, which became the symbol of the Islamic civilization and also the examples of women that are role models in Islam. My motivation to choose this topic was my interesting and my impression for the difficult situation in which women are found and also the restrictions and many forms of corporal punishment imposed on them in many Muslim fundamentalist states like Afghanistan. Such actions are completely opposite to the Universal Declaration of Human Rights. This infringement of human rights and the status of women had caused the reaction and opposition of the international public opinion and international organizations that are working for the promotion, the establishment and the protection of women’s human rights.

Introduction

It is of paramount importance in order to examine this subject to state the definitions of key issues like the human rights, the Islamic fundamentalism, the Sharia Law and the main characteristics of the religion of Islam.
First of all, human rights are the basic rights that all people have by virtue of their humanity and concern their freedom of expression, of conscience and security regardless of nationality, sex, religion, race, language or other status. Moreover, they are inalienable and must be respected by the society. The roots of the principles of human rights are found in the Western political and philosophical thought, the natural law and the Enlightenment (Dalacoura, 1998, p.6, Donnelly, 2003, p.10). Historically, the term “rights of man” was used by Jean-Jacques Rousseau in the Social Contract and then by the French revolutionaries. Human rights consist of civil and political rights and are protected by international and also national laws and treaties.

The foundation of the human rights is the Universal Declaration of Human Rights as it was adopted by the United Nations General Assembly on December 10th 1948. It includes 30 articles which establish the social, political, economical, cultural, and civil rights of all the people. It was adopted by most UN member states while eight abstained, Saudi Arabia, South Africa and six communist states (Freeman, 2002, p.34-35). The 10th of December is celebrated annually as the International Human Rights Day. Since then the concept of human rights has been quite prevalent in contemporary politics as it is found in the political agendas of all the states and has had significant legal and political influence. Actually, the United Nations Organization tried to establish and protect the human’s rights after the atrocities and crimes of the Second World War as Nazism violated human rights and since then there were no international law to protect those rights. This was the turning point after the Holocaust when human rights were put in international politics and were discussed worldwide (Donelly, 1998, p.4-5). Before the Second World War human rights were not an issue of diplomatic discussion and most states violated human rights systematically. The only exception was the issue of slavery as all the powers recognized the need to abolish slave trade since 1815 in the Congress of Vienna. However, after the adoption of the Universal Declaration and all the progress that has been made the rise of the Cold War stopped temporarily this progress, which started again in the 1960s with the process of decolonization. More specifically about the status of women in the Universal Declaration of Human’s Rights is enshrined the equal rights of men and women and equality between the genders.
At this point it is necessary to stress the important role of the United Nations in the women’s rights movement as in 1946 the UN Commission on the Status of Women (CSW) was established in order to secure the equal political, economic, educational rights of women throughout the world. This was an important development in the globalization of women’s movement. Additionally, it is important to mention the authorship of a woman, Eleanor Roosevelt of the Universal Declaration of Human’s Rights (Thomsen, 2007, p.30-31). In 1975 the United Nations started the promotion and empowerment of the women’s movement holding four world conferences in Mexico City (1975, International Women’s Year), Copenhagen (1980), Nairobi (1985) and Beijing (1995). As a result these conferences made women aware of their worldwide political force. The outcome of these movements was to create an international forum dealing with women’s issues and also uncover the divisions and differences of women’s of different cultures and the difficulty applying the same principles universally. This has been one of the most significant shifts in the interpretation of human rights in international politics. The period 1975-1985 is characterized as the Decade for Women due to all these actions.

In 1979 the United Nations General Assembly adopted the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) consisted of 30 articles, which is also known as the “Treaty for the rights of women” or the international “Bill of rights” for women but was not signed by Iran, Sudan and few other countries. The Vatican has not also ratified it. This treaty addressed the systematic discrimination against women worldwide. The Commission on the Status of Women (CSW) was responsible for the CEDAW. Also, the UN’s Commission on the Status of Women produced another document apart from the CEDAW, the Declaration on the Elimination of Discrimination Against Women (DEDAW), which stated that “the discrimination against women was unjust and an offence against human dignity”. Another UN Declaration on the Elimination of Violence against Women in 1993 tried to deal with another major problem which is violence against women and girls.

The women’s movement, which was called feminism or women’s liberation for their rights started to flourish mostly in the 1960s and 1970s beginning from the United States to Europe. Feminism emerged as a reaction to women’s oppression and unjust treatment that women faced throughout history in comparison to men. The term
feminism emerged in France in the 1880s by Hubertine Auclert, who wrote it in her journal *La Citoyenne* in order to talk about women’s rights and independence as promised by the French Revolution and also criticize male’s domination (*Badran, 2009, p.242*). Feminism has endorsed the women’s human rights drawing the attention of the UN, human rights NGOs and the majority of the states to their violation of rights. Women both in developed and underdeveloped countries were always forming groups in order to protest for peace, for their rights or for political voice.

Nowadays the United Nations and numerous NGOs (non-governmental organizations) are concerned with the protection of women’s rights all over the world. The fundamental issues of gender equality and freedom of expression are considered to be of paramount importance for all the countries in order to develop and have a more peaceful, prosperous and just world as stated the Millennium Declaration at the United Nations assembly in 2000. Apart from the United Nations many international women’s organizations and NGOs are watching the implementation of the rights and the status of women through statistics. The Amnesty International and Human Rights Watch, which conduct research and advocacy on human rights have delegations in order to monitor the existence or not of women’s rights in the countries. Obviously, much more effort is required in the Muslim countries where Islamism predominates and women are still fighting for their rights.

It is important to mention that the United Nations is an intergovernmental organization not a world government established by sovereign states with the UN Charter. These states which are its members do not represent the whole international community and thus the UN has some constraints in relation to exercise its power. The General Assembly is the main instrument, the main political institution for setting the guidelines of the organization and its member has one vote. Although the Universal Declaration is the statement of the international human rights norms the United Nations do not have the authority to enforce the implementation of these standards in the states.

The other contributing factor for the human rights activities as it mentioned especially after the 1970s are the nongovernmental organizations (NGOs). These are private associations that have political activity and advocate the victims of the human
rights violations by publicizing that kind of atrocities. The main characteristic of the NGOs is their private status that enables them to act without the political control of the state and be more effective in human rights concerns using publicity and persuasion. Generally NGOs affect in many ways the national governments, institutions and also national and international corporations by persuading leaders and policymakers to pay attention on their issues. According to a definition in a document of the United Nations an NGO is “a non-profit entity whose members are citizens or association of citizens of one or more countries and whose activities are determined by the collective will of its members in response to the needs of the members of one or more communities with which the NGO cooperates (Foreign policy, Learning to live with NGOs, Simons P J, Fall 1998, p.83). Human rights NGOs have played an important role in publicizing international concern with human rights issues. The development of technology and of the internet and communications media helped these organizations in this field. Moreover, due to NGO lobbying the human rights language was incorporated in the United Nations Charter and afterwards there has been cooperation with the UN in the human rights work. Finally, the NGOs helped also in the incorporation of human rights in the foreign policies of the states.

The most widely known is Amnesty International founded in 1961 which has international members more than one million people. What is more, Amnesty International has received the Nobel Peace Prize in 1977 and has a rich activity in letter writing on behalf of prisoners of conscience and in publishing reports on states concerning human rights issues (Donnelly, 1998, p.10-11). In Middle East countries like Morocco, Algeria, Egypt, Tunisia, Kuwait and other at the present time exist many independent non-governmental women’s organizations but are missing from other countries like Saudi Arabia and the United Arab Emirates (Chatty and Rado, 1997, p.1-2). The feminists in the Arab world are struggling not with the religion of Islam but attribute the gender discrimination and the inferior status of women in the patriarchal structure of the social organization.

Nowadays many Muslim countries face the rise of fundamentalism or extremism both terms used by scholars to describe the aggressive use of religion and the implementation of fundamental doctrines in order to obtain political objectives (Beverley, 2005, p.113). This has caused turmoil not only among Muslim societies but to the whole world. The emergence of the Islamic fundamentalism is a key issue of
the Islamic political scene in the twentieth century and is connected with the violence and terrorism. More specifically, they express a strong anti-feminism and the belief that women have to be controlled and live in the domestic sphere, fearing any change in the current situation due to the imported ideas of the west such as feminism, capitalism and other. One of their aims concerning their policy is to impose their fundamental doctrines in women’s status as happens with the Taliban. Saudi Arabia has played a significant role in the expansion of the contemporary Islamic fundamentalism by promoting and supporting this movement.

The Sharia Law also known as the Divine Law of Islam, which literally means path, contains according to Muslims the Will of God and refers to every aspect of life and must be followed by every Muslim. It is the rules and regulations of the Muslims that form their relationships with God and the others (Osanloo, 2009, p.64 and Charfi, 2005, p. 38). Only in this way they will gain happiness, stability and prosperity in their society. In this way the relation between the religion and the political life is being complex as the movement of the Islamic fundamentalism demands the implementation of the Sharia law. Sharia derives from four different sources; the Quran, the Sunnah, which are the sayings and the actions of the Prophet (hadiths) but their authenticity is questionable, the ījma the consensus of the religious scholars and the qias (analogue way of thinking). It is widely accepted that Sharia discriminates against women, non-Muslims, and the apostates and also recognize the slavery (Σελαχβάρζι, 2001, p.25-31). The punishments that Sharia provides for crimes and offenses (hodud) are quite severe and are characterized as barbarous and have no basis in the Muslim religion. The most inhumane are the death penalty for apostasy and also the death by stoning for those who commit adultery (Charfi, 2005, p. 56). In this severe criminal law the role of the ulama is crucial claiming that such verdicts are stated in the verses of the Quran. Obviously such corporal punishment is in contradiction with the Universal Declaration of Human Rights.

Finally, it is necessary to mention that Islam is the second largest monotheist religion in the world with over 1.2 billion adherents all over the world, a number which is increasing rapidly due to the fact that Islam is predominant in countries of the Third World mostly in the African continent which has an increasing population. To this expansion contributes the activities of the Islamic centers in Mecca and Riad with their financial support (Μάζης, 2002, p.25). Islam is the monotheistic religion
that began in the Arabian Peninsula and since then dominates mostly in Asia and Africa and partly in Europe. The largest Muslim communities are found in India, Indonesia, Pakistan and Bangladesh. It is important to mention that since its foundation Islam unified the tribal populations of Arabia and expanded its power under the banner of the religion. Islam it is also a civilization that dates back many centuries ago. Many Islamic cultural centers emerged like Herat, Bagdad and many others. The Islamic civilization affected in many aspects the Western civilization as East and West historically interacted in political, economic and cultural level. It is of paramount importance to say that the Muslims knew and adopted the Greek philosophy of Plato and Aristotle and they transferred it to the West. But the same time Islamic history and civilization has also been affected by the West since the colonial period. At this point it is crucial to mention that Islam is the only religion that is distorted by the Westerners with many biases and prejudices as it is considered to be something completely different from Christianity and they are even more hostile towards it. Islam was considered as backward and anachronistic. Thus, Muslims are the others that try to dominate. Moreover, the characteristic of Islam is that constitutes a mosaic of different ethnic and cultural backgrounds.

The systematic interest and study of Islam in the West probably started since the Middle ages, when we have the first translations into Latin from the Arabic of important Islamic works concerning medicine, mathematics, poetry, philosophy and astronomy (Nasr, 2002, p.12). The rise of the so called Orientalism in the 19th century created the official oriental studies including Islam. In geographical terms Islam is divided in central and around the central Islam, a division in historical base according to the areas where it has been expanded chronologically (Mαζης, 2002, p.25). The central Islam is consisted of the areas that have been first Islamized between 7th and 11th century like Iran, Iraq, Egypt, Syria, Jordan and so forth. The centre and the holiest city of all the Muslims is Mecca in the Arabian Peninsula, where takes place the annual pilgrimage (hajj) and where is located the Grand Mosque with the Kaaba.

The founder of the monotheistic religion of Islam is Mohammed and is considered by the Muslims as the Prophet. Quran is the verbatim word of God, who is the One and emphasizes in the Unity and oneness of God. The Islamic life is based on five pillars as were revealed to the Prophet and characterize the whole life of the Muslims. These five pillars are the canonical prayers, the fasting, the pilgrimage
(hajj), the zakat, which is the paying of a religious tax and finally the jihad. (Nasr, 2002, p.91). This is a term that was misunderstood and mistranslated as “Holly War” but actually it means to make an effort to be in the path of God. The meaning of the “exertion in the path of God” caused a distorted image of this religion in the West.

Moreover, another basic idea is the Ummah, which is the whole community of Muslims, the whole Islamic world which consists of various ethnic and cultural characteristics. However, within Islam there is great diversity as there are many schools and interpretations of the Quran, the law and theological or philosophical subjects (Nasr, 2002, p.7). The major division is that between the Sunnis and the Shias. Apart from these two groups there are also the Kharijites, the Ismailis, the Sufi and others. The Sufi Muslims are the adherents of Sufism which is an expression of spiritual and mystical Islam. The majority of Muslims are Sunnis, which means the followers of the Sunnah of the Prophet, the tradition. On the contrary, the Shiism adherents are the minority and are found in Iran, Iraq, Lebanon, Pakistan, India, Azerbaijan, the Persian Gulf states and areas of Saudi Arabia are the followers of Ali. Ali was Mohammed’s cousin and son-in-law and was considered to be the legitimate successor of the Prophet. Shiism is related to the family of the Prophet and they believe that all the Imams are descendants of Ali (Mαζης, 2002, p.62). Finally, a few percent are the Ismailis, which are also divided in two groups and they established a caliphate in Egypt playing in this way an important role in the Islamic history. The major division of Sunnism and Shiism emerged since the early years of Islam with the problem of Mohammed’s succession.

1. The Islam and Human Rights debate

The idea of human rights as it is defined in the previous part is absent from Islam. Neither Quran nor Sharia mentions explicitly that human beings have rights because of their humanity as only God has rights not the people. Islam stressed the duty of people to be submitted to God and the status of the individual (Dalacoura, 1998, p.42-45). The conflict between Islam and human rights debate is focused mainly on certain points such as the inequality between Muslims and non-Muslims
the “unbelievers”, the inequality between men and women, the inequality between
slaves and human beings, freedom of conscience and religion and punishments for
apostasy and finally the violent punishments and torture. These perceptions of the
Islamic jurisprudence are contradicting with the international human rights norms of
the Universal Declaration of Human Rights as Islam is a particular system with its
own premises based on the Quran and the Tradition of the Prophet.

In this debate emerges another difference between the notion of human rights,
which represents and belongs to modern era and Islam which represents tradition and
pre-modern times. For this reason there have been national and international efforts to
combine Islam and human rights through declarations on Islam and human rights at
international level. Totally there have been six declarations issued by the Islamic
Council of Europe, the Kuwait Conference and the Organization of the Islamic
Conference with the most significant being the Cairo Declaration of human rights in
Islam in 1990. These declarations are a recognition that Islamic communities need to
consider and incorporate human rights (Kadivar in Vogt, Larsen and Moe, 2009, p.61-
63). However, all the articles of the declaration are subject to Sharia and do not solve
successfully the problems of the freedom of religion and the gender discrimination.

Many Muslims opponents of the notion of human rights support that human
rights are a way of political pressure on developing Islamic countries by the U.S or
the European Union. Another drawback for them is that human rights represent the
Western way of living and values and accepting them will mean succumbing to the
West. All these objections are made in the name of religion causing conflict between
religion and human rights. However, human rights are important to be respected and
not violated not because they originate in the West but because they are right and
necessary for the society. Thus the Islamic societies should protect human rights
making important reforms. In order to fulfill the needs of modernity it has been
developed the movement of Islamic modernism among the Muslim elites to present a
new interpretation of Islam. Modernist Islam stands critically about traditional Islam
not rejecting the need of the Islamic law.

Thus the debate between the advocates of tradition and modernity was
intensified in the 1970s and became complex with the rise of Islamism. While the
modernists focused on a reinterpretation of Islam in order to modernize its teachings
the Islamists are focused on the process of Islamizing the modernity in order to establish the true Islamic society. In this debate women and religion are the key elements for both groups. It goes without saying that the modernization process has had a great impact in women’s lives and thus has contributed in the conflict between the traditional role of women and the new demands of the developing society. The most characteristic trait of modernization is education and the increasing number of women who seek higher levels of education and thus obtain status in the society by having high status jobs. However, this contradiction and confusion about women’s roles had a bad effect on women at psychological level leading to depression and psychological dysfunction.

The role and the status of women in the Islamic society have been recently central in the debate over modernization and progress. This debate about Islam and gender is affected by internal and external factors. On the one hand, the internal factors consist of the political, economic and cultural policies implemented by the nation states, the legislation adopted by the states about the status of women, the education, opportunities for employment and the belief that the liberation of women will definitely lead to the adoption of the western lifestyle and to the degradation of women. On the other hand the external factors are mainly the western disapproval and criticism for the Islamic family institutions and legislation, the current status of the western women and finally the international pressure from organizations such as the United Nations, the International Monetary Fund and the Agency for International Development (Haddad, 1998, p.3).

1.1 Western and Islamic Feminism

Western feminism is the result of modernism, postmodernism and of various circumstances such as the industrial revolution, the renaissance and other that took place in the West. It is argued that the development of the Western form of feminism has influenced the Islamic feminism which aims at the liberation of women and tries to provide them with a greater and more important role in the public sphere. Islamic feminism emerged with the encounters of Muslim women with modernity mainly in
1990s. The word *nisa\'iyya* meaning “feminist” or “women’s” first appeared in Arabic in 1923 in Egypt (Badran, 2009, p.218).

However, it is argued that different political, social and cultural circumstances led to a different perception of women’s rights in the Muslim society. Thus, there are various responses from the Muslim scholars and Muslim women to the phenomenon of feminism. There is the liberal and secular perspective that supports the rights of women and re-reads the Holy texts in order to prove the compatibility of these rights with the Islamic values. Their main issues of concern are the issues of education, veiling, seclusion and polygamy as well as the compatibility between Islam and modernity. Another response to feminism is much more mediocre and supports the idea that the Muslim women have obtained an equal and respectful position in the Muslim society and there is no need for further reforms. Other scholars believe that the different status and treatment of women in Islam derives from the biological and psychological differences between men and women (Saied Reza in Ali Al-Hakim, 2005, p.58-62). The methodology that feminists used in order to reread the Quran and other religious texts and point out the patriarchal interpretations was *ijtihad* and *tasfir*. Tafsir is the interpretation, the exegesis of the Quran and is one of the most important Islamic sciences.

1.2 The problem of universality and cultural imperialism

According to the Universal Declaration of Human Rights all human beings are equal in rights. Moreover, in 1993 we have the Vienna Declaration where is stated that all human rights are universal and interdependent and also are mentioned categories like women, children, disabled persons, indigenous people, minorities and others. Additionally, it was stated in the declaration the universality of human rights but also the differences as it was insisted that “the significance of national and regional particularities and various historical, cultural and religious backgrounds must be borne in mind”.

The human rights debate consists of conflicting opinions about the nature of the rights whether human rights are fundamental simply by being human or are
modern and constructed by the Western culture. One aspect of this debate is the universality of human rights as according to the critics of the rights human beings are different. They claim that universality it is not real and it is a western ideology of the human rights discourse which is closely related to cultural imperialism (Freeman, 2002, p.102-103). Some scholars believe that the illusion of universality is a western conception of liberal individualism and it is not related to non-western civilizations.

Since 1980s Muslims have produced a literature trying to define Islamic human rights and compare Islamic with international human rights. The Islamic scholars believe that human rights derive from the obligations to God and Muslims are divided from the non-Muslims as they do not have equal rights. For example, in the article 16 of the universal declaration is referred the liberal right to marry without any limitation of race, religion or nationality but the Saudi Arabia objected it as not compatible with Islam. However, diversity is recognized in universalism as it refers to it in two ways by recognizing that some principles apply in all the cultures despite the diversity and by saying that these principles may be diversely interpreted in different social contexts. Consequently, the question of universalism and relativism in human rights is actually represented as a contradiction between the culture of the West and the East and generally non-western cultures. In the western societies human rights are connected with the secularization of the states in contradiction to Islamic societies where modernity and religion remains a challenge.

For the Muslims the Quranic conception for the human beings is the base of the interpretation of human rights. For them, in the Muslim societies the acceptance of the UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) has been a difficult task and is interpreted as outside interference causing oppositions and disagreements as according to the Quran Muslims must resist oppression. Thus, the reconciliation of Islam and human rights needs the recognition of equality of Muslims and non-Muslims. Moreover, Sharia which is based on the Quran the word of God is the law that is unquestionable for the Muslims and they must obey. However, the Islamic law (Sharia) provides hard punishments such as the amputation of the right hand for the thieves and in this way can be considered as violation of the Universal Declaration of the article 5, which says that no one shall be subjected to cruel, inhumane or degrading punishment (Freeman, 2002, p.112-113).
1.3 The Islamic Declaration of Human Rights (IDHR)

The Islamic response to the United Nations Universal Declaration of Human Rights was the Islamic Declaration of Human Rights. The Islamic Declaration of Human Rights (IDHR) was approved by the member states of the Organization of Islamic Conference (OIC) in 1990 held in Cairo. The declaration of the Islamic human rights provides the Islamic perspective on these rights which are in accordance with the Islamic Sharia and the Islamic values and consists of twenty five articles that do not have the force of law. The IDHR declares the non discrimination on the basis of race, sex, colour, language and belief and contains also a text written by the Islamic scholar Sheikh Muhhamad Ali Taskhiri the Iran’s representative in OIC explaining the differences between the UDHR and IDHR. The main differences of the two declarations are the sources and the protections. The only source in the IDHR is the Islamic law, the Quran and the sunna in opposition to the UDHR which is a secular document. The protections of the IDHR are also in accordance with the Islamic values and includes some protections that are absent from the UDHR such as protection against environmental destruction (Osanloo, 2009, p.182-183).

1.4 The Quran and women

It is vital to state the view of the Quran regarding women and human beings generally. According to the Quranic principle all are equal before God and there is no distinction between male and female. Throughout the Quran there are used different terms to address the mankind. These are Adam the name of the first man that Allah created, the Naas, which refers to man generally and Insan which means human being. Regarding the relationship between men and women it is widely accepted from Muslim scholars that the Quranic verses make no distinction between them. The Quran recognizes the biological differences of the two sexes and do not make any gender discrimination. Thus it is not deduced that the teachings of the Quran refers to gender inequality. They were created equally by the God in order to foster their relationship and gain happiness and both of them can achieve the highest level of spirituality. The Quran addresses separately men and women only in order to mention their duties, which apply to each gender. Furthermore, men and women have some common responsibilities. For instance, Islam proposes the hijab for both men and
women (Turan Jamshidian in Ali Hussain Al- Hakim, 2005, p.343-347). The division of the duties according to the different natures of men and women that Quran made do not imply any gender discrimination. According to the relevant verses of the Quran, 9:71:

The faithful men and the faithful women are protecting friends of each other. They enjoin what is good and prohibit what is evil and establish prayer and give the Zakat and obey God and His messanger. They are those who on whom God has mercy. God is Mighty, Wise.

2 The condition of women before and after Islam

2.1 Factors that affect women’s status and position

Undoubtedly, no one can deny that the status of women is related with the society and that the unprivileged and inferior status of women leads to backwardness in the society as a whole. For this reason it is vital to recognize the significance of the struggle of women all over the world not only in Muslim countries against oppression in order to gain their rights. History shows that the roots of the oppression of women came with the patriarchal structure of the society and the socio-economic system of it. The changes in women’s status and position in the society stem from the changes in the structure of the same society. Women enjoyed a high status in pre-historical and pre-monotheistic period of history. Also many argue that the religion played an important role to this direction. At this point it is necessary to mention the biased understanding and belief about Islam as a religion that it is the cause of Muslim women’s oppression. But Islam as well as with other religions is used from the political and economic forces as an institution to exert power over people especially in traditional societies. For instance in the name of religion many crimes and horrible practices are faced by the women in many Muslim countries (Nawal El Saadawi, 2007, p. 5-8).
Women’s position is affected not only by religious ideologies and culture but also by class, ethnicity and nationality, which shape their life experiences. Thus women’s status and position have different forms in various cultures and societies and must be understood in the wider historical, social, political and economic context. Consequently, it is not only Islam as a religion that shaped women’s life and defined gender relations. According to many Muslim scholars and especially Islamic feminists like Fatima Mernissi the status of Muslim women and the gender discrimination is based not on the Quran but on the misogynist hadiths and misreading of the Quran. For instance, those Muslims who insist that men are inferior to women and most privileged according to Islam misinterpret the verses of the Quran which state that men are protectors and maintainers of women because God gave them the strength. However, such an interpretation contradicts the principle of the Quran about human equality.

2.2 Women in pre-Islamic and early Islamic years

Many Muslims consider that the advent of the Quran and the Sunna of the Prophet had liberated women and gave them a superior position in comparison to that of the pre-Islamic era, the so called jahiliyyah or the days of ignorance before the revelation of the Quran to Mohammed. The Quran promised equity and gave women the right to education, to inherit, to maintain property, to conduct business and to keep their names. According to the Quran the relationship between men and women is one of equality and mutuality. However, these rights of Muslim women were restricted by the dominating customs like the arranged marriages, the appropriation of the dowry by the father, the polygamy and the inequity between the wives and the divorce as men have the right for the dissolution of the marriage. Women has but a few rights and it is obvious the inequality between the sexes. Moreover, in contradiction to what is dominant about the position of women in many Islamic countries the Quran does not say that women must be veiled, the punishment for adultery is stoning or that women must be restricted, circumcised and generally inferior to men. Consequently the Quran was interpreted accordingly in order to meet the needs of the patriarchal society.
Contrary to what many Muslims believe, in fact the examples of many women in the pre-Islamic period show that women played an important role in the society and maintained a prominent place in different fields like literature, art, social and economic life or even in wars and battles. This happened both at the pre-Islamic and Islamic eras during the life of the Prophet Mohammed. For instance in the field of the battles, Nessiba Bint Kaab loyally fought by the side of Mohammed in the battle of Ahad against another women Hint Bint Rabia. Also Om Solayem Bint Malhan fought with Mohammed to mention but a few. Another prominent woman was Khadija, who became the wife of the Prophet and the first believer of the new religion. Khadija had a powerful personality and was economically independent through her trade activities. She also made her own decision to marry Mohammed although he was fifteen years younger than her (Nawal El Saadawi, 2007, p.187-189). Many women were involved in production, trade and commerce.

In the pre-Islamic society the tribes living in the desert had matriarchal structure and women living in the desert had much more freedom because they were responsible to earn their living. Before Islam women happened to practice polyandry and marry more than one man and up to ten. This type of marriage was called “the marriage of sharing”. All these characteristics show that women had a role in the society both in the pre-Islamic and also in the early Islamic period when women maintained their rights. However, not all the women in the pre-Islamic Arabic society had the luck to have adequate freedom. Later on women gradually and slowly lost their independence and liberty a process closely related to the social and economic changes of the society where finally patriarchy dominated.

The status of women changed rapidly mainly after the death of Muhammad, when women were segregated from men and were restricted in their homes. It is important to mention that the Prophet tried to improve the condition of women in the society and maintained with them a good relationship. He limited the tradition of polygamy but he did not abolish it. Today many Muslim states try either to abolish or to limit this custom. For instance, women in Tunisia and Morocco have a better status as with the law in 1957 Tunisia abolished polygamy and Morocco in 1958 passed a law which gave women the right to ask for divorce in case they are badly affected by the polygamy of the husband (Ζιάκας, 2003, p.84-86).
2.3 Exemplary women as role models in Islam

According to the Quranic verses women as well as men can become exemplary beings and have the same virtues. More specifically, the Quran states some exemplary women being role models not only for women but for all the believers. These women are divided in two groups those who are mentioned in the Quran and belong to the past nations with history common in Judaism, Christianity and Islam and those who come from the period when Islam spread. The first group of virtuous women includes Mary, whose chastity is a virtue of significant importance and has a high status in the Quran, Mary’s mother, Moses’ mother, John’s mother, the wife of Abraham, Asiyah the wife of Pharaoh, who persuaded her husband not to kill Moses and she raised and educated him with love. Finally, it includes also the wife of Job and the Queen of Sheba (Shahin Iravani in Al-Hakim, 2005, p.110-117).

On the other hand the second group of women consists of exemplary Muslim women who are relatives of the Holy Messenger such as Khadijah, Aisha, Fatima Zahra and his grand-daughter Zaynab or his numerous female followers. The basic characteristics that prominent Muslim women have are virtues recommended for all the women. These virtues refer to personal behavior and attitude towards life, the family relations, the education and also the spiritual and sublime virtues. These women were role models for women as they contributed to the development of the religion.

The most prominent woman who holds the higher status and the high esteem of God is Fatima, the daughter of the Prophet and Khadijah. She is distinguished among the other for her attitude towards life as she chose to live in hardship and poverty over ease and luxury. According to the narrations the Prophet entitled her to be the leader of all women, of the community of Muslim women and of the women in Paradise. Moreover, Fatima was the wife of Imam Ali and the mother of Hassan and Hussein whose death at Karbala in 680 was an important moment for Islam as with his dead was regarded as martyrs for the Shia Islam. The grand-daughter of the Prophet and Fatima’s daughter Zaynab was another outstanding woman. She was a scholar and teacher and was an authority recognized for legal issues. The wives of the Prophet were also important figures in Islamic history and played an important role in the life of Muhammad.
Khadija was a businesswoman engaged in trade who hired Muhammad and also proposed to him. Aisha was one of the Prophet’s wives much younger than him. She was a scholar as she transmitted the *hadith* the Prophet’s sayings (*Akbar, 2007, p.97*). There are also many exemplary women mentioned from later generations and less known such as Sayyad Nafisa, Shuhda, Rabiah al-Adawiya and many others. It is worth mentioning that such women from the early centuries of Islam were experts in the Islamic law (*Sharia Law*).

2.4 Veiling, Political participation, Polygamy, Marriage, Divorce

The issue of the *hejab*, the veiling of women has been highly controversial. The term veiling describes the specific attire of Muslim women wearing a headscarf and loose clothes. The *hejab* has various names in different Muslim countries. For instance in Iran it is called *chador*, in Afghanistan *burqa* and in Saudi Arabia it is an *abaya* (*Hotaling, 2003, p. 46; Esposito, 2002, p.95*). The Quran does not require women to be covered or to have specific attire but it calls only for a head scarf or a piece of cloth in the head.

Veiling became widespread after the death of Muhammad and until then only the wives of the Prophet and upper class women worn the veil as a symbol of their status. Later was widely adopted for all the women and the segregation of the two sexes was practiced through clothes. As a consequence the women’s dress is a symbol of women’s virtue and honor as clothing fulfils a moral function in Islam. The veil represents a boundary between the sexes, the hidden femininity of women and also regulates women’s sexuality. The beauty and the feminine characteristics of women must be kept hidden in order to be the society and women protected from disorder. Preserving the order of the society and the family relations and harmony between husband and wife is a basic Islamic percept. For this reason women have the duty to be covered.

According to Fatima Mernissi the concept of veiling has three dimensions and functions, the visual, the moral and the dimension which refers to space as it sets boundaries and separates the sexes (*Mernissi, 1991, p. 93*). The visual refers to protect women from stranger’s looks and the moral to secure the honor of women.
Thus veiling defines two distinct worlds, the private and the public. For the Muslim societies private life is absolutely separated from public life and is associated with women. This practice is used from the Muslims to show their difference from the West and the Western civilization, where women are not hiding their femininity and consider veiling as sign of backwardness and stagnation. Exactly that difference is used in the contemporary political level from the Islamist movements as it happened with the Iranian revolution where veiled women became a political symbol for differentiation and opposition with the West. In this way politics and gender were involved in the discourse of the East and the West and shaped the identification of the two cultural models. Unavoidably this tradition has caused the criticism both from Westerners and Muslims as a symbol of backwardness and oppression of the patriarchal society and of the religion. On the other hand the supporters of the veil claim that the Westerners exploit women and have made them sexual objects.

The rule and leadership of women is not acceptable and this is justified either from the Sharia or from the tradition and customs highlighting the domestic role of women. Additionally, many jurisprudents expressed their opinion rejecting the interference of women in this field. Thus women according to Sharia cannot be the head of the government. However, the holy text of Islam, the Quran and the Sunnah promote the role of women in public life and does not indicate seclusion and burqa for women. Women have the right to political participation and to express their opinion. This is obvious in the years of the Prophet Muhammad when women were not neglected and became even combatants in fights.

Polygamy is the custom of marrying more than one wife at the same time and existed before the advent of Islam. Islam do not invented polygamy as it is believed by the Westerns but on the other hand was not totally abolished. It was restricted as men were able to have up to four wives at the same time but only on the condition that all of them they will be treated equally. The main cause of this custom can be traced in the numerical superiority of women over men as the mortality rate among them was always higher. Marriage is a contact between the partners and does not require any particular ritual. The primary witness in marriage is God. After the signing of the contract, begins the celebration of the marriage which varies according to the region. Generally the role of the family is highlighted in the Islamic texts as it consists the foundation of the society. As with the other traditions also the custom of polygamy
cause a debate whether it is permitted by the Quran or not. The conservatives and the reformers interpret differently the Quranic verses. The relevant verses (4:3) state

“Marry women of your choice, two or three or four; but if you will not be able to deal justly with them only one”

and another verse states

“You are never able to be fair and just between women even if that is your ardent desire” (4:129)

The reformers claim that these verses actually prohibit polygamy and that the Quran propose monogamy as the ideal.

The dissolution of marriage is allowed for both men and women according to the Quran but is easier for a man to divorce his wife. The perception of the Quran about divorce is specific and although it is not a desired decision it is allowed for both sexes. Divorce can be obtained through one of the three ways: judicial decree, Al – Talaq initiated by the husband and Al-Kula initiated by the women. The husband can initiate the divorce by pronouncing three times the talaq and the third time it is pronounced the divorce is complete and irrevocable. On the other hand, women can ask for divorce for various reasons such as having a violent husband or with an incurable disease or because of deception, desertion and other. Women have to give to their husbands something in compensation in order to be free from the marriage (Adeela Shabaz in Al-Hakim Ali Hussein, 2005, p. 337-341). In the case that the couple have children after the divorce and the dissolution of the marriage the right of their custody and belongs to the woman for a specific time until the seven and the nine year for the boys and girls respectively. After this age the children belong to their father.

3. Islamic Fundamentalism

It is widely known and accepted that Islam as a religion and politics were never separated. This characteristic stems from the fact that since its beginning Mohammed was both the religious and the political leader as he established in Medina
the first Islamic community according to his principles (Nasr, 2002, p.110). Later on when the question of succession emerged it resulted in a political confrontation within the Muslim community. Describing the political system of Islam we can say that there are no any clear political institutions given by the Quran apart from the caliphate, which was the most important institution.

Initially the term Islamism used to describe the religion of Islam. As Islam is a religion and constitutes an identity that unites the Muslims, the term Islamism in the contemporary era refers to the belief that Islam can be implemented in politics and society in the modern Muslim world. In fact this movement varies from moderate and democratic to radical and authoritarian. Its primary aim is to meet the needs of the contemporary world and the challenges of modernization and globalization in their society. It is obvious that political Islam is closely related to the contemporary era and it refers to many aspects like politics, economy, and society. Nevertheless, there are many disagreements and contradictions among the Islamists concerning the objectives, the priorities and the policies (Fuller, 2003, p.44).

The main aim of the Islamism is to create an Islamic government or an Islamic state but apart from this political Islam does not offer comprehensive kind of programmes, leadership or institutions and both radicals and moderates try to realize their ambitions. The first Islamist movements began in the 1970s in the Muslim world and the Iranian revolution in 1979 which resulted in the establishment of the first Islamist state. Later on we have also the Islamic states of Sudan and Afghanistan under the Taliban. The victory that that kind of state needed came with the jihad and the defeat of the Soviet Union by the Mujaheddin in Afghanistan. The state of Taliban in Afghanistan is characteristic of the aggressive Islamic fundamentalism because they favored the strict apply of the Islamic Divine law (Sharia) that caused terror in the population of the country as many and basic human rights were banned (Rashid, 2001, p.22). Especially women were the most vulnerable part of the society and they felt the terror of Taliban. What is more they reject the traditional Islamic values of the society and they were trying to expand this extreme fundamentalism in Pakistan and in Central Asia.

Finally, Islamism has played a major role in the anti-imperialist and anti-colonial struggle in the Muslim society (Fuller, 2003, p.40). It is more an ideology
than a theology that suggests a kind of governance which fits in the Muslim society and avoids the failed western ideas and ideologies (Mazas, 2002, p.50).

When religion is becoming politicized rather aggressively with an ultimate nonreligious aim this is called fundamentalism and definitely it does not refer only to Islam. More specifically, describing the Islamic fundamentalism we can say that it is the characteristic of the contemporary Islamism that emerged since the late twentieth century Islamic revivalism. The term Islamic Fundamentalist refers to the adherents that are following strictly the Quran and the traditions of the Prophet and believe that only this understanding is the correct one and in this way they reject any difference or interpretation. The fundamentalists are those who suggest a change through a back to basics approach meaning that they interpret the political Islam in a more fundamental way (Fuller, 2003, p.11-12). Also, they are the majority among the Islamists, they oppose the status quo and they are emphasizing in the implementation of all Islamic laws as the most important aspect. They come from either Sunni or Shia Islam and they are accused of provoking political instability, revolution and violence in general (Beverley, 2005, p.3). The scholars argue that Islamic fundamentalism is a modern phenomenon of a political ideology in the context of globalization and describes the so called clash of civilizations (Tibi, 2005, p.2).

In this way, the West viewed the Islamic fundamentalism as a major threat to the western civilization and security. Although Islam and politics were always connected, as it is mentioned, since 1945 Islamic fundamentalism grew and evolved in a more dynamic way and seeks to take the power rejecting secularism. The roots of this expression should be found in the effects of colonialism on Islam, the secularism and the Islamic reactions and the intervention of the West. For example, the Central Asia Muslim populations faced the Soviet Union’s communist control for several years. This period proved to be very suppressive for the religious rights and as a result they felt neglected. The same happened with the European rule in the countries of Africa like Egypt where the Muslims faced the whole transformation of their society. This change penetrated the whole Muslim society and marginalized the Muslims in favor of non-Muslims during the process of Westernization. Apart from the relation with the West there are also many internal factors that contributed to the radicalization of Islam such as the continuous marginalization of the Muslim countries, the transitional period and the new challenges that these countries are
facing in modern times. Finally, the social and the economic problems of these societies like poverty, unemployment and other were the breeding ground for such movements.

In 1950s and 1960s during the revivalism of Islam the fundamentalist movements tried to establish Islamic states. This revivalism was the answer in the previous repressive state of Islam. That was the historic context that created and shaped this ideology which has become an expression of terrorism creating disorder. Historically many times ago faith and its symbols were used for declaring wars and for conflicts. According to the schools of thought of Islam Salafism is connected to the fundamentalism.

As the thinkers and scholars that formulated the doctrine of fundamentalism we can mention Mohammed Ibn Ald Al-Wahhab, who was a significant Muslim scholar and aimed at the maintenance of the fundamental doctrines and the reformation and purification of Islam (Beverley, 2005, p.20-21). Others are Sayyid Qutb an Egyptian author, poet, educator of the Egyptian Muslim Brotherhood in 1950s and 1960s and Jamal ad-din al-Afghani who emphasized in the Muslim unity, self-determination and independence and also after him Mohammed Abduh and Rashid Rida. Those who are related to Islamic revivalism and Islamic fundamentalism with their important Islamic movements are Hassan al-Banna, who founded the Muslim Brotherhood and Muwlana Mawdudi in Egypt and India respectively. Mawdudi is clearly anti-Western and he is representing the fundamental thinking. What connects Islamic fundamentalism with terrorism and violence is the fear of foreign domination especially from the West as happened in the past and the firm belief that the revival of Islam is something that happens globally. Consequently, the West is becoming more and more suspicious and islamophobic as the Islamic fundamentalists try to fight against the current world order.

4. Gender discrimination and Islamic Fundamentalism

In this part of the paper it will be shown how the empowerment of fundamentalism in the Muslim countries of Saudi Arabia, Sudan, Afghanistan and
Iran has affected the status and the role of women in each country. The fundamentalist policies resist and prohibit the promotion of women’s rights and use the law in order to implement the gender inequalities. Fundamentalists adopt the relativist logic of human rights claiming that these are Western ideas that undermine the non-Western cultures and values. The women’s rights notion and discourse in these countries can be understood effectively in the relevant historical, political and social context. In this way it is represented the dynamic relationship between women and politics and how this changes and women become emblematic of the nation’s virtue. The common characteristic is that the state is playing a significant role in the construction and reconstruction of gender roles and women’s sexuality and that veiling consolidates the state power. Moreover, this strict religious preoccupation of the Islamists with women is attached to the fact that they consider women as resistance and opposition to the West. As Islamists consider modernization and westernization enemies they avoid succumbing to western values and ideals by controlling women. Finally the fact that women became the main target of state policies indicates that women can play a significant political and social role potently contributing to political and social change.

4.1 Saudi Arabia

The Kingdom of Saudi Arabia is the largest country in the Middle East and is located in the Arabian Peninsula. It is bordered by Jordan, Iraq, Kuwait, Qatar, the United Arab Emirates, Oman and Yemen. Saudi Arabia is an absolute monarchy ruled by the Al Saud family since the country’s unification in 1932 by Abdul-Aziz bin Saud. Another important characteristic of the country is the existence of the world’s largest oil reserves being a significant oil exporter. Moreover, the kingdom has the two holiest places of Islam, Medina and Mecca, which hosts millions of pilgrims for the annual Hajj (pilgrimage). The majority of the population follows the Sunni version of Islam and especially the most conservative version known as Wahhabism in contradiction to a small percentage about 10% of the population who are Shia. The adherents of this branch of Islam believe that it is the only true Islam. The Quran and the Sunna are the country’s constitution according to the 1992 Basic Law (Doumato,
Both the government and the judicial system of the state are based on the Sharia, the Islamic Law, which does not accept the premise of the equality of men and women as the Qur'anic interpretation and hadith favors the position of men over women. The interpretations of religious traditions and the implementation of Sharia Law had led to the segregation and impositions of strict boundaries between the two sexes.

The state of human rights in this country is a matter of concern for many international human rights groups such as Amnesty International and Human Rights Watch as women are prohibited and excluded from public places, public services or participating in any public decision. This imbalance of power between men and women is very important for this country taking into account the effort to be an important power of the global economy. The problem of gender discrimination is prevalent in every social and governmental structure of the country. This inequality concerns the access to justice, the autonomy and freedom, the economic, political, social and cultural rights although Saudi Arabia has ratified in 2000 the UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). However, it is important to mention that this ratification was accompanied by many reservations as it was stated that in any case of contradiction between any term of the Convention and the norms of the Islamic law there is no obligation for the Saudi Arabia to observe the contradictory terms of the UN Convention (Doumato, 2005, p.261). Consequently, in this way many articles of the CEDAW are not implemented and until now the government has made no steps to have its national laws in conformity with the universal standards on women’s human rights. It is of paramount importance for the government to try to eliminate all the reservations about CEDAW and amend the Basic Law in order to avoid the gender inequality and prohibit the discrimination against women.

It is interesting to identify the causes of this discrimination in Saudi Arabia. The causes of conservatism are systemic and can be found in the social structure, the influence of the tribal and family allegiances, the policies and attitudes of the ruling family and definitely the country’s interpretation of the religion.

The influence of the ulama, the religious scholars known as the arbiters of the Sharia Law, was significant in shaping the society and is widely spread throughout the
kingdom as it created an alliance and relation between the religion and state. This process happened at the beginning of the 20th century with the king Abd al-Aziz Ibn Saud who recognized his legitimacy as a ruler coming from the Sharia Law and the advice of the ulama. There is the official council of religious advisers, the Supreme Council of the Religious Scholars, which is part of the state and provides religious cover for many state policies. Moreover, they influence the Committee for the Promotion of Virtue and Prevention of Vice, which monitors the moral offences. This influence of the ulama made that strict interpretation of Islam the main identity of the Saudis. The other characteristic symbol of the Saudi Islamic governance is the mutawwa’in, the morality policemen who monitor women whether they are liberal or implement the Sharia (Doumato, 2003, p.242).

Generally, the social role of women in Saudi Arabia depends on the family, the education and social activities are acceptable as long as they do not draw attention and cause offense. Women in Saudi Arabia are obliged to be covered from head-to-toe as in this way they ensure the moral behavior of men and protect the honor of the family. Apart from this dress code women are monitored and admonished by the mutawwa’in who are the morality policemen of the government for the Promotion of Virtue and Prevention of Vice as it is mentioned above, in case they are not appearing appropriately or not having a moral behavior like being with an unrelated male and not the husband or the closest male family relative.

As far as the family affairs are based on the Sharia law men are provided with more privileges than women in matters of marriage, divorce, child custody and inheritance. The marriage in the Saudi Arabian society is a contact between the husband and the male relative of the bride. This contact is quite strict and excludes the bride’s involvement in decisions about her own marriage as legally both of the families have the rights to take decisions. Another drawback concerning the marriage is the fact that the women have to specify whether she is virgin, divorcée or widow something that is not required for the men. Also, the divorce is easier for the men as the husband has the right to divorce without any explanation only by registering his statement in the court and repeating three times while the women may has the right to divorce only in case that her husband gave such permission in the marriage contact. Obviously, the majority of the women does not have this right and can obtain a divorce by proving in court desertion or impotence of the husband. Another way is to
leave the marriage is through *khul* which means that she gives up all her maintenance rights and also *mahr* the money or gifts from her husband.

The same restrictions and disadvantages are found also in the matter of child custody as the children belong legally to their father in the case of a divorce or leaving a husband. Women do not have the right to take care of their children even in cases in which the father is unable to do so the paternal grandparents have an advantage over women. As a consequence we can see that the Saudi social and justice system do not give the equal chance to women to pursue the custody of their children.

Another major issue that affects women in Saudi Arabia is violence which can have many types such as domestic violence and marital rape. These problems are widely known in the society but are never solved although the social and political system try to promote the ideal Muslim family where everybody is equal and all the members have rights and duties and the ideal of family is honor. Domestic violence although it is a sad reality of the Saudi Arabian society neither the society nor the media talk about this problem and also there aren’t laws that protect women from violence showing that the social constraints and limits for women are insurmountable and domestic violence remain a family matter. As a consequence, these acts are not punished and are not accepted as evidence against the husband in order to demand a divorce. There are many cases where women who report sexual abuse or rape most of the times are accused of illicit sex. It is also important that there aren’t facilities and support services and generally no government policies for women victims of violence (*Doumato, 2005, p.264-265*).

There are many limits and restrictions on women’s freedom deriving from the interpretation of Sharia. Apart from being or having physical contact with an unrelated man women cannot drive cars, rent an apartment for herself and travel without her husband’s permission. Moreover, the public places like the mosques, supermarkets, streets are all male dominated and also the facilities for men are superior to those which are accessible to women. Examining the judicial system women do not have the same access to courts and to represent herself before the judges as their husband or their male relatives can represent them. Moreover, according to the interpretation of the Sharia law a woman is not recognized as a full person before the court and the testimony of two women is equivalent to one man.
Also, men and women have different punishments for crimes according to the gender. Another fact of discrimination concerns the state and nationality. Saudi women who marry a non-Saudi cannot gain nationality for her family in contrary to a Saudi man who can apply and finally receive Saudi nationality for his children and wife. Another important aspect of the gender discrimination is the freedom of expression in relation to religion. As it is mentioned above the Muslims in Saudi Arabia accept the Wahhabi school of thought of Sunni Islam which is rather conservative and all the other forms and practices such as Shiism and Sufism are not accepted and punished. Women are not allowed to communal worship and are restricted to pray at home.

What is more, the same gender segregation rules are found in the economic rights and job opportunities. Although the Sharia law gives women the right to own and manage their property, income, real estate or the money given by the husband before the marriage (mahr) in fact due to social and religious factors and traditions women are restricted also to manage their wealth and property. Moreover, the regulations and bureaucratic rules of the government do not facilitate the access to equal economic opportunities for women. For instance, this is clear in the requirement that a woman who wants to run a business should hire a man as manager before having a commercial license. There is another requirement also for women to be separated from men in the public places including the work places. This is a significant obstacle for women’s employment as employers do not create easily gender segregated facilities and as a result more men are employed. This is a major drawback of Saudi government as few steps are made to improve equal prospects for women to be employed. Another negative factor for women to be hired is the financial burden that the employers have to pay to women for the maternity leave.

The majority of the employed women works in gender segregated schools, colleges, universities or establishes their business as many of them are well educated although the gender segregation is obvious also in the universities. For example, the Saudi universities have separated and inferior facilities for the female students and also are not allowed to study engineering or be admitted to the King Fahd University of Oil and Minerals in Dhahran.

The religious concentration of the Saudi education is clear in the official education policy as Islam is a priority of the curriculum maintaining the same time the
gender imbalance. It is characteristic that public education for girls started in 1960 as a result of the opposition of the religious conservatives and was initially under the supervision of the ulama and the General Presidency for Girl’s Education but recently in 2002 it was placed under the Ministry of Education. However, there is some progress in the gender discrimination in the educational sector as this change on the supervision of the girl’s education is very important. Also a new campus for women is constructed in Riyadh and in Jeddah there is a private college for girls following an American curriculum. As a result of these considerable efforts is the fact that more than 58% of the total number of university students are women (Rana Mesbah, “Women’s education in Saudi Arabia: The way forward”, AME info, June 9, 2009, www.ameifo.com). Moreover, the Saudi Ministry of Education recently announced the construction of sports facilities at girl’s schools in various regions of the Kingdom something that happens for the first time. The role of the government is significant in the promotion of equal educational rights between men and women and equal access to all fields of education by making the necessary reforms.

Examining the political and civic voice of women it is clear that there is not any political participation or freedom of expression. Generally, the political scene of Saudi Arabia is characterized by no political parties or elections and no one has the right to vote or participate in the political activities. Many political rights are forbidden such as the trade unions and striking. The king is the absolute monarch and he appoints the Council of Ministers for the government administration and also the all male 120-member advisory body called Majlis al-Shura (Consultative Council). Women are prohibited from participating in these bodies and only in 2004 three women were appointed to serve as advisors to the Majlis but not as members. The king also appoints the emirs, the regional governors and they are meeting weekly (majlis). This institution provides access to the government and is open to all the citizens for everyone who has a complaint or a plea against the justice but women are excluded. For this reason there are many Saudi men and women who demanded reforms in the system of governance and also recognition of women’s rights in 2003. Many other petitions followed in January, April and September in 2003 demanding political reforms, social justice, elimination of corruption, the public election of the Majlis-al Shura and finally freedom of expression, assembly and association.
As a result the king Fahd allowed in August 2003 the establishment of an official human rights organization, the National Organization for Human Rights, with nine women as members and the chairman and executive committee members of the Majlis al-Shura, the Consultative Council. Later on, the government approved a conference on human rights but during a demonstration including women advocating political reform many people were arrested. Another conference took place in August 2003 including the rights and duties of women and in January 2004 in the Jeddah Economic Forum many Saudi women mostly businesswomen took part and discussed the role of women in the economy. These women participated in the same room with men and some of them were not wearing the head cover, the *hijab*. Despite these steps Saudi Arabia is a country without the basic freedoms that a civil society requires (*Doumato, 2005, p.268-269*).

Another sector where gender discrimination and women’s access is limited is the public health services. Although Saudi Arabia has developed its health services and the Basic Law of the country secures welfare rights and guarantees them for all the citizens, the accessibility of the women to such services is limited. This is clear from the law which requires that women cannot have surgery or other medical procedures without the husband’s or the male relative’s approval. Health care issues related to women remain a taboo such as contraception and abortion. Even nowadays modern contraceptive methods are used by a small percentage of women almost 29% aged 15 to 49 but in comparison to past decades like 1979s and 1980s this percentage is much higher. Another issue of debate in Saudi Arabia is abortion which is considered illegal even in case of rape or incest and is not easily permitted. According to Human Rights Watch reports, the Ministry of Health of Saudi Arabia in 2003 prohibited the hospitals to accept pregnant women not accompanied by men who acknowledge paternity aiming in this way to solve the problem of the unmarried women, who abandon their babies at hospitals.

A practice that is customary in Muslim countries mostly in northeast Africa, Asia and in Middle East like Egypt, Sudan, Somalia, Ethiopia, Chad and Kenya is the so called female genital mutilation (FGM) or female circumcision which is very painful for the girls and women and continues to exist until now. Amnesty International estimates that over two million girls undergo this practice every year. Consequently, there is strong opposition and concerns about the safety and the aim of
this tradition, the medical and psychological consequences and there have been efforts to end it by the United Nations and the World Health Organization. Moreover, the United Nations has declared February 6 as the International Day of Zero Tolerance to Female Genital Mutilation. Although this practice is not very common in Saudi Arabia it exists among some Bedouin groups.

All these women’s rights abuses have made the women’s human rights organizations more active in order to publicize such abuses although the Saudi government is strict and there aren’t any independent organizations. As a consequence all the organizations are registered and controlled by the Saudi government and can be closed easily. Saudi women can advocate their human rights with the prerequisite that they do so with compliance to Islam and respect to the country. Moreover, they can’t have contact with international or non government groups and organizations. Undoubtedly, it is important in order to promote women’s rights and gender equality such groups must be and work independently and not be controlled by the government. However, it is obvious the last years that there are many petitions among the citizens for political reforms and especially for granting women more rights in the Saudi society. The most recent significant reform for Saudi women that marks a new era is the right to vote and to stand for election within four years in 2015. This decision was announced by the King Abdullah in September 2001 and is evaluated as a breakthrough in the conservative Saudi Arabian society (Martin Chulov, guardian.co.uk, 27-8-11).

4.2 Sudan

Sudan is the largest and the most heterogeneous country in Africa with an estimated population of 40 million people one of the most diverse on Africa with two main groups, the Arabs and the black Africans. Moreover, apart from these two major groups there are many other ethnic and tribal groups. The majority of the population is Muslims almost 70% and the rest are Christians and animists. It is a poor land with few resources apart from the oil that has been discovered in the south region of the country in late 1970s. Although it is located in northeast Africa it is considered to be part of the Middle East politically and geographically. It is also widely accepted that Sudan is the result of many colonialisms which caused a divided country with
artificial boundaries mixing Arabs, Africans, Muslims and Christians. The legacy of the Turkish, Egyptian and British ruling and policies is obvious in the country which has differences in the North and South. The other main characteristic of Sudan is the constant and endemic conflict, the political and social turmoil, the civil wars that lead to human suffering, millions dead and refugees and violations of human’s rights. Unavoidably, this state of anarchy and turmoil leads to an unstable political and social situation that attracts the concern of the international community as this instability can threaten the international security (Emerson, 2006, p.267-268). Recently, on 9 July 2001 South Sudan with the official name the Republic of South Sudan became an independent state and on 14 July 2011 became member of the United Nations.

The rise of the radical Islamism in Sudan and its connection with the Al-Qaeda in the 1990s as Osama bin Laden was trying to find a new base after Saudi Arabia caused another matter of concern for the international community. Due to that political and social conditions and conflicts Sudan became the breeding ground for international terrorists and from 1993 to 2005 the United States classified Sudan as a state of terrorism and the United Nations also imposed sanctions on the country in the late 1990s. However, nowadays since 2002 there has been a change and Sudan appears to cooperate with the United States in the global fight against terrorism.

The rise of Islamic fundamentalism in Sudan took place in the 1980s with the emergence of Hasan al-Turabi’s radical fundamentalist National Islamic Front (NIF) in the Sudanese political scene as a significant force. His aim was to establish a Sudanese Islamic state with the implementation of Sharia and the support of extremist elements. During that period Sudan’s long civil war reached the proportions of genocide as millions of people died due to war, various diseases and starvation (Afary and Anderson, 2005, p.165-166). In September 1983 the president Nimeiri announced the imposition of Sharia leading to the full Islamicization of Sudan and the transformation of the national identity into a Muslim identity. The laws that the National Islamic Front (NIF) and its successor the National Congress (NC) imposed affected and restricted women in any field. Moreover, the punishment for adultery was one hundred Sudanese pounds, eighty lashes and also imprisonment for one year. A woman can be accused for adultery even if had been seen in a company of a man outside her family even in public. Consequently this led to many wrong convictions and in fact is against the Islamic law which requires four eye-witnesses to prove that
was committed adultery. Also the new Islamic family laws deprived women from their rights and woman have to wear the Iranian’s black chador (*Ibrahim in M.R. Waller and J. Rycenga, 2000, p.137*).

The Sudanese women were a significant force in the Sudanese national liberation movement against the British. Although women are facing strong repression they were able to establish the Sudanese Women’s Union (SWU) in 1952 which is the most powerful and well-known organization existing over forty years and has been headed by Fatima Ahmed Ibrahim. Its flourishing period was in the 1960s and its worth saying that in 1993 the Union was awarded the United Nations Human Rights Prize for all the achievements and the work for the women’s problems in Sudan. Thus, it became the only nongovernmental women’s organization to win that prize. These achievements included the right to enter the public life, the judiciary, diplomacy, the right to equal payment for equal work, to paid maternity leave and take part in political parties. The Sudanese Women’s Union tried to solve the problems that Sudanese women faced and also in 1953 it launched a campaign to win women’s voting rights but the Islamic regime denied those rights claiming that Islam does not permit the equality of men and women. But studying the original source of Islam, the Quran, it is proved that Islam do not prohibit women’s involvement in politics or inequality. Women won the right to vote in 1954. However, all these rights were abolished by the regime of Numairi in 1969, when he came to power and the Union’s leaders were executed or imprisoned.

Women in Sudan are facing repression and discrimination in both public and domestic domain including marriage, the circumcision of girls a practice taking place also in the other Islamic countries and generally all the family laws that give many advantages to men like polygamy. At the social level women are also discriminated in education, wages and job opportunities. For example, girl’s education began much later than boy’s education and until now the schools for girls are almost half in comparison to boy’s schools. Moreover, there is no equality in job opportunities and wages as women are paid much less than men and are also exploited by men in the agricultural work because women are obliged to work for them.
4.3 Afghanistan

The Islamic republic of Afghanistan is located in Central Asia and has a geostrategic importance as it connects the Central Asia, the Middle East and India. The Taliban’s official name for the country is the Islamic Emirate of Afghanistan. The majority of the population is Sunnis and Islam became the dominant religion of Afghanistan at the beginning of the 8th century (Ziákaç, 2003, p.122). It is a very poor country and its population is estimated to be about 26 million with a very low life expectancy. Afghanistan consists of four major ethnic groups the Pashtun, the Tajik, the Hazara and Uzbek and also few minor ethnic groups. Historically, Afghanistan already since antiquity has been ruled by many conquerors such as Darios, Alexander the Great, Genghis Khan, Timure Lung and later on during the European imperialism by Britain and Russia (Skaine, 2002, p.5-7).

The modern history of Afghanistan is marked by three major periods in which human rights generally has been violated significantly. Firstly, the communist regime from 1978 to 1992, the Mujahideen rule from 1992 to 1996 and the Taliban rule from 1996 to 2001 which was one of the hardest periods for the population. More specifically, the lives of women of Afghanistan became unbearable as the fundamentalist regime deprived women of their human rights although their policies were quite harsh for the men. Since 2001 there have been some developments but there is still a long way to go as there are still observed many human rights violations.

Before 1978 and since its development as a state Afghanistan was characterized as a peaceful country with freedoms for its people although not all the rights of the citizens were respected. But since 1979 Afghanistan becomes a war torn country full of violence, killing, imprisonment and many other atrocities. Before the Soviet invasion Afghanistan had a frame to provide and protect human rights such as in the 1923 Constitution, where there was stated the abolishment of slavery and included a number of rights such as personal liberty, freedom of press, education and other. This was a breakthrough as for the first time the state recognized that people had rights without discrimination. Later on in the 1964 Constitution of Afghanistan there is another attempt from the state to develop a new framework for politics and rights opening a new period named New-Democracy. By this Constitution women were permitted to vote but this happened only in the larger urban centers. These
attempts to protect human rights finally it were not successful as history shows as there were lack of the rule of law and also separation of powers, which are prerequisites in order to develop effectively the state.

Generally, human rights abuses in Afghanistan remain a matter of concern and controversy both in earlier and recent times as the situation remains unstable and precarious. The main characteristic of that country was the lack of rule of law and the existing paradox as human rights are protected in constitutional texts but in everyday life predominate cynicism and restrictions. This discrepancy unavoidably causes skepticism whether human rights can be fully implemented.

In 2004 the Great Assembly of Afghanistan, which took place in the capital Kabul, adopted a new Constitution that was the most progressive in the whole Muslim world. The Constitution included human rights protections such as freedom of press and moreover provided that the state should respect and follow the international treaties and conventions that Afghanistan has ratified as well as the Universal Declaration of Human Rights. More specifically, the Constitution provides equal rights for men and women as women are permitted to work and to take part in politics. Apart from this Constitution Afghanistan follows also many human rights instruments, which have been developed since the Universal Declaration, such as the 1948 Convention on the Prevention and Punishment of the Crime of Genocide.

Moreover, Afghanistan is member in numerous human rights treaties such as the 1966 International Covenant on civil and political rights, the 1966 International Covenant on economic, social and cultural rights and the 1966 International Convention on the elimination of all forms of discrimination. It also ratified the Convention against torture and other cruel, inhuman or degrading treatment or punishment and the Convention on the rights of the child. Finally, Afghanistan has ratified the 1979 Convention on the Elimination of all forms of Discrimination Against Women although there is no compliance with such obligations (Maley in Akbarzadeh and MacQueen, 2008, p. 92).

To the strengthening of the fighting of women’s movement contributed undoubtedly violence against women which is a plight for women not only in Afghanistan. More specifically, various forms of violence in Afghanistan such as rape, sexual harassment, wife beating and generally domestic violence have been
attributed to the opium drug trade, the civil wars and the fundamentalist regime of
Taliban.

Historically, the treatment of women in Afghanistan was quite good as they were respected and held in high esteem. Generally, in the Afghan culture women were respected and not restricted. For instance, in the 1440s a woman the Queen Gawhar Shad in Herat was ruling an empire extending from the Tigris River to China. Moreover, in 1880 many reforms regarding women were implemented during the reign of Abdur Rahman Khan. The liberal and important role of women in the Afghan society is obvious also from the policy against the seclusion of women of the King Amanullah and Queen Soraya in 1919. During this reign slavery was abolished and many social reforms were adopted including monogamy, education for both genders and the opening of schools for girls, free move of women and also separation of religion from the state and politics generally. At that time Afghanistan was among the most progressive societies in the Muslim world as it also shows the family law of 1921 and the 1931 Constitution although were not clearly mentioned.

The turning point took place from 1930 to 1963 when a tribal rebellion led by Habibullah brought new laws and objections concerning the status of women and their unveiling and freedom to move. The schools were closed and polygamy became law again. His successors made Islam a state religion and decided that women must wear veils and the schools for girls were either closed or separated from the schools of boys.

An improvement and a change came with the Prime Minister Mohammad Daoud who endorsed a movement in 1959 to unveil women and he abolished child marriage setting the legal age to 16, he established a family court and women were employed in police, in armed forces and in many other workplaces. Women were also first admitted to Kabul University in 1959 and were learning to drive. Daoud’s decision for the abolition of purdah the isolation of women from all men apart from their male relatives was a significant reform which led to the emancipation of women. During Daoud’s presidency two women were in the government, Kobra Norzaye as Minister of Public Health and Shafiqa Ziaayee as political advisor and four women were elected as deputies in the parliament. Moreover, the organized women’s movement in 1964 included political groups, the Feminists and the Socialists and they
advocated equality of men and women as well as less oppression. Thus, before the Russian invasion there is a discrepancy as women in the urban centers were more active and free to demonstrate for their rights in comparison to rural areas where women were secluded (Skaine, 2002, p.16-17).

During the communist era Afghanistan faced oppression, violence and many human rights abuses as mass killings and terror was the characteristic of that regime which tried to establish its power. Their policies were considered to be an attack to the Afghan culture and tradition and affected both men and women. As a consequence many Afghans were forced to flee for safety reasons. The oppressive practices were facilitated by the “State Information Centre” known as KhAD headed by Najibullah from 1980 to 1985. In 1979 the Soviets decreed changes in the status of women. The everyday life of women was difficult as they were forced to be covered from head to toe and they couldn’t work or be educated. The international human rights instruments were abandoned by the regime and human rights violations were extensively reported by the Amnesty International, the Human Rights Watch and a UN Special Rapporteur on Human Rights in Afghanistan. Women had an active role in the struggle for national liberation through the Revolutionary Association of the Women of Afghanistan in 1980 which resisted the Soviet occupation. The consequences of that era are significant and are obvious later on at any sector of the Afghan state.

The Mujahideen era that followed the removal of the communist regime was characterized by state collapse, turmoil and division as Mujahideen was not a unified force but came from different ethnic origins and finally characterized by interference by outside forces like Pakistan’s Inter Services Intelligence directorate (ISI). Although the Mujahideen fought against the Soviets when they came to power they couldn’t be a unifying factor for Afghanistan and led to hostility and violence. As a consequence the protection of human rights was not possible. The beliefs of the Mujahideen regarding women are characterized as conservative in comparison to the extreme policies of Taliban.

Similarly during the Taliban rule human rights and more specifically the gender issues became a matter of concern for the international community. The Taliban, which was a radical movement of the Pashtun ethnic group seized Kabul in
September 1996 and implemented the strict interpretation of the Sharia law and the Islamic fundamentalist principles in Afghanistan causing fear and terror in the population. It is characteristic that when the Taliban seized Kabul in 1996 almost three million Afghans fled and one of their first actions was to hang publicly the previous Soviet president Najibullah. Their name means the seekers of wisdom and they try to establish the true Islamic state but in the name of religion they committed crimes. Their main leader Mullah Mohammad Omar was the head of the Shura (council). The Islamic state of Afghanistan was recognized and supported only by Saudi Arabia, Pakistan, the United Arab Emirates and extremist terrorist organizations like Al Qaeda. Saudi Arabia and some of the Gulf States provided also the Taliban with financial support.

The main characteristics of Taliban are the complete rejection of the West and modernism and the non compliance with the human rights declarations and organizations representing the most extreme interpretation of Islam. This is clear from the statement of Mullah Omar who said that they won’t follow anything under the name of human rights which is opposite to the Quranic law (Maley in Akbarzadeh and MacQueen, 2008, p. 101). What is more, they do not have exact knowledge of the Quran and the Sharia and they do not represent the majority of the population. Initially, the Afghans thought that this movement will bring eventually peace and stability to the state overcoming ethnic diversity and civil wars but their hopes rapidly disappeared as massacres against civilians were systematically committed (Rashid, 2001, p.22-25). The reports of the United Nations are indicative about the human rights abuses. Their policies affected both men and women as with their decrees men were prohibited to shave or cut their beard otherwise they should be arrested and imprisoned until their beard gets bushy. More specifically, the Taliban were notorious for their discrimination against women as they had taken away all their rights and imposed many hardships and actually they were kept indoors (Moghissi, 1999, p.2). Their policy apart from the corporal damage caused also psychological problems, anxiety and depression to women who managed to survive. As a consequence the suicide rate among women increased significantly because they were treated as subhuman.

According to their true Islamic state many women accused of adultery were publicly lashed or stoned to death. Women were forced to wear the burqa in public, a
loose garment that covers the whole body from head to toe and also couldn’t walk without a *mahram*, the male relative. Apart from the dress other restrictions on women’s appearance were the ban of cosmetics, perfume and nail polish in order to minimize every female characteristic. Women who were not in accordance with the Taliban’s rules were beaten or verbally abused.

Moreover, education and job opportunities were severely restricted as women were not allowed to work or be educated. As a consequence many generations grew illiterate as the majority of Afghanistan’s teachers were women. The problem of illiteracy in Afghanistan is very significant as the country has among the worst records on education in relation to other underdeveloped countries according to the United Nations Educational, Scientific and Cultural Organization (*Skaine, 2002, p.66*).

On the other hand, the prohibition of work apart from the marginalization of women also led to extreme levels of poverty as many widow women with children was difficult to survive. By keeping women indoors, the Taliban claimed to be keeping them safe from harm as in the Pashtun society the honor of women is very important for the whole society. Additionally, women were not allowed to be treated by male doctors, deal with shopkeepers or talk with non-*mahram* males, ride in a taxi without a *mahram* and when women stay at home all the windows should be painted in order not to be seen from outside their homes.

Unavoidably such policies caused strong opposition and aversion to the Taliban rule inside Afghanistan and outside the country as the international community was concerned with the hardships of the Afghans. The stadium of Kabul was the place where the Taliban implemented their interpretation of the Sharia law with everyday public executions, floggings and amputations humiliating both men and women. The same was happening in the other cities of Afghanistan. That was a kind of entertainment for the Afghans as the other ways of entertainment like music, gambling was prohibited.

Many scholars support that the Taliban’s actions do not represent the true interpretations of the teachings of Islam and they are using the religion for their own purpose in order to fulfill their aims and objectives. The United States disapproved the Taliban and Hillary Rodham Clinton led the global support and of women’s rights in
Afghanistan and condemned the inhumane and brutal acts against women. Apart from the United Nations efforts there are also many organizations struggling with women to improve their status. Among the most important is the Revolutionary Association of the Women of Afghanistan (RAWA), which was established in 1977 and has been internationally recognized as it has received many human rights awards. It is a feminist organization which is fighting against fundamentalism and for democracy, secularism and women’s rights making publicly known and informing the Amnesty International and other human rights organizations for the human rights violations and crimes of Taliban. Moreover, RAWA provides home-based schools for girls and mobile health care teams and supports income generating projects for women. It is also worth mentioning that the founder leader of the organization, Meena was assassinated by fundamentalists and the KhAD (Skaine, 2002, p.80-81).

After the overthrow of Taliban in 2001 in the state-building process a new Constitution and an Interim Administration was established after the negotiations between non-Taliban Afghan political actors under the UN auspices in Bonn. The new Constitution like the previous also included many human rights stating also the equality of men and women. Now women regained their right to return to work and to schools as they reopened. Human rights now were protected from the new state agency known as the Afghan Independent Human Rights Commission (AIHRC), which is Afghanistan’s national human rights institution according to the previous Afghan Constitution. The AIHRC contains the Women’s Rights Unit which aims to increase public awareness and fulfill five major objectives such as leadership, education, empowerment, advocacy and monitoring and investigation. The head of the administration Hamid Karzai supported women’s rights by signing the Declaration of the Essential Rights of Afghan Women (Thomsen, 2007, p. 112).

After their defeat in 2001 the Taliban began to gain power and attack the government and the NATO forces few years later as the government of Hamid Karzai was weak and corrupted. The Taliban continue to discriminate against women and commit crimes scarring the population. For instance, they are trying to prevent young girls from going to school attacking them and their teachers with burning acid as happened in Mirwais School for girls in Kandahar. However the attacks cannot deter even the injured girls from attending school defying terror. The building of new schools and ensuring that children and especially girls were attending was a primary
The plight of Afghan women is a major human rights issue. The promotion and protection of human rights remain a complicated and difficult issue as the main obstacles for that can be summarized in the following according to a report of the Afghan Independent Human Rights Commission (AIHRC): the feeling of insecurity, instability, corruption and the absence of rule of law, the weak judicial system and the inevitable abuse of power of the government and finally the lack of social and judicial reforms. Consequently there is a lot of work to be done and much more effort is required in order to achieve the realization of human rights in Afghanistan (Maley in Akbarzadeh and MacQueen, 2008, p. 106-107). According to the organization Women Living Under Muslim Laws (WLUMI) which works in Afghanistan and Pakistan supports that in the Afghan society predominates since prehistoric times the patriarchy and that dictatorial governments and misinterpretation of religion have had a negative effect on women’s rights. Consequently, it is of paramount importance that more democratic governments in Afghanistan should respect, empower and include women in the society.

Today in Afghanistan women continue to fight for equality and for their rights. In 2009 the Afghan President Hamid Karzai, who is supported from the United States and other Western governments signed into law an internationally disapproved "Shia Family Law" which permits marital rape (in Article 132), child marriage and imposes purdah on married Afghan women. These new Taliban like restrictions based on the Islamic law caused great disappointment among Afghan women who demonstrated in Kabul and demanded the repeal of the new law. According to the new law it is illegal for women to resist the sexual advances and desires of the husband and also the permission of the husband is required in order to work out or go to school. Although this is an internationally criticized legislation, which enshrines gender discrimination, President Karzai signed for political reasons in order to gain the support of the Afghan Shiite clergy and the neighbouring Islamic Republic of Iran, which is Shia-dominated (www.nytimes.com, published April 15, 2009).
4.4 Iran

The Islamic Republic of Iran is a country with great geopolitical significance as it located in the Middle East and Eurasia and is a littoral state of the Caspian Sea. It has also among the largest natural gas and oil reserves. Iran has a long history which dates back since the prehistoric era as the archaeological findings show and is also the place where the ancient Persian civilization developed with its great empires. After the Muslim conquest and the expansion of Islam, the Shia Islam is the religion of the Iranian state established in 1501 by the Safavid dynasty (1501-1722) and the Shah Ismail I. This dynasty was succeeded by the Zand and the Qajar dynasty.

The modern history of Iran is mainly characterized by the Constitutional Revolution of 1906-1911 and the 1979 Revolution which both had a crucial impact in the political history of the country. Thus the period before and after the 1979 Iranian Revolution can be divided in the prerevolutionary and post-revolutionary era. In the post revolutionary era the state was governed according to the Islamic principles and the Sharia. Examining the role and status of women in modern Shia Iran it is deduced that the politics of gender played a significant role in the life of women as gender issues had been a component of the Iranian polity especially after since the Revolution of 1979 to the present. The outcome of different policies influenced the women’s rights issue in Iran and made women the symbol of such policies. The interaction between the state and the gender is obvious in each period of the Qajars, the Pahlavi or the Islamic Republic as the state was flexible to adopt policies according to the aims and objectives of each leader (Sedghi, 2007, p. 275-276).

First of all, the period between the two revolutions was very important as the first traces of women’s concerns and demands about their rights emerged and developed with the Constitutional Revolution of 1906, which was ended in 1911 and led to the creation of a modern nation state and the formation of the parliament (majlis). This revolution broke out due to an economic crisis in 1905 and the protest against the weak Qajar rule and the Iranians demanded democracy, equality and national sovereignty (Osanloo, 2009, p. 25, Afary and Anderson, 2005, p. 72). Apart from the above gains from the revolution the significant and radical effect concerning the woman issue was the attention that was given to that issue and although women did not win equality, gains occurred in women’s education as at this time schools for
girls opened. It also led to the increase in publications, magazines and newspapers focused on women’s rights. Unavoidably there was opposition from the Shiite clergy and more specifically from its prominent member Sheikh Fazlullah Nuri, who was executed by a revolutionist in 1908 and became a martyr for the Islamists and Khomeini. The revolutionary period ended in 1911 with the intervention of Britain and Russia reestablishing the royal power.

With the end of the Qajar rule in 1925 starts the Pahlavi period until 1979 and the formation of the Islamic republic. The Pahlavi dynasty was inaugurated by Reza Khan a military officer who took the title of Reza Shah supported by the British and the clerics and was continued by his son Mohammad Reza Shah until 1979. The main characteristics of Reza Shah’s policy were Westernization, secularization, centralization, modernization and integration of Iran in the world market economy. He tried to follow the three objectives of nationalism, secularism and westernization of Kemal Ataturk policy in Turkey in defiance of Islam reducing the power of the clerics and the parliament. However, the regime failed to succeed due to the interference of powers like Britain, the U.S. and Russia.

The other major characteristic was that during this period the woman question was emphasized and became central to the Shah’s policy. Women became the symbol of change in the Iranian society and the measures included unveiling, education, literacy, employment and legal rights. In this way feminism was developed and women gained for the first time more autonomy and freedom for making decisions and also some legal and political rights. In 1936 Reza Shah issued a decree to ban women from wearing the veil, a measure that caused disagreement from the conservative religious forces. This prohibition was considered to be an emancipatory measure and led to the decline of Reza Shah’s popular appeal. Moreover, he promoted a more secular legal code although some family issues were under the religious courts. Education became a legal right for women as in 1936 women were admitted to the University of Tehran and women publications increased once more this period. Issues that concern women became widely known. Consequently during this period women became the symbol of modernization of the state highlighting the role that women can play in the society but the aggressive modernizing policies met opposition and disapproval in the interior of the state and the families as they claim that unveiling is inappropriate for women.
The same policy concerning the aims of the state and the woman was continued by his son Mohammed Reza Shah. During this period in the so called “White Revolution” the Shah’s program about wider industrialization and modernization women gained the right to vote and the right to serve as a member of parliament. The women’s suffrage caused the opposition of the Shiite clergy as well as the appearance and the professional elevation due to education believing that western corruption was prevalent in the Shiite culture and society.

Additionally, the other significant change came with the Family Planning Act or Family Protection Law that the Majlis passed in 1967 and was revised in 1975 giving women rights to dissolve a marriage something that men were entitled to do (Osanloo, 2009, p. 27, Afary and Anderson, 2005, p. 74). Despite the reform of the family law not many middle class and working women were benefited due to the persistence of the patriarchal structure of society and the process of modernization that alienated the majority of them (Rostami Povey, 2001, p. 46).

Moreover, it was in the 1960s that the human rights discourse in Iran became prominent and gained international attention as Mohammed Reza Pahlavi used the language of human rights to gain attention to the government of Shah. In 1966 was established the Women’s Organization of Iran (WOI) an organization fighting for gender reforms. It is also significant that during Mohammed Reza Shah Pahlavi’s rule Iran participated in agreements for human rights and on the Economic and Social Council’s Commission on Human Rights headed by Eleanor Roosevelt. All these changes and reforms, which occurred in the prerevolutionary period before the Islamisation of the state had impact on the status and role of women in the Iranian society and were characterized by the ulama as product of the Westernization. Generally, in the prerevolutionary period Iran ratified many treaties concerning international human rights including the Universal Declaration of Human Rights (1948), the Convention on Economic, Social, and Cultural Rights (1975) and the Convention on Civil and Political Rights (1975) that comprise together the International Bill of Human Rights. On the contrary, in the aftermath of the revolution Iran ratified in 1994 only the Convention on the Rights of the Child.

Women’s status in Iran changed once more with the establishment of the Islamic Republic of Iran in 1979 after the Shah was ousted and actually it was a
theocracy and a republic the same time. The aim of the Revolution was fulfilled with the abolishment of the monarchy and its imperialist support. The 1979 Revolution introduced something new in women’s history as the veiled women who took part in it were powerful revolutionaries who viewed the unveiled women as corrupted, “Western dolls” and “Western prostitutes”. It was founded on the principles of the republican democracy and Shi’i Islam. Consequently all the laws of Iran had to follow the Islamic guidelines, the Sharia law. According to article four of the Constitution of the Islamic Republic of Iran all the articles of the Constitution, the laws and the regulations are based on the Sharia. Moreover, the Guardian Council, which supervises the compliance of the legislation with the Constitution and the Sharia shows the incompatibility of human rights and fundamentalism.

After the Revolution of 1979 Khomeini returned to Iran and came to power and was addressed as Imam. According to the new Islamic principles he blamed the media as centers of moral corruption, he outlawed the monarchy and the majlis as legislative authority comes only from God as he supported and finally he changed the legislation that was incompatible with Islam. For instance, the most characteristic act was the abolishment in February 26, 1979 of the Family Protection Law, which gave women rights in marriage dissolution as it has been already mentioned. He also had the authority of the supreme leader and thus had the final authority of the interpretation of the Islamic law. The main aim of Ayatollah Khomeini was to create the true Islamic society and state based on the principles of the Quran and sunna in contradiction to the West.

Women who were the foundation of the family and represented the chastity of the society became once more the symbol of this change for Iran keeping their right to vote which was granted since 1963 but they were asked to reveal compulsory with the decree on March 6, 1979. Otherwise those women who publicly resisted wearing the hejab were imprisoned from ten to sixty days according to the Islamic Criminal Code. What is more the violation of the hejab was punished with 74 lashes according to the Islamic Punishment Law (Qesas) that the parliament passed in 1983 (Sedghi, 2007, p. 201). The previous attire of women had to be changed and the reveiling is the symbol of this profound change that takes place in Iran according to the prominent member of ulama Ayatollah Taleghani. This statement shows the political aim of the reveiling of women to distinguish post revolutionary Iran from the previous era. Unavoidably,
women’s legal rights and status became the main concern among the ulama, who gained their power. Hejab and reveiling became symbols of the revolution and of Islamism, anti-Westernism and anti-imperialism. The Islamic Revolution and then the Islamic Republic made the veiled women a political symbol in order to show their difference from the West. Under the Islamic Republic the aim of the policies was to leave behind the corruption of the Shah’s westernizing programs through the control and purification of women presenting the idea of the traditional Muslim Iranian woman in contradiction to the Western woman. Thus, surveillance and intervention was necessary in order to protect women’s moral virtue and consequently the nation’s success becoming the honor of women not only a private but also a public concern.

The government of Khomeini immediately controlled women’s appearance, conduct and mobility based always in the interpretations of Sharia which founded the true Islamic society and concern defined gender roles and separation between the public and private or family life (Osanloo, 2009, p. 38-40). The majority of the laws and policies as it has been shown curtailed women’s rights and introduced gender inequality and gender segregation. For instance many public places like sports facilities, offices, beaches, universities and medical facilities were separated by gender.

In the field of work and women’s participation in public space the Islamic regime considered women’s work outside the home as inappropriate. Thus men were easily employed even in high ranking positions as women were facing harsh discriminatory policies and lost their jobs. Those women who retained their jobs were unavoidably forced to comply with the new rules and policies.

The women’s exclusion from public positions caused the opposition of prominent women such as the Shirin Ebadi, the 2003 Nobel Laureate in Peace. Women were forbidden from being religious judges (Mojtahides) and interpreters and leading Friday prayers on the ground that they are inferior to men. Even the more liberating policies of the 1990s and the reformist President Khatami failed to change the status of women. Although Khatami promised more freedom, equality and high governmental positions the Iranian parliament (Majles) continued through new laws the gender segregation and women’s exclusion. Gender segregation of all medical facilities was enforced and also women’s pictures were forbidden from magazine
covers. Furthermore, the reform led to the curtailment of freedoms like the freedom of press, the banning of publications as well as executions and imprisonments of the protestors (Sedghi, 2007, p. 258-259).

The punishment for not implementing those laws and regulations are quite harsh. The gender police was in charge of monitoring the implementation of these laws and women’s modesty. Many adulterous women, prostitutes and homosexuals were stoned, flogged or executed. The Islamic regime used especially during the first years the gender police, which consisted of women revolutionary guards, street patrols and other paramilitary agents coming from poor backgrounds and were between 16 and 30 years old. The gender police was responsible for enforcing gender segregation, modesty and the appropriate dress code. Also there were on the streets the female members of the Promotion of Virtue and Prohibition of Vice enforcing state law and arresting women if necessary. Another significant group of gender police was the Harasat guards or security officers found at government’s offices. Their activity was to ensure proper veil and check if women were wearing make-up or nail polish as they enter the buildings. Furthermore, there is another group of mobilized women who are gender auxiliaries and take part in the state’s social and political projects. For example they take part in state’s demonstrations saying slogans against improper veiling or against the nonconformists. The gender police apart from the public space they intruded the private life of women but were less visible at the end of Khatami’s regime (Sedghi, 2007, p.215-218).

Another example that expresses the principles of this radical Islamist rule is a fatwa a religious decision issued by Ayatollah Khomeini in 1989 sentencing Salman Rushdie to death due to blasphemy and apostasy that his novel The Satanic Verses caused. Rusdie is an Indian-British novelist who in his novel defamed the Prophet through a fictional character that they believed was Mohammad. This novel caused great controversy and protests from Muslims in many countries. Definitely this fatwa requiring Rusdie’s execution was a punishment of free expression of an artist and was part of the censorship that the regime imposed. As a response many prominent writers such as the Egyptian Nobel Laureate Naguib Mahfouz, Edward Said and the poet Mahmoud Darwish denounced Khomeini’s fatwa. There were many victims who were executed or imprisoned accused of blasphemy against Islam as a result of the Islamic repression.
Feminism in the Islamic Republic of Iran was supported apart from women’s organizations also by women’s journals published in Iran. Specifically, during the period 1990-200 the media, the newspapers and the magazines had freedom of expression supported and discussed widely and openly the women’s rights issues. For instance, such journals and magazines are *Nida* (The Call), *Zan-I Rouz* (Today’s Woman), *Farzaneh* (The wise Woman) and *Zanan* (Women) (*Najmabadi in Haddad and Esposito, 1998, p. 62*). More specifically the *Zanan* magazine directed by Shahla Serkat was established as the new leading voice of women in Iran promoting their rights. The *Zanan* magazine started publication in 1992 and was among the most influential in gender issues. However, due to the restriction of press freedom the *Zanan* was forced to close by the authorities in 2008.

In Iran the UN Commission on Human Rights monitors the protection of the human rights and especially in the aftermath of the revolution many rights abuses were recorded. The intervention of the UN caused the opposition of Iran and many conservative state actors link suspiciously the human rights with imperialist aims. Moreover, there is great disapproval from the Iranian state officials about the international discourse of human rights and also the internal discourse of the importance of rights through the works of many scholars. There are many contemporary Iranian scholars that write about this discourse such as Abdolkarim Soroush as well as some modernist ulama like Hojjatoleslam Mohhamed Mutjahid-Shabastari, who recognizes the association between human rights and the legitimate nation-state.

In 1990s the pressure in the Iranian government from international human rights organizations to establish a monitoring body led eventually in 1994 to the establishment of the IHRC. This was a national institution in conformity with UN guidelines, which aimed to assess Iran’s human rights but was not separated by the government’s authority. In 1999 the IHRC was independent from the judiciary due to the critics for not being an independent organization in compliance with international obligations. Although the official separation from the government the IHRC is not actually an independent body and works as a defender of human rights record rather than a judge for the implementation of rights.
Another organization in Iran which is not an NGO is the Center for Women’s Participation (CWP) which works for women’s and children’s rights and human rights generally. Initially it was part of the Bureau of Women’s Affair and in 1997 with the President Khatami it functioned as part of the President’s Office being responsible for planning, coordination and policy making regarding women’s issues. The Center for Women’s Participation supported the ratification of CEDAW by the Iranian parliament but it was finally rejected for political reasons (Osanloo, 2009, p. 185-191).

Apart from these organizations non state actors tried to monitor the state acts about human rights through nongovernmental organizations. The most characteristic is the Center for the Defense of Human Rights founded by the Nobel laureate Shirin Ebadi an Iranian lawyer and human rights activist, who supported the separation of religion and state (Osanloo, 2009, p. 176, Afary and Anderson, 2005, p. 176, Sedghi, 2007, p. 256). Ebadi fought for democracy and women’s, children’s and refugee rights and tried to prove that Islam is no threat to international human rights standards. Finally, the Centre for Women’s Studies and Research in Tehran is contributing to women’s empowerment though the publication of the journal Farzaneh.

Today in Iran there is great concern and public discussion about many aspects of human rights and women’s rights as well. For instance, the Qom’s Mofid University, which is an Islamic University, organizes meetings about human rights issues participating scholars from all over the world. Moreover, Iranians express their reservations and concerns about the practices of the Iranian government regarding the violence and the strict penal code that have a bad impression in the world community. Today the Iranian society is moving towards modernity and thus the modern aspects are dominant over the traditional. This change is unavoidable as the population is growing and more educated at schools and universities. Moreover, women are more active and their presence more dynamic in the society, in education as the literacy rate is growing among women and also in the job market. Additionally, the expansion of technology with the computers and the internet and the mass media with television made the flow of information available to the population (Kar in Ridgeon Lloyd, 2005, p. 269-270).
Despite these facts and the progress that has been made the practices of prosecution, imprisonment and execution due to apostasy or blasphemy against Islam, which are considered crimes according to the Sharia law, or those who are critical about the Islamist regime is prevalent in the Iranian regime. Until recently continues the death sentences and executions of people who are against the Islamic principles. For instance, recently in October 2011 it was reported that the Iranian Supreme Court is likely to revoke a Christian pastor’s death sentence by hanging for apostasy as he refused to convert to Islam (Parisa Hafezi, editing by Andrew Roche, Reuters, Tehran, Monday 3 Oct 2011). This decision for the execution of the pastor Youcef Nadarkhani has caused the opposition of the international community such as the British foreign secretary and Amnesty International who are trying to save him as this punishment based on the Sharia is an obvious violation of human rights. The freedom of religion is a right included in the Universal Declaration of Human Rights and it is also included in the Iranian Constitution adopted in 1979 in article 23 but it is violated (Religious rights-Iran, www.unesco.org).

Conclusion

The gender relations and women’s issues have been at the core of the religious and political debates in the contemporary Muslim world and the dividing line between Islam and the West. The status of women in many Muslim countries is considered to be the evidence of Islam’s oppression against women. These patriarchal societies were based on men’s interpretations of the Quran, the hadith and the Islamic law.

Actually the revelation of Islam improved the status and the condition of women by abolishing women’s status as property, by giving women the right to have and control their own property, limiting polygamy and the freedom of the husband to divorce his wife. The position of women in the Islamic thought was initially equal with that of men as there was no gender discrimination and the two genders were complementary. The societies that regard women as second class citizens are those who insist on the misinterpretation of the revelation. The Quranic principle of gender
equality states that both genders are equal and independent and the position of women is not different from that of men. They are creatures of Allah with the same capabilities and religious duties. The Holy Quran describes the relationship of the two genders as complementary with love and affection. As a consequence the gender distinction is the outcome of human’s actions and not a divine obligation from the God. The numerous restrictions and prohibitions that women face are not the result of the religion of Islam but rather of the cultural interpretations of Islam.

The Quranic interpretation is at the center of the debate of gender and politics. The misunderstood and misinterpretations of the canonical texts and Quranic verses have influenced many Muslims to adopt a discriminative view. The contemporary Islamic society is dominated by two tendencies those who remain traditional and in the extreme way fundamentalists and on the other hand the intellectuals and educated people of the Muslim society who want to integrate successfully the Islamic world in the new challenges of modern times. According to them, who are influenced by the Western way of thinking, this will be achieved through the necessary reforms and rereading of the Quran in order to make Islam compatible with the Western law, the conventions and declarations of human rights and generally the new social, economic and cultural realities of the recent centuries. In practice this means the separation of the religion and politics as religion is considered to be a personal issue and also all the people will have equal rights. The first group, which is completely different, insists on the full implementation of the Islamic ideals in order to create and maintain the true Islamic state. The foundation of that society is the Sharia law.

It is clear that the Islamic law is in contradiction with the United Nations standards for human rights as it discriminates against women and the apostates or the non believers. Moreover, the corporal punishments that Sharia imposes are considered inhumane and legalize torture.

The dominance of fundamentalism in many Muslim countries, the creation of the Islamic Republics and the religious fanaticism are a contemporary phenomenon which unavoidably affected the status and the condition of women as they oppose the promotion of women’s equality and rights. The fundamental leaders misinterpret the Quranic verses and hadiths in order to belittle women. In the four Islamic fundamentalist countries Iran, Afghanistan, Sudan and Saudi Arabia, where the Quran
and the Sharia law dictate the political and judicial decisions, the women’s issues became central and women were regarded as the main threat for the stability and morality of the society. Women in these countries are oppressed and discriminated while in other Muslim countries like Morocco, Egypt, Tunisia or Turkey women have more freedom and rights as these states are more active in protecting women. Feminists accuse the fundamentalist governments that impose restrictions on women in every aspect of their life such as in education, health, employment, marriage, divorce, child custody and generally family issues. Also the imposition of gender segregation, of the appropriate dress code, the violence and the restrictions of freedom of movement and association are the main objections of feminists and human rights organizations for the violation of women’s rights.

Undoubtedly, the twenty-first century has brought significant reforms concerning the status and the rights of women including the right to public education, to work outside the home, vote, divorce and also the abolition of polygamy in some countries like Tunisia, which was the first Muslim state that abolished this practice.

Women in the Middle East and in the Islamic world generally were always struggling for their rights and independency and even now are fighting to gain equal rights with men. Women and the control of their bodies became central in the politics of the Islamic states and also became the political symbols of the nations as happened in Iran where hijab became the emblem of the Islamisation of the nation. The new challenges of the contemporary era and the growth of the global feminism affect the women’s movements in the Islamic countries. This is evident in the actions of the regional women’s movement and organizations. The wide mobilization of women is necessary for their fight against the fundamentalist policies and projects.
Appendix

Map of Middle East

Eleanor Roosevelt
Women demonstrating in Kabul against the new restrictions imposed on women (Robert Nickelsberg/Getty Images for The New York Times)
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