

Battles in the basti

## **Muslim personal law in India: Muslim women opposing triple talaq, polygamy face attack, but are fighting back**

Monday 7 November 2016, by [ANAND Javed](#) (Date first published: 7 November 2016).

In the ten years I've known her, she's never been like this. Between her "Assalam-o-Alaikum, bhai" and what follows, there's barely a moment's gap. "Main do teen din se bahut pareshan hoon. Aap ko phone karne wali thee," (I've been very disturbed over the last few days. I was planning to call you), says Tahera Apa.

What's causing her pain is what's causing pain to many Muslim women these days; the "Islam in danger" cry raised by the All India Muslim Personal Law Board (AIMPLB). Just about every Muslim religious body and Muslim leaders across the political spectrum — left parties excluded — have joined the chorus. Be ready to sacrifice your life to save the Shariah, Muslims are being enjoined inside mosques and in Muslim mohallas across the country. Anyone opposing the countrywide signature campaign launched by the Board to resist any "interference" in Muslim personal law is projected as an "enemy of Islam".

In the belief that they're defending "Allah's law", Muslim men and women are signing up. "They're even collecting signatures from young children," report Muslim women activists. Some Muslims who know their Islam better are refusing to sign, publicly asserting that triple talaq, halala marriage and polygamy must be banned. Tahera Apa is one of them.

No maulvi has it in him to cow down Tahera Apa. So they conceive a devious scheme. They've been working on her son, brainwashing him into believing his mother is anti-Islam. In consequence, son, mother and the rest of the family have spent several sleepless nights. "Kal ko aapki Islam mukhalif mahila mandal masjid tudwane ki bhee baat karegi. Aap chodo yeh kaam." ("Tomorrow your anti-Islam mahila mandal will even talk of demolishing mosques. You leave this work"), the anguished son has been arguing with his mother. There is no way Tahera Apa will give up her activism. But a threat her son hurls torments her, "If you don't leave the mahila mandal, I'll immolate myself with my children." What if, in some dark moment, he acted on his threat?

What comes to the rescue is a little pocket book, a compilation of verses from the Quran on gender relations. Reading them gives the son an idea of Islam that is very different from what the ulema have been telling Muslims. It cools him down, for now at least.

Tahera Apa is not the only Muslim woman facing the heat for demanding that the "inhuman, unjust, anti-women and un-Islamic" Muslim personal law in India be reformed, as it's been in over 20 Muslim-majority countries. Burqa-clad Zeenat Apa, from another basti in Mumbai, seethes as she narrates what Abu Asim Azmi, the Samajwadi Party MLA, reportedly said at a public meeting, "Agar chaar shadiyaan nahi karenge to kya hamari bewa auraton ko kothe pe bithayenge?" (If we're prohibited from marrying four women, should we send our widows to brothels?). Azmi later "clarified" that he was only talking of women from his family, not Muslim women in general.

A few days later, Muslim women from Zeenat Apa's basti who were running a counter-signature campaign supporting reforms were jostled and abused by a group of men. "Since then, even women who want triple talaq [1], halala [2] and polygamy to go have been bullied into signing in the Board's support," she says.

But at a gathering of 25 Muslim women from across Mumbai, the mood is upbeat. "*Deen aur dastoor dono hamaare haq mein hai. Hum ladenge, hum peechay nahin hatenge.*" (Both the Quran and the Constitution are on our side. We will fight, we will not withdraw), they asserted with confidence. Of course, Tahera Apa was there.

**Javed Anand**

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## **P.S.**

\* Indian Express. Published: November 7, 2016 1:12 am:

<http://indianexpress.com/article/opinion/columns/muslim-women-opposing-triple-talaq-polygamy-face-attack-3740726/>

\* The writer is general secretary, Muslims for Secular Democracy, and co-editor, 'Communalism Combat'

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## **Footnotes**

[1] The husband may initiate the divorce process by pronouncing the word *talaq*, the formula of repudiation, or a statement of equal meaning in another language such as "I divorce you." The mere pronouncement of the phrase by a man divorces him from his wife, although many countries today have additional procedures to register divorces, especially after attempts at reconciliation have been exhausted. Three simultaneous declarations of divorce are considered three separate divorces, after which the couple are considered to be permanently separated and cannot remarry without meeting certain conditions:

[https://en.wikipedia.org/wiki/Divorce\\_in\\_Islam](https://en.wikipedia.org/wiki/Divorce_in_Islam)

[2] In Sharia law a couple which undergoes a divorce cannot remarry unless the woman marries another man truly, consummate the marriage and then her second husband dies or divorce her. In this case the marriage (Nikah) of the woman with her second husband is called Nikah Halala.:

[https://en.wikipedia.org/wiki/Nikah\\_Halala](https://en.wikipedia.org/wiki/Nikah_Halala)