

## Women and Religions

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*Where the chains of religion are loose, women's development status is almost like that of men. But with the pretext of religion, men now lord over women. Begum Rokeya<sup>1</sup>*

Religions differ on many things. What for one religion is prohibited may be allowed and perhaps even encouraged in another. Strangely enough, however, all religions agree when it comes to belittling, disregarding and oppressing women.<sup>2</sup> This is certainly the case in Bangladesh with the two major religious traditions of Hinduism and Islam. The present paper will attempt a phenomenological reading of women's standing in these two religions. Attention will be primarily given to the lived experience of ordinary people.

Orthodoxy as such or the well-meaning theological lucubration of scriptural experts is ignored here in favour of the "true" religions as lived out by their respective followers in the disparate situations of everyday life. Women in fact do not suffer for what each religion in theory is or should be; they suffer for what religion is in practice. Issuing from a highly patriarchal and male-centred society, both Hinduism and Islam could not but enshrine in their respective tenets those same social characteristics. Accordingly both religions, generally speaking, do not afford any role to women in the public space. This is entirely occupied and dominated by men. Women's religious expressions and roles are confined to the private sphere, and possibly, restricted to the household walls. Religious practitioners in both temples and mosques are always and only males. In mosques women are not allowed to join the congregation. The five times of daily prayer (*namaj*) are to be performed by them in the secrecy of their own houses. In Bangladesh it is not even conceivable that things will be otherwise in the near future. Hindu women, on the contrary, may visit temples and offer their prayers (*puja*) to gods and goddesses. This, however, is of course forbidden during menstruation. While men in both traditions undergo a sort of religious initiation, *upanayana* and circumcision for Hindus and Muslims respectively, women are not required to undergo any religious ceremony. Their religious belonging is somehow guaranteed by their father's or husband's religious affiliation. In fact, women are always the possession of somebody and it is their owner who qualifies their religious connection. In cases of mixed marriages, therefore, it is almost always the wife who must convert to the religion of her husband. In short, as it is unbefitting for women to take up any responsibility outside of their domestic hearth, in the same way they are found unsuitable to play institutional roles in the domain of religion. As a matter of fact, in today's Bangladesh religions are the most formidable obstacles laid on the path to women's emancipation. Religion is becoming a sort of last stronghold of patriarchy, a stronghold which, unfortunately, does not seem yet to be in the process of crumbling.

Hinduism in the forms we know it today developed from the beginning of the Christian era. As a Brahmanical reaction to the then diminishing Buddhist hegemony, basically centred on urban and commercial centres, Hinduism developed primarily in agrarian contexts, at the peripheries of Buddhist empires and kingdoms. Right from the beginning Hinduism claimed an ideological continuity with the ethos and practices of ancient Vedic religion. In practice the reference to the Vedas was only instrumental to the construction of a new religion. The Vedas worked in fact as an empty ideological box to be filled up according to necessity by the new priestly elite. The Brahmins indeed were the only ones who knew what the Vedas were all about. Be that as it may, the fact remains that as a reaction to Buddhist egalitarianism,<sup>3</sup> as a continuation with the pastoral ethos of the Vedas where women were considered untouchable during menstruation and childbirth<sup>4</sup> and by acknowledging the ideology of fertility and the feminine as encoded in the agrarian relations of the society in which it was being born, Hinduism produced and codified a conception of womanhood still to be found today everywhere in the Indian subcontinent. Perhaps the best synthetic yet organic exposition of such a conceptualisation can be found in the *Manava Dharma Shastra*. Chapter 9 of this ancient text deals

with the duties of husbands and wives. It says: Men must make their women dependent day and night, and keep under their control those who are attached to sensory objects. Her father guards her in childhood, her husband guards her in youth, and her sons guard her in old age.

A woman is not fit for independence.<sup>5</sup> the strictness of such injunctions was to a great extent justified by the political requirements of the then infant Hindu state. From the beginning of the Christian era the caste system was being rehearsed as the political template of Hindu polities. the stricter the enforcement of caste law (*varnadharma*) the more stable the state was. To this purpose women's dependence and segregation was a necessary corollary. Says Manu: If men persist in seeking intimate contact with other men's wives, the king should brand them with punishments that inspire terror and banish them. For that gives rise among people to the confusion of classes [i.e. castes], by means of which irreligion, that cuts away the roots, works for the destruction of everything.

<sup>6</sup> However, segregation and dependence of women needed to be justified on a deeper and natural level.

Good looks do not matter to them, nor do they care about youth; "A man!" they say, and enjoy sex with him, whether he is good-looking or ugly. By running after men like whores, by their fickle minds, and by their natural lack of affection these women are unfaithful to their husbands even when they are zealously guarded here. Knowing that their own nature is like this, as it was born at creation by the Lord of Creatures, a man should make the utmost effort to guard them.<sup>7</sup>

Of course it must be said that historians cannot say if the *Manava Dharma Shastra* ever rose to the status of law in any Hindu state of the past. this however is irrelevant to our discourse. the fact is that despite being unknown even to most of today's Bangladeshi Hindus, the text's ideas have become common cultural heritage not only of the Hindus but of all the people of the Subcontinent. these ideas in fact have been reproduced time and again in *puranas* and epics so that eventually they gained cultural hegemony. the *Mahabharata*, a widely known epic everywhere in south Asia, for instance, says: there is nothing else that is more sinful than women. Verily, women are the root of all faults. that is certainly known to thee, O Narada! Women, even when possessed of husbands having fame and wealth, of handsome features and completely obedient to them, are prepared to disregard them if they get the opportunity.<sup>8</sup>

It seems that in earlier Vedic times, women (i.e. twice born women) had a certain access to both the Vedas and the performance of sacrifices. this changed abruptly in Hinduism, where women of any caste were denied access to the Vedas and to the sacrifices to be performed by the householder only. But what really changed was the status of women in general. they were now being assimilated to the status of *sudra*, the fourth caste, the caste of servants. In the *Bhagavad Gita* Krishna says: "No servitor of mine is lost. Even people of low origins, women, *vaisyas*, nay *sudras*, go the highest course if they rely on me."<sup>9</sup> these religious changes were at the same time the result of shifts in the politics of the time. As already touched upon above, the Vedic religion reflected a pastoral and nomadic kind of society. there rulers were called *gosvami* the owners of cows, with explicit reference to the importance of herds. Hinduism reflected instead the structure of a peripheral agrarian society, since urban and commercial centres were still very much in the grip of Buddhist ideology. Here the rulers started becoming known as *bhusvami*, owners of the land. In this latter society both the requirements of the caste system to be seen as a chain of lordships and the similitude between women's procreative power and the fertility of the land could not but produce the commoditisation of women as an essential accessory to male patriarchal supremacy.<sup>10</sup> the same relationship between king and kingdom came to be interpreted through the conjugal metaphor. Interestingly enough, the word *svami* is even today commonly used for the English word "husband": the owner of a wife.

Amusingly, the marginalization of women and low caste people in the official and institutional domains of religion coincided with the beginning of a new religious strand. the *bhakti* (i.e. devotion) movement, which preached and fostered the creation of a personal love-relationship between a devotee and his or her chosen deity (*ista devata*), became the space where devotees in general and women in particular could exercise, as it were, their religious freedom. Indeed, if in the beginning the *bhakti* movement might have embodied a reaction to the male centred institutional religion, eventually it became functional to it. In the domain of personal life women could vent their grief and joy to a Lord that unlike their own *svami* was all too willing to listen and console. This devotional religion somehow helped women to overcome or put up with a situation which was literally without any way out. Again Manu says: A virtuous wife should constantly serve her husband like a god, even if he

behaves badly, freely indulges his lust, and is devoid of any good qualities. A virtuous wife should never do anything displeasing to the husband who took her hand in marriage, when he is alive or dead, if she longs for her husband's world (after death). When her husband is dead... she should be long-suffering until death, self-restrained, and chaste, striving (to fulfill) the unsurpassed duty of women who have one husband. A virtuous wife who remains chaste when her husband has died goes to heaven... even if she has no sons.<sup>11</sup>

Noticeably, not only is a husband's power absolute and beyond questioning during his life time, it remains so even after death. It goes without saying that the situation of a widower instead is quite different. After having performed the funeral rights for the deceased wife, he is encouraged to remarry without any hassle.<sup>12</sup> Although Manu wrote these injunctions more than two thousand years ago, it is my contention that they are more than alive in today's Bangladesh. They somehow survive as the kind of ideas at the root of the situation of discrimination and exploitation women find themselves in today. Unfortunately, neither Islam first or Christianity later managed to challenge this Hindu hegemonic discourse and eventually came to suffer from the same disease. In Bengali there is a very common saying: "Women's heaven is under the feet of their husbands." This is said by everybody, irrespective of their religious belonging. The only difference being that Muslims would refer to heaven with the Persian word *behesta*, while Hindus and Christians would refer to it with the Sanskrit word *svarga*! Indeed, "*sob shialer eki ran!*"<sup>13</sup> It is difficult to say how much of the Hindu conception of women crept into and influenced Islam in the Subcontinent. Whatever the case, the end result is that Islam was too ready to acculturate and accommodate an ideology which eventually was found in line with its own brand of patriarchy and misogyny. Eventually, both Hindu and Islamic "teachings" shake hands in maintaining women's inferiority and submission.

In Bangladesh the primary religious learning source for pious Muslims is made up by a class of popular literature virtually to be found everywhere.<sup>14</sup> Among this class of Islamic books the following may be mentioned here: *Behester Kunji* (The Key to Paradise), *Beheshti Zewar* (The Treasures of Paradise), *Maqsudul Momeneen* (The Destiny of the Believers) and *Kassa-suul-Ambia* (The Stories of the Prophets). These are dated books which however command great respect and authority. *Maqsudul Momeneen* for instance was written by the late Maulana Gholam Rahman in 1935. By 1994, however it had reached 45 editions. This literature propagates a very dogmatic brand of Islam albeit founded basically on superstition and patriarchal misconceptions. Needless to say, here women figure very badly. As an example, Gholam Rahman's Bengali work *Maqsudul Momeneen* "justifies husband's beating and punishing their wives under the following circumstances: If the wife refuses to have sex with her husband whilst having no valid excuses. If the wife does not dress up and go to her husband if asked to do so. If the wife does not clean herself. If the wife visits someone's house without her husband's permission. If the wife does not practice Islamic rituals and fails to observe seclusion. If the wife gives away things to others without her husband's permission or runs away after taking the dower."<sup>15</sup> But the real jewel of this book is represented by the 35 commandments put together exclusively for women.<sup>16</sup> Here our author not only reaches Manu's understanding of women, perhaps he even surpasses it. To give the reader a taste of the kind of niceties to be found there I relate here the last two of the 35:

34. You should be thankful to God even if your husband happens to be insane, stupid and illiterate. You should regard your husband as precious as the moon and spend your life at his feet so that you get eternal bliss. 35. Whether your husband is rich or poor, educated or illiterate, blind or crippled, good-looking or ugly always serve him as your master and be loving and caring. According to the Prophet, an immoral woman is worse than one thousand immoral men combined together and one virtuous woman is better than seventy saints combined together.<sup>17</sup> Of late, this kind of Islamic teaching has found new inroads to the Muslim masses of Bangladesh. Audio cassettes, video cassettes and CDs publicise the same teachings so that they can now reach also the illiterate part of the Bangladeshi population. Maulana Delwar Hussain Saidi is right now the most well known orator and proponent of such teachings. His speeches can be heard on buses and in religious gatherings. From 1996 he is also a member of parliament with the Jamat-e-Islami.<sup>18</sup> Like him thousands of Mullahs all over Bangladesh continue to reinforce and foster this very popular, misogynist and patriarchal version of Islam. The women question, apparently, is taken up by these semiliterate and self-styled paladins of Islam as the central stronghold in the defence of Islam against allegedly modernist and western attacks. It is as if to allow women's equality and enfranchisement would cause the Islamic edifice as a whole to collapse. In

reality it is not Islam which is at stake in today's Bangladesh but the patriarchal power relations of its society and state.

The state from the early 90's has engaged itself in unholy alliances with the religious right, particularly the Jamat-e-Islami party. In so doing it has compromised its ability to implement a gender sensitive political agenda, prescribed by both its Constitution and undersigned international treaties. The state has been particularly deaf to the increasing demand by both women's organisations and civil society in general to reform the regime of personal law under which private life in Bangladesh is regulated. This Personal Law is founded on religion and, needless to say, is highly discriminatory towards women and their rights. The Personal Law for Hindus in Bangladesh is still the one which had currency during British times. Here women have very limited access to property. They can inherit only a limited share of their husband's or father's property. At most they may inherit a life interest on it. Marriages among Hindus are solemnised through religious ceremonies. They are not registered and there is no Hindu marriage registrar in Bangladesh. This is a great shortcoming when women need to challenge their marriage. Hindu women may file cases with a court only to regain their right to conjugal life. According to Hindu Personal Law, Hindu women cannot divorce their husbands. And this is one of the pieces of religious legislation which forces women to live all their life in hell if they happen to marry the wrong husband. As far as adoption legislation is concerned only a married woman can adopt children. Even here, however, she is merely an agent and cannot adopt anybody without her husband's consent.<sup>19</sup> At the core of Hindu Personal Law is the conception that Hindu marriage is not a contract but a sort of religious initiation in which the woman obtains self-purification (i.e. *atmashuddhi*). In Hinduism there is no separate religious ceremony for wives. Her husband's *dharma-karma* is her only viaticum in life. That is why she is called *sohadharmini* and *ordhanghini*, (i.e. she who partakes in her husband's *dharma* and she who is "half" and can reach completeness only linked to her husband). Wives according to Hindu Personal Law do not have existence by themselves but only in as much as they are joined to their husbands. It is worth mentioning here that marriages must only be solemnised between parties belonging to the same caste. The Muslim Personal Law in Bangladesh has undergone changes and shifts over the years the most important of which has been the introduction, after partition, of the Muslim Family Law Ordinance of 1961.<sup>20</sup> Unlike Hindu law, the Muslim marriage is a social contract which to be valid requires the consent of both the parties contracting marriage and the presence of two witnesses. The latter may be male or female.<sup>21</sup> Since it is a contract, the wife is supposed to receive the dower (*den mohor*). This is a sort of security money given to Muslim wives. They maintain this right to dower even in case of divorce or death of husbands. Its amount is stipulated in the marriage contract. Some argue that the dower given to women is a sign of the respect and honour Islam bestows on them. Reality may be slightly different. "A Jamat-e-Islami worker was very frank in saying that the system of Mehr [i.e. *den mohor* or dower] was introduced because women are weak and dependent on men. He immediately added, 'if one fears God, there should not be any opposition or criticism to this!'"<sup>22</sup> The same 1961 Ordinance attempted to control and restrict polygamy in Bangladesh. It thus prescribes that before contracting a second marriage a husband must obtain permission from the Union Parishad Chairman (i.e. Chairman of the Local Government Council) who, gathering an Arbitration Council, is asked to verify the first wife's consent and the grounds for such a request. Unfortunately, "the Arbitration Council is composed of males who give permission to remarry even on the slightest of pretexts."<sup>23</sup> As far as divorce (*talaq*) is concerned, only the husband has the right to divorce his wife. The wife may have this right if at the time of marriage the husband agrees to give it to her. The 1961 Ordinance somehow tried to mitigate and bring under control the power of men to divorce their wives at will. It thus introduced a system of arbitration. On pronouncing the divorce, the husband must send a notice of it to the local Union Parishad Chairman and for her knowledge to his wife. On receiving the notice the chairman convenes an Arbitration Council to try and reconcile the aggrieved couple. If the attempt is successful, the divorce is avoided, otherwise within 90 days from the chairman receiving the divorce notice, the divorce becomes operative and definitive.<sup>24</sup> "However, the Arbitration Council cannot prevent the *talaq* by the husband even if it is highly arbitrary and unjust and can only delay the divorce with the hope that some reconciliation might take place between the parties."<sup>25</sup> Muslim wives may ask to divorce their husbands by resorting to judicial courts. The grounds for this kind of divorce must be: a husband's long absence (4 years); refusal to maintain the wife for 2 years; husband jailed for more than 7 years; husband's failure to discharge his conjugal duties for 3 years; conversion to other

religion; husband's oppression and torture etc. This kind of divorce is not a right as such of Muslim women and it depends entirely on the judge's verdict. In case of divorce, the husband, according to Muslim Family Law, should provide maintenance to the wife until the divorce becomes operative. He is not supposed to provide maintenance after divorce becomes definitive. As far as guardianship of children is concerned, a male offspring can remain with the mother until he is seven years old, a female may remain with the mother until puberty. However, in all cases the best interests of wards is taken into consideration when guardianship of children is established.

The gross gender inequalities enshrined in the different religious Personal Laws of Bangladesh are somehow lightened by new acts of legislations and by verdicts of courts around the country. However, very few women can avail themselves of a court judgement, so that most of what goes on in rural areas is simply beyond the purview of the law and its prescriptions.

Gender discrimination in Bangladesh more than a juridical problem is a socio-cultural one.

Unfortunately, religions, as mentioned above with the words of Begum Rokeya, are not doing enough to close the gender gap. On the contrary, in today's Bangladesh religions represent the most formidable obstacle on the path to women's emancipation. The state, on the other hand, because of its internal weakness and patriarchal construct, is unable to resist religious pressures so that the strong lobby of women's rights activists and of enlightened citizens and organisations has not yet materialised in the adoption of a Uniform Family Code as a rubric of the country's Civil Law for all the citizens of Bangladesh.

#### Notes

1. Quoted in G. Murshid, *Nari Dharma Ittadi* (Dhaka: Anyaparakash, 2007), 31. In Bengali, my translation.
2. See *ibid.*, 83.
3. Indian Buddhism allowed women to become nuns.
4. See A.S. Altekar,
5. *The Laws of Manu*, trans. by W. Doniger with B.K. Smith (London: Penguin Books, 1991), ch. 9,2-3, 197. The *Manava Dharma Shastra* is variously dated between the second century bc and the second century ce.
6. *Ibid.*, ch. 8,352-53, 189.
7. *Ibid.*, ch. 9,14-6, 198.
8. *Mahabharata*. Book 13, Anusasana Parva, Section xxxviii, trans. by Sri Kisari Mohan Ganguli. <<http://www.sacred-texts.com/hin/m13/m13b003.htm>>. The *Mahabharata* is the greatest and longest Indian epic. Its beginning dates to the eighth century ce.
9. *The Bhagavadgita in the Mahabharata*, trans. by J.A.B. Van Buitenen (Chicago and London: The University of Chicago, 1981), ch.9,32, 107. The *Bhagavad Gita*, or simply *Gita*, is the sixth book of the *Mahabharata*.
10. See *The Laws of Manu, op. cit.*, ch. 9,42ff. Here the metaphor of seed and field is explicitly used to talk of the relationship between husband and wife.
11. *Ibid.*, ch. 5,154; 156; 158; 160, 115-16.
12. *Ibid.*, ch. 5,168-69, 116.
13. G. Murshid, *Nari Dharma Ittadi, op. cit.*, 82. In English this Bengali proverb would sound like this: "All jackals have the same voice." My translation.
14. For example, I bought the following book while travelling from Dhaka to Khulna on a bus: Maolana Abdullah Abu Said Gajipuri, *Mohilader Oaj o Adorsho Nari Shikkha*. (Women's Prayer and Women's Ideal Education), Dhaka: Sagar Book Depo, 2004. In Bengali. It is a formalistic listing of rules and regulations of what virtuous Muslim women should or should not do.
15. Quoted in T. Hashmi, *Popular Islam and Misogyny: A Case Study of Bangladesh*, part 2, 2006, 2. <[http://www.mukto-mona.com/articles/taj\\_hashmi/index.htm](http://www.mukto-mona.com/articles/taj_hashmi/index.htm)>.
16. See *ibid.*, 3-5.
17. *Ibid.*, 8.
18. Maulana Saidi is a very ambiguous character, a war criminal and is at present banned from visiting the USA for his alleged connections with Al-Qaida. See his biographical notes at <<http://www.muktadhara.net/saidi.html>>.

19. These notes on Hindu Personal Law are taken from Taposh Kanti Baul & Khandaker Farzana Rahman Akhi, "Personal Rights of Women in Hindu Laws," *Law & Our Rights* (weekly magazine of *The Daily Star*), issue 227, Feb.25.
20. For other changes see P. D'Costa, *Dainondin Jibone Ain Sahaieka* (Law Use in Daily Life), (Dhaka: Heaven and Holy Prokashon, 1998), 39. (In Bengali).
21. Before the Muslim Family Law Ordinance of 1961, the witnesses could be either two men or one man and two women. Apparently, the 1961 ordinance does not prohibit one woman to act as a single witness together with a man. See H. Kamrul, "In Search of Equality: Marriage Related Laws for Muslim Women in Bangladesh," *Journal of International Women's Studies*, vol. 5, 1-11, 2003, 99. The article can be found at  
<<http://www.bridgew.edu/soas/jiws/Nov03/index.htm>>.
22. K. Sultana, "Mehr: An Advantage or Dependency Reinforced?" *wlumul Dossier* 19 Feb. 1998, 3.  
<<http://www.wluml.org/english/pubs/rtf/dossiers/dossier19/D19-07-mehr.rtf>>. This short paper is very interesting in that it collects common people understandings of what the Mehr or *den mohor* is.
23. H. Kamrul, "In Search of Equality: Marriage Related Laws for Muslim Women in Bangladesh," *op. cit.*, 100.
24. See P. D' Costa, *Dainondin Jibone Ain Sahaieka*, *op. cit.*, 45.
25. H. Kamrul, "In Search of Equality: Marriage Related Laws for Muslim Women in Bangladesh," *op. cit.*, p.101.

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