

Marta Pietras-Eichberger

School of Law and Public Administration Przemyśl – Rzeszów

Abstract

Nowadays one of the most difficult and controversial issues is the diversity of the status of women in Islamic and Western legal culture. However, the range of Muslim women's rights depends on the level of orthodoxy in particular Islamic states. Moreover many Arab women are aware of their inferiority to men in the family and in the society and try to alter this state of facts, on the other hand many of them still do not realise that they have privileges resulting from being an independent individual.

It must be stressed that at the turn of the XIX century in Muslim society the emancipation movement evolved which enhanced women's status in their culture. Muslim feminism opposes humiliating, cruelty, and sex discrimination practices which are based on tradition.

Muslim feminism is not Islamic feminism (though both belong to the group of religious feminism). The first, fights for discontinuance of constant depreciation of women, it reflects on the position of women in the Islamic society. These activities are at the level of the Koran, hadiths and law. By contrast, Islamic feminism does not question sharia, but it demands equality for women in the scope of religious practices, e.g. participation of women in public prayers.

Keywords: *Muslim feminism, Islamic feminism, feminism, emancipation movement, women's rights, fights for women's rights, Muslim society, the role of women.*

Introductory remarks

In the XXI century one of the most difficult and controversial issues is the diversity of the status of women in Islamic and Western legal culture.

The range of Muslim women's rights depends on the level of orthodoxy in particular Islamic states. However, at the turn of the XIX century in Muslim society the emancipation movement evolved which enhanced women's status in their culture.

Muslim feminism opposes humiliating, cruelty, and sex discrimination practices which are based on tradition.

Polygamy, forced marriage, female genital mutilation, punishing women for being raped, differential access for men and women to health care and education, unequal rights of ownership and assembly, and political participation, unequal vulnerability to violence. These practices and conditions are standard in some parts of the world.

Nevertheless, according to a statement by one of Muslim sociologists from Kuwait – Mohammad Al-Ruimaihi, Arab societies do not differ considerably from any other society, especially if the subject matter of a researcher regards the issue of women. He claims that many Arab women are aware of their inferiority to men in the family and in the society and try to alter this state of facts, and that many of them still do not realise that they have privileges resulting from being an independent individual. Invariably, there are no real initiatives to encourage Arab women to broaden perspectives of their own perception and to increase their social status (Brzezińska, 2011, p. 130).

The impact of Islam on the status of women

During the pre-Muslim times law of citizens of Arabia constituted a system of common law, including moral rules and rights known as sunna – drga, a way of conduct, which arose from a centuries-old position of the ancestors. It is worth stressing that in the pre-Muslim époque women were totally objectified.

They did not have the right to choose a husband, and after marriage they became part of the husband's possessions. In certain tribes which lived in the Middle East and Africa women were part of inheritance after the deceased husband. The lifestyle of the then societies, which was full of numerous fights, caused a decrease in the number of men, which was conducive to unlimited polygamy (Bielawski, 1995, p. 107). The status of women was so undervalued that new-born babies of female sex were at the mercy of their fathers, who could decide whether to bury the child alive after the birth.

The jurisdiction of Islam considerably improved the situation of women. In the tradition of the Prophet Mahomet women were not treated as

individuals who were totally subject to men's will. It is proved by the fact that when the first wife of Mahomet – Chadi-jah became a widow during her first marriage she dealt with trade and was very wealthy. She took the prophet for her husband. His last wife Aisha, after his death ran a political activity (Bury, Kasprzyk, 2007, p. 135).

Together with the death of Muhammad (8 June 632) developed caliphate which had authority – both political and religious – in the country. The activity which was started by caliphs in the later stage of their ruling (controlling everyday life of Islamists, over-interpretation of the Koran, broadly understood sexism) led to the incorporation of all forms of subordination of women to men. Islam changed into a political ideology (the so-called Islamism), whose aim was to fully control the life of an individual (N. Rani Junik, <http://multiculticlub.com/kobieta-w-islamie-feminizm-islamski-a-feminizm-muzulmanski/> 1 czerwiec 2016).

The word “Islam” comes from the Arabic word *aslama* – submit, thus Islam means total and unlimited submission to the will of God. The legal culture of Islam, similarly to the whole normative culture of Islam is an integral ingredient of monotheistic religion of Islam manifested by Allah to the founder of this religion – Mahomet (Muhammad Ibn Abd Allah), who acted in Arabia. Islam as legal culture besides religious obligations also includes moral and legal standards which constitute the basis for the organisation of social, economic and political life of Muslims. As a result of which, religious matters interweaved, in a unique manner, with moral and legal matters (Tokarczyk, 2012, p. 209-210).

That is why the words of the Koran which say: “Men are in charge of women by [right of] what Allah has given one over the other and what they spend [for maintenance] from their wealth. So righteous women are devoutly obedient, guarding in [the husband's] absence what Allah would have them guard.” (Koran surah IV line 34, Bury, Kasprzak, 2007, p. 134) are interpreted by Muslim jurists in a way which orders women to submit to men. As a consequence, in Muslim culture there is no difference between religion and law, the role of women is marginalised in every sphere. The lack of protests by Muslim women is justified by the existence of some kind of relation between society and individuals which uses force (Ferenc-Kopec, 2012, p.133).

For ages the situation of women in the Arabian Peninsula and in other parts of the world was similar. However, at the end of the XIX century women in Europe and North America started fighting for their equal rights in their family and social, political and economic lives. Nowadays, at least formally, within the western civilization women's and men's rights are equal.

The battle for women's rights in some cultures is very hard because the inferior position of women in a particular society is treated as welfare that should be protected against western influence. Most of non-European cultures are still strongly patriarchal and based on discrimination or often violence against women. The inferior position of women results from a belief in inferiority, impurity and weakness of women (Bobako, 2010, pp. 208–209 and 212).

The Islamic culture still preserves a huge diversity of social roles depending on sex. The basic role of women in the Muslim society is the role of a mother, a housewife and a housekeeper. The submission of women to men is related to the institution of marriage which plays an important role in Islam. Still it is the original cell of the society which is related to many roles such as:

- procreation, consisting in having and raising children
- social, consisting in providing care to ascendants and people who require such care, for example disabled, orphans, penniless
- economic, consisting in providing for the wife (wives). Marriage contract (akd az-zawad) in Islam is a typical civil contract (Witkowski, 2009, p. 89–90).

The responsibility for the family is entrusted with men. Men are also responsible for providing for the family (Bury, Kasprzak, 2007, p. 134). Hence, men play the role of the head of the family and the only participants of the public life. Women are not present on the public forum and limit their activity to the frame of private life. Men have the authority and consequently, they have political and military duties. In Muslim countries the position of women was so low that for a long time women were not even accounted for in statistics regarding the number of citizens. Islamic law until this day has held the rule that testimony of two women is equal to a testimony made by one man (Tokarczyk, 2012, p. 212).

The birth of Muslim feminism

Feminism is the movement fighting for women's interest. Muslim feminism is not Islamic feminism (though both belong to the group of religious feminism). The first, fights for discontinuance of constant depreciation of women, it reflects on the position of women in the Islamic society. These activities are at the level of the Koran, hadiths and law. By contrast, Islamic feminism does not question sharia, but it demands equality for women in the scope of religious practices, e.g. participation of women in public prayers (N. Rani Junik, 2015).

However, we should pay attention to certain difficulties in using terms which function in European and American legal culture for the Arab world. Orientalists deal with the subject matter of Arab women not hesitating to use the phrases "feminism" and "feministic" to describe organised emancipation actions in this region, as the main reason giving – apart from the argument about negative emphasis of the term by the western culture – the fact that few Arab (Muslim) female activists call themselves feminists. As it is stressed by many researchers the term "feminism" is treated as the next product of unfriendly, often hostile and rotten western culture (broadly taken), which commonly evokes pejorative associations with the period of colonisation, the phenomenon of progressing westernisation, moral corruption and consumerism, which are attributed to western societies. That is why, there exists the term *gender activism* with a less emotional note. Nevertheless, feminism understood and used in a broad context means awareness of various types of limitations imposed on women due to their sex (Brzezińska, 2011, p. 132).

"The woman question" in Muslim societies has been raised since the nineteenth century by European travellers and diplomats. The rise of anticolonial and nationalist movements put Muslims in a difficult situation. More often Europeans morally justified the attacks on Muslim societies trying to transfer western legal-human models and standards to Arab context. Muslim women who acquired feminism consciousness were under pressure to conform to anticolonial and nationalist values. They have to choose between their Muslim identity and their fight and their new gender awareness. Contemporary Western feminists could criticise the patriarchal elements of their own cultures and religions in the name of democracy, modernity and liberalism (Mir-Hosseini, 2006, p. 639).

The first signs of Muslim feminism occurred in the 1920's. However, these were only single voices of single women. Married women for fear of strong arms of their husbands preferred to remain silent; what is more, they tried to hash those women who talked too much. Feminists operating on the territory of Egypt tended to overthrow common law (*urfu*), which in its severity swerved from the basic rules of Islam. The cradle of feminism in the circle of Muslim culture is Egypt – due to the fact that this country has the longest emancipation tradition, the women's movement originated here. The first individual women organisation was created in 1923 – Egyptian Feminist Union (from 1944 Arab Feminist Union). A milestone in the process of the development of the feminist movement in the Middle East constituted the act of symbolic unveiling in a public place by two activists Huda Sha`rawi, and Saiza Nabarawi. Some of the postulates executed by Huda Sha`rawi were fight for full civil rights for women, including the right to passively and actively participate in elections, the fight for unlimited access to all forms and levels of education, the possibility to work in a selected profession and freedom to participate in collective prayers in the mosque. Here, another form of emancipation activity in Egypt is worth-mentioning, which is personified by Zajnab Al.-Ghazali. In 1936 she founded her own organization – Muslim Women's Association, whose activity included various forms of social aid, especially for poor families, organising classes in the scope of religious studies, running orphanage and support in finding jobs for the unemployed. Soon after that, not without hesitation Zajnab al-Ghazali decided to bond with a movement founded in 1928 by Hasan al-Banna – the Muslim Brothers. Within the scope of this initiative together with the Muslim Sisters she continued her charity activity, but also strengthened her propaganda and education activity which regarded political and religious issues to publicise knowledge of the Koran, traditions and Islamic law (Brzezińska, 2011, p. 136).

Only in 1980's Muslim feminism became more significant. One of the intentions, which were stated by the members of the movement, was to raise awareness among feminists from the West that the fight for the privileges of Muslim women in their presence, at the same time excluding them from any debates, creating a picture of a woman who cannot utter a word in anyway, destructs the situation of women who are subject to Islamic laws. The second

postulate was the attempt to prove to the Muslim society that Islam is a religion preaching equality of men and women (N. Rani Junik 2015).

A question arises – why the Western feminist movement does not engage in the issue of treating women in the Islamic culture. An interesting answer is given by Sabrina Deep who refers to political and religious arguments. According to her, “there is no room for power and political agendas in Islam for Western feminists. It’s a religion and if you embrace Islam seriously, you embrace hijab and other amenities which are a fundamental part of the Islamic credo. The Western feminist movement is notoriously leftist and when it comes to Islam, the focus cannot be put only on how women are treated, but also on what Islam represents in relation to white supremacy, an argument which is another battle horse of the leftists. The leftists say that there are different interpretations of Islam and that the Islam who treats women bad – or what they like to call radical Islam – is the result of centuries of white supremacy. In other words, the Western feminist movement believes that radical Islam is the natural consequence of centuries of bad Western male specimen’s behaviour and finding itself torn between condemning violence against women and attacking a product of naughty white males in doing so, they prefer to do like Pontius Pilate and wash their hands, remaining more silent than not” (Deep, <https://www.quora.com/Why-are-western-feminists-silent-about-how-Islam-treats-women>, accessed on 1 May 2016).

In the context of Islamic feminism we cannot forget about the role of Qasim Amin, who was an Egyptian born to a conservative family, under the influence of French world-view he wrote two revolutionary, for the customs at that time, works: “*Tahrir al-mara* (Emancipation of women) and *Al-Mara al-jadida* (New woman). The author defined the status of an Egyptian woman as very low, mean, and non-humanitarian. Nevertheless, his works were the subject of criticism from Muslim feminists who accused him of exalting liberated and immodest lifestyle of European women over pious Muslim women.

More contemporary activity worth-noting is the one run by Ziby Mir-Hosseini -female Koran expert living in England, who derived rights of women straight from the Koran and the theologian Rebeyha Moller, who described her conversion, as feminist, from the Catholicism into Islam and

estimates the issue in this religion that it presupposes a mature believer. She identifies herself as Islamic feminist (Busch, 2012, p. 74–75).

Ziba Mir-Hosseini pays attention to inconsistencies between what Muslim jurists claim and all Muslims believe about justice and equality in Islam principles and the sharia and rights of men and women in practice. She stresses the fact that Islamic jurisprudential texts treat women as second-class citizens and place them under men's domination. As Iranian women she strongly supported the 1978-1979 revolution and believed in the justice of Islam.

The example of contemporary Iran perfectly illustrates the variety of feminism in the circle of Muslim culture. The situation of women in this country should be presented by dividing the period of time into the reign of Pahlavi Shah and the times after the revolution of 1979, since when the Republic of Islam has existed. Reza Shah Pahlavi within his White Revolution tried to Europeanise Iran; taking as role model western democracies he made the emancipation of women one of the slogans of his governance. He banned women from wearing chador and covering hair in public places. The effect was twofold – the most religious families forbade their daughters to leave houses, and those more liberal took advantage of secularisation and followed the western fashion. In 1963 women gained the right to vote in Iran, several years later they started to work in the judicial national system. Despite the changes, among the protesting against the governance of the Shah just before the revolution there were 30% of women – the majority of whom probably were forced to do it by their fathers or husbands, other women, in turn, protested deeply believing that revolution would execute left wing assumptions about breaking the barriers and equal society. However, the Islamic revolution did not meet the women's expectations, and their situation after 1979 deteriorated. The Constitution of the Islamic Republic of Iran of 1979 assumed equality of sexes – Article 20 says:” All citizens of the country, both men and women, equally enjoy the protection of the law and enjoy all human, political, economic, social, and cultural rights, in conformity with Islamic criteria.”, Article 21 says:” The government must ensure the rights of women in all respects, in conformity with Islamic criteria (...).” The Constitution theoretically assumed equality of sexes but there is a loophole in the form of words “in conformity with Islamic criteria”.

And so Mullahs who took over the power in the country after the revolution ordered women to wear chador, a restrictive vice squad was created, two women who were members of the parliament during the governance of Shah were sentenced to death, and women were abrogated from judicial positions. Women in buses had to sit at the back, they could not walk the streets unattended, they could not rent a hotel room, nor buy an airline ticket. On the other hand, women have access to education, at present they constitute approx. 60% of students; there are a few women who are members of the parliament. After taking over the authority by fundamentalists who made their own interpretation of sharia, women became a second-class citizens (Bojarska, 2011).

At present, Ziba Mir-Hosseini and other activists from Iran draw attention to the rise of a popular reformist movement in Iran and the wider emergence of a new gender discourse. They stress, however, that what for the western world is the embodiment of enslavement of women and oppression, vividly represented in their all-enveloping cover, the chadri, or burqa is deeply based in tradition and family law largely accepted by women (Mir-Hosseini, 2006, pp. 629–630).

Postulates of Muslim feminism

In 1997 Muslim intellectuals primarily from Iran and South Asia published “A Declaration of the Rights of Women in Islamic Societies” (A Declaration of the Rights of Women in Islamic Societies” [in:] “Middle East Quarterly” 1997, vol. 4, no. 4, and pp. 83-84). In the preamble of this declaration it is stressed “that the oppression of women is a grave offense against all of humanity and that such an offense is an impediment to social and moral progress throughout the world”. Feminists also paid attention to the source of women discrimination and the concepts of subordination of women to men referring to orthodox and fundamentalist religions. According to them these religions were devised and enforced by men who claimed divine justification for the subordination of women to men. That is why we cannot forget that the three Abrahamic religions of Judaism, Christianity, and Islam, with the Old Testament, the New Testament, and the Koran as their respective holy texts, consider women inferior to men: physically, morally, and intellectually. As a matter of

fact this declaration is not only aimed at practices discriminating women and traditions originating from Islamic culture and religion. In the preamble the problem of Islamic radicalism is taken into consideration in all Muslim countries, also in nominally secular India, which refused to recognise women as full, equal human beings who deserve the same rights and freedom as men.

The postulates of Muslim feminists refer to the postulates which at the beginning of the 20th century were proclaimed by feminists from the western civilisation. They paid attention to such issues as: expectations regarding women to marry, obey their husbands, bring up children, stay at home, and avoid participation in public life. Indicated was the lack of free choice in all walks of life and the fundamental right of autonomy, prohibition to acquire education, prevented from getting a job, and thwarted from exploring women's full potential as members of the human community in many Islamic societies. A reference was made not only to Arabic countries but also to Islamic societies living in secular countries in Europe and other parts of the globe.

Striving for improving the faith of women in the Muslim culture the creators of the Declaration created a catalogue of rights and freedoms of women. The catalogue states the following:

- equality.
- freedom of action,
- freedom to travel alone,
- permission to uncover her face,
- right to the same inheritance rights as a man,
- ban on gruesome ritual mutilations of her person,
- right to freely marry a man of her own choice without permission from a putative guardian or parents, including the right to marry non-Muslim
- right to divorce and be entitled to maintenance in the case of divorce,
- equal access to education, equal opportunities for higher education, and be free to choose her subject of study,
- freedom to choose her own job and be allowed to fully participate in public life – from politics and sports to the arts and sciences,
- attribution of human rights as those guaranteed under International Human Rights legislation.

It should be noticed that some infringements of women's rights in the Islamic culture do not result from Islam, as for example gruesome ritual mutilations, but from tribal beliefs, within which peoples adopted to Islam their rituals from the pre-Islamic period. In Islam the order to cover all parts of the body, which may cause the reaction of the opposite sex, regards both women and men. In force are also strict rules regarding the segregation of sexes, with the openness of the right of Islam to human corporeality exclusively in marriage (Dziekan, 2007, p. 95).

In Saudi Arabia, Nigeria, and Iran the punishment for adultery is stoning and regards, in practice, only women, despite the fact that the Koran clearly defines that the obligation to observe fidelity regards both the wife and the husband. Moreover, in the Holy Book of Islam the form of punishment is not precisely defined, hence this both primitive and old-fashioned manner of killing started to be used on the territory of the Middle East. It is worth-remembering that these practices are deeply-rooted in the tradition of the inhabitants of those regions and not in the religion. It is also proved by one of the passages of the Bible which describes an attempt to stone Mary Magdalene for adultery (Rani Junik, 2015).

The postulates of Islamic feminists are unfortunately in opposition to the views which are proclaimed by Islamic jurists. Similarly to the western culture, the law of nature is regarded as the perfect legal order, whose basis constitutes general rules of validity and fairness, in the same way Muslim law is considered by Islamic jurists as an ideal and perfect legal system. To live according to this law, in their opinion, means to live perfectly (Bielawski, 1995, p. 100). The interpretation of this law made by particular members of the Muslim community justifies many cruel practices used against women. Of course, there is a question of ethics whether Allah desired it or is it the need of men who freely interpret the Koran at their own discretion.

We should not also forget that the situation of women is especially difficult in countries where Islamic fundamentalists came to power who refer to patriarchal traditions and try to enforce in the society complete subordination of women to fathers and husbands. The fundamental stream for the sake of its ideology freely interprets the law and the tradition of Islam (Bäcker, 2004, p. 84).

In this context certain doubts are raised by the influx of new migrants to Europe who stay with their cultural identity. It is commonly known that migrants from Arab countries have difficulties with assimilation with the host societies (Trejnis, 2012, p. 214). The main source of tensions and reluctance from the local people in relation to this group of migrants is the status and rights of women and the fear that these standards may spread in Europe as a result of acceptance of cultural difference of Muslim migrants.

In contrary to assimilation the concept of integration in the EU immigration policy does not require migrants to give up their own cultural identity and indigenise. It was limited to accepting civil rights and duties. At the same time Euro-Islam, as the idea of Muslim minority functioning peacefully in European countries, requires cultural adjustment based on religious reforms. The Europeanisation of Islam and Muslim migration demands the release from jihad and sharia and accepting the values effective in admitting countries (Tibi, 2006, pp. 14-16) Unfortunately, according to specialists of Islam culture reforming Islam is going to be very difficult and distant if not impossible. Due to the lack of the main leadership in Islam, even with Muslim jurisprudence influence, numerous minorities in Europe and America are not willing to change their practices which could contradict the fundamental sharia values (Dziekan, 2006, pp. 20-21)

Moreover, R. Tokarczyk indicates that the change in broadly understood social changes is at odds with the deepest sense of Islam. This sense boils down to embedding, if it is possible for all times, the idea of Islamism and political practice based on it. Currently, we can observe changes happening under the impact of fundamentalism – coming back to the tradition breached by western influences which should be referred to as reaction changes (Tokarczyk, 2012, p. 214).

The role of Islamic feminist movement in the process of introducing changes in law and practice of Arab countries

Nowadays, feminist activity can be divided into two streams. The first, reflects Muslim women who want to express their identity through religion by having the possibility to self-interpretation of the Koran and naming their needs in accordance to their faith. The second stream of Muslim feminism is concentrated on ideas not necessarily that close to the Koran's point of view

on women's role in gaining identity rights with rights that are possessed by western women (D. Ferenc-Kopec, 2012, p. 133).

Without a doubt the contribution of Islamic activists into women's rights is that Muslim women become aware, to a greater degree, of the need to fight for their own rights. However, the Muslim faith is so deeply-rooted in the society that a special type of feminism was created, called Islamic feminism. The credo of Islamic feminism says: "Allah treats all people equally. The underprivileged position of women in the Muslim culture results from incorrect interpretation of religious rules." Feminists from this stream are women of deep faith who desire to obey all rules imposed by their religion. They believe that it is not the Koran which specifies the inferior position of women in the society, but the incorrect interpretation of its stipulations by theologians. Among women activists for the rights of women in the Islamic culture we can identify the above-mentioned streams, which can be defined as secular feminism and Islamic feminism. The first group refers to western ideals of equality, regardless of factors such as sex; it fully rejects the interpretation of the inferior position of women which is imposed by Islam. The latter, Islamic feminists, as it was previously stated, looks for the sources of equality among men and women in the religion itself. Despite intelligible reasons for feminist fight and growing popularity of these ideas, we can risk a statement that Muslim feminism is weak. There are a few reasons for this state of fact. Firstly, secular feminists have a problem with reaching common Muslim women for whom Islam is absolutely undisputed. In turn, the weakness of Islamic feminists whose theses could be more convincing for wider masses of women results from the lack of acclaimed women theologians who could make the necessary interpretation of rules of Islam so that they could be accepted in wider circles of the society. Thirdly, we can notice significant reluctance of men to the idea of the emancipation of women, unlike in the West, where many men support the ideas of feminism. First and foremost, it results from a very long and deeply-rooted, in the collective consciousness, concept of superiority of men and their dominant role in the family (Bojarska, 2011).

That is why, there is a fear that actions undertaken by Islamic feminists for many years will remain just empty postulates without the will for their execution.

Final remarks

Without a doubt, Islam is used to justify patriarchal customs referring to women. However, we should remember that there is more than one opinion or interpretation of the Koran. The holy texts, and the laws derived from them, are matters of human interpretation. That is why so many horrors and abuses are committed in the name of Islam and use sharia as an ideology (Mir-Hosseini, 2006, p. 632).

The equality of men and women in the society is not possible without redefinition of oppressive relations in the private sphere, and thus reaching into the sphere, where cultural practices are deeply-rooted and bond with the most personal emotions of an individual, at the same time constituting the basis for their identity (Moller Okin, 1999, p. 4). In simple words, in Europe the protection of cultural distinctness of migrants from Arab countries cannot justify the inferiority of women. In this context multiculturalism is at odds with the postulates of the feminist movement.

The women's rights should be universal, even if this idea is considered in circles of Islamic fundamentalists as imposed by the Western part of Muslim society. Pointing to respect for tradition and culture of a given society creates a certain abuse used to justify psychological, economic and physical violence against women. As stressed by Osiatyński the idea of human rights is more of moral than legal nature. Thus, human rights are universal moral rights of a fundamental character which belong to everyone in their relations with the country and any other authority which can use coercion against such individuals. Human rights are innate and belong to a human as such due to his/her nature from the moment of their birth (Osiatyński, 2011, p. 23). These rights are innate, even if as a result of upbringing, fear or lack of awareness of their rights an individual agrees to breach them. The acceptance of violence does not justify violence. That is why, the western civilisation should support the activity of emancipation movements in Muslim societies by all available means, starting from financial support enabling to extend the activity of Islamic feminists, through educational activity in the Islamic society to political activity. There has not been even one social change both difficult and full of traditions and habits which would take place quickly and painlessly, but we cannot assume that this change is impossible. We should remember that not long ago in Europe the situation of women in social,

political and family walks of life was not much better than the situation of women in Muslim countries nowadays.

References

- Bäcker R., Islam: między fundamentalizmem a totalitaryzmem, [in:] Islam a świat, R. Bäcker, S. Kitaba (eds.), Toruń 2004.
- Bielawski J., Prawo muzułmańskie, [in:] Główne kultury prawne współczesnego świata, Warszawa 1995.
- Bobako M., Demokracja wobec różnicy. Multikulturalizm i feminizm w perspektywie polityki uznania, Poznań 2010.
- Bojarska M., Różnorodność feminizmu w kręgu kultury muzułmańskiej w Iranie i Holandii, <http://www.psz.pl/117-polityka/roznorodnosc-feminizmu-w-kregu-kultury-muzulmanskiej-w-iranie-i-holandii> (15 marzec 2011).
- Brzezińska J., Islam i feminizm?-Ruch kobiet w Egipcie na rzecz równouprawnienia płci, „Acta Universitatis Lodzianis” 2011, no. 39.
- Bury J., Kasprzak J., Prawo karne Islamu, Warszawa 2007.
- Busch A., Islam and the Human Rights Situation of Muslim Women in the EU, [in:] Communication as a Measure of Protection and Limitation of Human Rights. Information in Relation to Human Rights, L. Dufalová, K. Lenhartová and Others (eds.), Bratislava 2012.
- Deep S., <https://www.quora.com/Why-are-western-feminists-silent-about-how-Islam-treats-women>.
- Dziekan M., Cywilizacja islamu w Azji i Afryce, Warszawa 2007.
- Dziekan M., Jak żyć na obczyźnie? Z zaleceń Wielkiego Ajatollaha Alego As-Sistaniego (w kontekście islamu obywatelskiego), [in:] Islam i obywatelskość w Europie, K. Górak-Sosnowska, P. Kubicki, K. Pędziwiatr (eds.), Warszawa 2006.
- Ferenc-Kopeć D., Women's Rights in Legal Culture of Islam and Buddhism, [in:] Communication as a Measure of Protection and Limitation of Human Rights. Information in Relation to Human Rights, L. Dufalová, K. Lenhartová and Others (eds.), Bratislava 2012.
- Junik Rani N., <http://multiculticlub.com/kobieta-w-islamie-feminizm-islamski-a-feminizm-muzulmanski/>.
- Mir-Hosseini Z., Muslim Women's Quest for Equality: Between Islamic Law and Feminism, “Critical Inquiry” 2006, Vol. 32, No. 4.

Moller Okin S., *Is Multiculturalism Bad for Women*, [in:] J. Cohen, M. Howard, M. Nussbaum (eds.), Princeton 1999.

Osiatyński W., *Prawa człowieka i ich granice*, Kraków 2011.

Tibi B., *Euro-islam jako europejski most między cywilizacjami. Europeizacja islamu*, [in:] *Islam i obywatelskość w Europie*, K. Górak-Sosnowska, P. Kubicki, K. Pędziwiatr (eds.), Warszawa 2006.

Tokarczyk R., *Współczesne kultury prawne*, Warszawa 2012.

Trejnis Z., *Migracje a bezpieczeństwo granicy państwa*, [in:] *Bezpieczeństwo granic Rzeczypospolitej Polskiej*, A. Konopka, G. Sobolewski (red.), Białystok 2011.

Witkowski S. W., *Wprowadzenie do prawa muzułmańskiego*, Warszawa 2009.