

## **Women, Rights, and Religions: A Contemporary Investigation**

### **GUEST EDITOR'S FOREWORD**

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These papers represent a sampling from a workshop that took place in late August and early September 2016 at the University of Calgary and the University of Victoria. It was designed with the goal of gaining new insights into the topic of women, rights, and religions. These would result from the papers presented by seventeen women scholars who came from different countries of the world and who were studying diverse religions.

The subject, “Women, Rights, and Religions,” is both a complex and contentious topic in the contemporary world. This is because the terms “rights” and religions” are regarded by many as being mutually exclusive. In addition, women’s rights themselves have come under criticism, with disapproval coming from different directions, e.g., from post-colonial scholars and critical theorists, as well as from religious fundamentalists. This opposition further exacerbates the situation. While there have been previous conferences that have addressed specific violations of rights, e.g., violence against women, there has not, as yet, been a specific attempt to assemble women scholars of differing religions from diverse regions of the world. The general mandate of this workshop was to bring together women scholars of religion, who are vitally concerned with women’s rights, to interact with lawyers and philosophers at a special workshop. The aim was then to examine certain problematic issues that continue to prevail and, if possible, investigate potential ways of ameliorating this situation.

My own impetus for organizing such a gathering arose from a long-standing involvement in the area of women, religion, and rights, working from a philosophical perspective. During my travels in Africa, Asia, Europe, the Americas, and Canada, I have met many women who are as passionately committed to this area of study as I am. It seemed a most appropriate idea to bring these women together. Each one of the invited women scholars from their various backgrounds, disparate geographical locations, and different religious traditions, was requested to be prepared to:

1. Present a detailed examination of example arising from their own research and/or lived experience as a specific illustration of rights as a controversial topic. The issue may be one of grave concern, or, possibly one where they believe that some progress is being made.
2. Provide suggestions for more a nuanced understandings of alternative versions of rights, such as introducing the notion of rights as involving relationships. This could help to initiate strategies to move beyond the impasse that a narrow focus on the prevalence of individualism in rights has fostered.
3. Explore alternative versions of religious frameworks that allow for diversity and that do not automatically impose a one-size-fits-all western model.
4. Further develop and clarify such innovative insights so that such different theories and methods could be proposed to encourage religion and rights to interact constructively.

Given the topic of this workshop, there were many disparate perspectives that were presented. As a result, there is no cohesive final statement that can encapsulate all of the presentations that were made. Instead, there is a sampling of viewpoints that indicates there still remains much more work to be undertaken, both theoretically and practically, on this vital issue of women's rights and religions.

My own hope in organizing this workshop on women's rights and religions is that it marks the beginning of what could prove to be a flourishing collaboration of scholars in religion with not only law and philosophy, but other disciplines. An additional aim of the workshop was that such a creative interdisciplinary exchange could aid in establishing a solid basis for ongoing co-production of scholarly activities on the topic of women, rights, and religion. I would like to suggest that this workshop could constitute a first step in this process.

The first paper by Pamela Dickey Young, "Examining Competing Claims in the Dialogue over Sex Education in Ontario: Women, Rights, and Religion," is a case study that examines the complexities of the intersections of the workshop themes of women, rights, and religion. Dickey Young's case study pays special attention to the public debate over the new sex education curriculum to be implemented in the province of Ontario, Canada. It examines certain religious individuals and groups who supported, as well as those who opposed, the sex education curriculum. In this study, women were on both sides of the debate, espousing religious reasons for their divergent positions.

Sometimes religion is deemed to be a private matter, but in this situation it asserted itself in a very public way. Using media reports, group websites linked to religion and social media groups as its main source of primary

data, Young's paper asks what, if any, rights to freedom of religion are at play here. Further, the presence of strong, articulate women on both sides of the debate raises questions about feminism and the rights of women. Using feminist and postmodern theories, Young's paper will also examine various interplays of power and authority, most of which use the idea of rights to ground their claims. However, very different ideas of rights are often employed in the discussions. The paper will not seek to solve a conundrum so much as it will attempt to explore the various and competing ideas of women, feminism, rights and religion at issue.

Jeane Peracullo's paper "Maria Clara in the twenty-first century: The Uneasy Discourse between the Cult of the Virgin Mary and Filipino Women's Lived Realities," describes the contemporary struggle of women in the Philippines between its strong Catholic heritage and Filipino women's more recent development of autonomy.

In the Philippines, Mary, the mother of Jesus, is widely worshipped by numerous Catholics, and such devotion is highly encouraged by the local Roman Catholic Church. She is known as the "lady," "mother of the helpless," "long-suffering mother," "the Mother of God," and the "Virgin Mary." Yet Mary has also often been represented by a satirical character named Maria Clara in imagery that depicts a weak or passive woman. This indicates that there has been growing opposition to Mary's dominance.

There are a number of challenges today that threaten the traditional religious orientation, but specifically for women, it is an economic one. Many Filipino women are leaving their families and country behind to work in foreign lands in occupations such as nurses, helpers, and caregivers. While these occupations may seem similar to their traditional roles in the Philippines, many of these "Overseas Filipino Workers" are gaining a sense of independence. This change means that they are involved in negotiating such a contradiction, and in the process, are beginning to reject traditional stereotypes. The struggle, however, could appear to be doomed without access to an education system that could guide women to an understanding of their rights as women, which has thus far not been sanctioned by the Catholic Church. Peracullo's paper, with its careful analysis of the contemporary economic elements, adds another dimension to the secular/religious debate. It introduces a dynamic ingredient that needs to be taken into account in certain contexts when considering the interaction between rights and religion.

In her paper, "Sexual Violence, Rights and Religion in Africa," Louise du Toit describes how Christian churches in Africa are widely recognized as important civil society organizations with a good record of filling social support roles neglected by states. These churches have grown significantly over the past few decades, and are one of the few CSOs (The Civil Soci-

ety Organizations) that keep functioning during armed conflict. Moreover, they are widely regarded as having authority and impact, with religion supporting many of the continent's marginalized. In addition, however, they support the mainstream, a powerful point of reference for sense-making and also a powerful material resource. One may thus reasonably presume that churches can and would play an invaluable role in the process of healing and transformation that victims of sexual violence need in the aftermath of violent conflict. Recent research (Le Roux, 2014) has however shown that in the aftermath of armed conflict in countries such as Liberia, Rwanda and the DRC, these churches do not generally support the vast numbers of victims of sexual violence. Instead, they tend to contribute to their physical, psychological, social and economic hardship, and to their ongoing marginalization and stigmatization. The unfortunate reality is that these institutions' attempt to bolster patriarchal power both within and outside the church. Women's rights in relation to religion seem to be erased in such a situation.

In their paper, Jennifer Koshan and Jonette Watson Hamilton discuss whether religious women's reliance on choice to assist their claims to rights in Canadian courts may interfere with the success of those claims. Canadian courts have interpreted religious freedom under section 2(a) of *The Canadian Charter of Rights and Freedoms* to include a strong element of choice. In reality, however, some religious cases based on choice have not received protection, especially when choices have been viewed as the cause of the claimant's harm or a cause of harm to others. Koshan and Watson Hamilton examine the case of a Muslim woman, Zunera Ishaq, who successfully challenged a federal government policy that required her to remove her niqab during a citizenship ceremony. Ishaq argued that this policy violated her freedom of religion and right to equality, and that it also contravened regulations made under the Citizenship Act. Though this case succeeded within the broader context of decisions involving women, religious freedom, equality, and choice, other claims might not be as successful. Koshan and Watson Hamilton present other insights from the feminist literature about religious women and choice, including the relationship between choice, agency and autonomy; individualization; and the public/private dichotomy. They conclude, however, that a de-emphasis on choice may be strategically more helpful for religious women's rights claims.

Carola Roloff, who is a Buddhist nun (Bhiksuni Jampa Tsedroen), in her paper "Women, Ordination, and a Buddhist perspective: An Violation of Rights," analyses the present debate about the ordination of Buddhist nuns. While she appreciates that non-violence is one of the two main pillars of Buddhism, she is vitally concerned that gender discrimination

exists in Buddhism in the West. From a theological perspective, Roloff states that discrimination of women violates the Buddhist principle of non-violence and that it does not fit with the values common in modern societies. Admitting that the authoritative religious texts are ambivalent, Roloff asks how an approach can be made to these texts while considering the differences in the twenty-first century's social context? Her strong training in the Tibetan Buddhist tradition has allowed her to investigate the texts as to the vexed question of ordination for nuns in the Tibetan tradition. While Dr. Roloff would not go quite so far as to say that nuns should claim rights—she is concerned about the prejudice which deems that nuns cannot be ordained—even though the Buddha himself allowed it. She concludes by arguing that the principle of equality must take precedence over religious freedom.

Kathryn Chan and Erin Thrift in their paper, “Charity and Justice: A Case Study of Faith-based Charities Supporting Marginalized Women in Vancouver’s Urban Core,” examine the concept of charity in a number of conservative faith-based religions. They observe that in many religious traditions, the concept of charity is closely related to the concept of justice. Yet, in Vancouver where a number of faith-based charities have recently sought to manifest their commitment to this relationship, they do this either by deliberately blurring the traditional lines between service provider and beneficiary, or by seeking to give political voice to the persons they represent. However, Chan and Thrift also remark that there are significant institutional and regulatory obstacles to these types of “justice-oriented” charitable models. Their paper explores these obstacles through a case study of several faith-based charitable organizations that serve sex workers and marginalized women in Vancouver. The authors will examine the ways in which the regulatory environment limits the opportunities for both “service providers” and “beneficiaries” in these organizations to exercise agency. In concluding, they consider the implications of these limits for religious freedom, rights advocacy, and participatory democracy.

Diah Ariani Armbi’s paper, “Women and The Politics of Piety: Women’s Rights, Roles and Equality in *Tarbiyah* (Education) Movement in Indonesia,” describes this relatively recent movement. The movement is mainly active on university campuses. Many female activists are part of the movement but, unfortunately, until Arimbi’s paper, there had not been any in-depth study undertaken about them. Arimbi explores the *Tarbiyah* movement, which is reformist, and relies heavily on modern interpretations of Islam concerned with democracy, civil society, human rights and equality of women. These values, however, are understood somewhat differently from common Western notions. For example, the *jilbab* (veil) movement in secular university campuses is taken as a sign of

religious freedom. Diah's contribution will provide insights into this new movement and the varieties of women's activities involved. This will help scholars to understand the ways that the women members of the movement balance their views on their rights and roles, especially those related to the notion of piety. It will also provide insight into the claiming of rights within a conservative religious framework.

Finally, Rosalind Hackett's contribution, "The Impact of Pentecostalism on Women and their Rights" explores the role of new religious movements, as they have developed in Africa and especially as they have had a mostly negative impact on women's lives and their access to rights. Hackett's examples will be drawn primarily from Nigeria, Ghana, and Uganda. She observes that the irony of this situation is that many women have succeeded in becoming leaders in these churches. They have also publicly addressed the emancipation of women in the varying contexts of gender inequality. But, Hackett queries, at what cost?

In her paper Hackett assesses the impact of the rapid growth of these forms of Pentecostalism in Africa since the 1970s on the rights of women, both within and outside religious communities. The diversity of these charismatic, revivalist movements, and the varied contexts in which they operate, provide an interesting case study to explore the perduring paradoxes of women's leadership and agency in predominantly patriarchal religious organizations.

All of the above papers bear witness to the many problems that still beset women as they strive to achieve equality both within their respective religious domains and in society itself.