Islamic Basis for Supporting Sexual Violence Survivors

In light of the Kavanaugh confirmation, there have been many patriarchal narratives that have surfaced from within the Muslim community that either treat sexual violence as existing only in non-Muslim spaces or which diminish the experiences of Muslim survivors of sexual violence. To address the #MeToo movement in a Muslim context, this statement addresses the imperative for our community to address this violence from within and to correct much of the problematic theological basis that underpins the patriarchal responses to survivors.

More specifically, the response of many Muslim authority figures to the sexual abuse that Muslim women (cis and trans), girls and non-binary folks face has been appalling and deeply concerning. When Muslim women (cis and trans), girls and non-binary folks speak up about the sexual abuse they have suffered from Muslim men, they are faced with denial or counseled to remain silent and be patient. They are told that their call for justice will further contribute to Islamophobic sentiments and harm the community. These problematic methods of silencing survivors from attaining justice is a form of oppression that upholds a culture of impunity that allows abuse to flourish.

But Islam is unequivocal in its call to stand with those who are oppressed (mustad’afin) as well as against oppression. We thus call on our communities to stand with Muslim women (cis and trans), girls and non-binary folks who have faced sexual abuse. As Muslims, we must stand for justice, not only when we are targeted as a community but also when the perpetrators are members of our communities. The Qur’an reminds us of this moral duty of ours by urging us to stand for justice, even if against our own loved ones (Q. 4:135). The Prophet (saw) also stated clearly: “Help your brother, whether he is an oppressor or oppressed.” When asked what it meant to help the oppressor, the Prophet (saw) said: “to stop his oppressive behavior” (Bukhari, hadith no. 633 in the Book of Oppressions). Islam’s support for those who have been oppressed is so clear that we are told by the Prophet (saw) that there is no barrier between Allah and the prayer of the oppressed (Musnad Ahmad).

Islam recognizes the rights of one who has been raped and the injustice done to them. In fact, the Quran was particularly sensitive to the sexual vulnerability faced by women in society (Quran 24:11-20 and 24:33). A woman who has been slandered is directly protected in the Qur’an (24:4), her testimony overpowering that of her slanderer(s). While Islamic law held very stringent requirements in proving zina cases, it did make possible the prosecution of sexual assault as a discretionary punishment. In taking Islam as our ethical standard, we insist that as a community, we must focus on supporting survivors of sexual abuse. If we become overly concerned with the technicalities of evidentiary standards, we risk encouraging a culture of impunity by not holding perpetrators accountable. This leads to rape culture, a culture of oppression and injustice (fasaad) that the Quran speaks out against vehemently (Quran 5:8, 5:64, 2:205, 25:19, 39:47, 42:42). This also goes against the example of the Prophet (saw), who believed women who came to him seeking justice for sexual violence (Sunan Abi Dawud 4379). Indeed, Allah counsels us in the Quran that our faith (imaan) and our piety necessitate taking a stand against injustice (Quran 5:8), even if that means standing against those who are close to us, our friends and family (Quran 4:135).
Moreover, while Islam certainly counsels us to desist from publicizing the sins of an individual, this does not apply to situations where these sinful acts are part of a systematic and pervasive form of injustice and violence against vulnerable populations. The Quran is clear that when someone has been wronged, Allah supports them in speaking out about the injustice (zulm) they suffer (Quran 4:148). In such a situation, our response as believers is not to silence the voice of the oppressed (mazlum) but to stand up for them, amplify their voices, and demand justice on their behalf (Quran 5:8).

While Qur’anic verses are categorical in their support of survivors seeking justice for sexual violence, it is important to underscore the political, social, and cultural context that makes addressing this type of violence exponentially more important in the Muslim community. Muslim women (cis and trans), girls and non-binary folks are often forced to navigate multiple systems of oppression, including at the intersection of patriarchy and Islamophobia. There is no shortage in the ways that Muslim women (cis and trans), girls and non-binary folks experience gendered forms of violence including sexual assault, domestic violence, family abuse, neglect, and physical assaults at the intimate, interpersonal, family, community, and state level through policies and dehumanizing systems.

Moreover, certain groups of Muslim survivors are marginalized in multiple ways and hence face sexual violence at far higher rates. For example, Black Muslims form over 25% of our community and Black women face some of the highest rates of sexual assault among all groups of women in the country. LGBTQ people face higher rates of sexual assault than straight, cisgender people. LGBTQ Muslims in our community are deeply marginalized and stigmatized as it is and they need to be believed, heard and respected and counseled, especially for matters of sexual violence. Sexual violence in our community is rooted in not just patriarchy, but racism and colonialism.

As Muslim women, we recognize that these cases can be picked up by the mainstream media and the right-wing Islamophobia machine to depict Muslim men as sexual predators and justify surveillance, entrapment, and the punitive targeting of Muslim communities as a whole. While such narratives must be categorically rejected and resisted, this fight cannot be used to overlook the importance of also addressing the existence of such forms of violence in our communities.

Survivors also suffer from such Islamophobic tropes and the state’s surveillance and criminalization. These narratives further the idea that violence against women is inherent to Islam, that Muslim women (cis and trans), girls and non-binary folks don’t resist gendered forms of violence, and that gender-based violence within Muslim communities is the norm. Some of the consequences that survivors face from such harmful tropes include more intrusive forms of questioning by law enforcement agencies, immigration enforcement agencies, refugee services agencies, and they face greater hurdles in accessing support. As a consequence, these barriers prevent survivors from fully accessing internal community resources, and second survivors must navigate Islamophobic systems that view them in a dehumanizing way. Meanwhile, abusers use these tropes to silence victims by threatening them with statements such as if they were to come forward, they would be bringing negative and Islamophobic attention to the community.
The community leadership further amplifies the abusers’ call by silencing victims. This practice must end. Survivors cannot bear the burden of living through their own experiences of Islamophobia & abuse, and also be responsible for the broader structure of Islamophobia and how it impacts the Muslim community as a whole. This is unjust and allows Islamophobes and abusers to dictate how we as a community provide safety and justice internally to our communities. Further, we reject the idea that we must choose between seeking justice for Muslim survivors of sexual abuse or protecting our communities. These binaries are dangerous, and further an environment of impunity that makes our collective communities far less safer.

If justice for Muslims is about justice for all Muslims, then this must include victims of the state, but also those who been subjected to gender based violence. Our faith not only calls for it, but demands it.

Signed:

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