The lived experience of leaving a Muslim marriage, as experienced by Muslim women in South Africa

By

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Abstract

The lived experience of leaving a Muslim marriage, as experienced by South African Muslim women is the focus of this master's thesis. Using a qualitative research design approach, four Muslim women from Cape Town, KwaZulu-Natal and Johannesburg were interviewed to learn more about leaving a marriage as a Muslim woman in South Africa. The findings revealed that the women sought divorce due to experiences of intimate partner violence, which included various forms of abuse, particularly economic abuse, social isolation, and physical abuse. This thesis employs an Islamic feminist approach, understanding these forms of abuse as rooted in patriarchal *mis*interpretations of religious text and 'classical' *Fiqh* operating as 'objective religious knowledge' in the contemporary moment. With an Islamic feminist approach, the findings further revealed the ways women resisted the various forms of abuse. These ranged from personal strategies of resistance in which the women aimed to manage and prevent further abuse whilst remaining in the marriage, to seeking external assistance from Muslim judicial councils, family, and friends in an attempt to exit the marriage. In the context of the non-recognition of Muslim marriages, the findings reveal that Muslim women are left unprotected, unable to access their rights as *Muslim* women from the Muslim judicial councils, and unable to turn to the state for protection. Based on the experiences shared by the women interviewed, their friends and family proved critical in ensuring a safe exit from the abusive marriage. This research contributes to the limited academic material prioritising the lived experiences of Muslim women in South Africa, particularly related to Muslim marriage, divorce, and experiences of abuse in South African Muslim communities.

Chapter One: Introduction

Rationale and Research Focus

In South Africa, there exists an "unofficial legal pluralism", in which "Muslim, Hindu, Jewish and African Family Laws" co-exist with state law (Amien, 2019, p. 107). For Muslims, it includes laws around "marriage, divorce, polygyny, custody, guardianship and inheritance" which remains unrecognised in South Africa (Amien, 2006). In the absence of formal recognition of Muslim family laws, informal Muslim judicial bodies have been established in an attempt to provide the much-needed services of offering guidance, counselling and rulings related to Muslim Personal Law (MPL) matters, including Muslim marriage-related disputes. South African Muslim religious institutions are found across South Africa and are "headed by conservative male clergy" (Amien, 2006, p. 731). It is important however to note that rulings provided by these judicial bodies do not enjoy "legal weight" and therefore cannot be enforced. These religious institutions do however tend to be well respected in their communities and the rulings "carry substantial moral weight" and therefore often abided by (Amien, 2006, pp. 731-732).

As religion plays a significant role in the lives of its followers, influencing a follower's understanding of self and the world around them, it is important that the legal system reflects the norms and values of those living in the society. When the legal system does not reflect the values of minority groups, the excluded groups will instead follow their own rules that are significant to them and the state will not be able to regulate it, resulting in the formal state law existing along with the "unofficial law", such as a religious legal system (De Kroon, 2016, p. 157). This is known as legal pluralism (De Kroon, 2016) as seen in the South African case. De Kroon (2016) argues that when a legal system fails to recognise and reflect the rules of its cultural and religious citizens, this can result in potentially alienating the relevant group leading them to regulate their own affairs, as well as "non-protection and therefore harm of vulnerable groups, such as women" (De Kroon, 2016, p. 153).

The above is true for South Africa. The non-recognition of MPL in the country has been reported to be particularly concerning for Muslim women attempting to bring an end to their marriage. As Muslim marriages are not formally recognised and thus there exists no legislation to refer to when dissolving a Muslim marriage, Muslim women are forced to turn to the Muslim

judicial bodies mentioned earlier[1]. The problem however is that these judicial bodies are largely unhelpful when approached by Muslim women. Muslim women have reported that when attempting to divorce their husbands, for various reasons, their right to a divorce is denied. This has been reported as the "reconciliation-at-all-costs-approach" (Hoel, 2012; Shaikh, 2007) in which Muslim women are sent back to their marriages and instructed to practice patience with their husbands regardless of the marriage circumstances, leaving Muslim women trapped in their marriages as they cannot secure a divorce. Scholars have reported that the rulings passed down to Muslim women in matters related to marriage and divorce reflect a "traditional, male-centred understanding of Shari'a" or Islamic law "which results in discriminatory treatment that negatively impacts women" (Amien, 2006, p. 732; Hoel, 2012). Gabru (2004, p. 48) indicates that in some cases, in which a divorce is secured by Muslim women, the husbands refuse to "acknowledge the validity of such a marital annulment since they rejected the Islamic institution or its Islamic authority over the marriage for various factors", thus indicating men are simply able to ignore such rulings and the religious institutions are unable to enforce any consequence for non-compliance because as highlighted earlier, these judicial bodies only carry moral weight (Amien, 2006).

The lack of authority and enforceability powers by religious institutions and the default "reconciliation-at-all-costs" (Hoel, 2012) approach employed by institutions inform us that these religious institutions cannot adequately protect and enforce the rights afforded to Muslim women. The above highlights the reality of the non-recognition of Muslim marriages in South Africa, in which Muslim women, when seeking a divorce, face great difficulty in accessing this right (Amien, 2006, 2019; Gabru, 2004; Hoel, 2012). More than this, scholars have illustrated how the lack of recognition of Muslim marriages violates the human rights of Muslim women, as summed up by Amien, "Muslim women are not only excluded from enjoying certain civil law benefits but are also excluded from enjoying Islamic law benefits and are unable to legally challenge discriminatory Muslim family law rules and practices" (Amien, 2019, p. 119). Considering the above, that is, the non-recognition of Muslim marriages in a legal pluralist

[1] The Department of Home Affairs has proposed a draft marriage bill (2022) seeking to ensure that all marriages are in accordance with the constitution, addressing gaps in the legislation that fails to regulate certain marriages. At this moment, members of the public have been invited to share their input.

society, in which state law and unofficial religious law co-exist, we see how Muslim women are left unprotected and in an extremely precarious position.

The significance of the above is illustrated by referring to key insights related to counselling and divorce requests in Muslim communities in South Africa. In 2001, Toefy, using the archival records of the National Ulama Council (NUC) and the Muslim Judicial Council in Cape Town, studied the "main reasons and contributing factors" leading to divorce in Muslim communities. Here, Toefy (2001), when looking at the gender of divorce applicants, found that females outnumber males where female accounts for 76.2% of divorce applications. Some of the common reasons provided for divorce by woman applicants were that their husbands were unfaithful, suffered from drug abuse or/and would physically abuse them (Toefy, 2001, pp. 100-101). The above findings by Toefy therefore illustrate that Muslim women are the primary initiators of divorce in response to infidelity, IPV and substance abuse. The above findings are worrisome when considering the default position of religious institutions to encourage Muslim women to reconcile, whilst denying the divorce request.

It is the above background that informs the rationale for this research focused on *the 'lived experience of leaving a Muslim marriage, as experienced by Muslim women in South Africa'*. This focus was informed by the non-recognition of Muslim marriages in South Africa along with the reported discrimination experienced by Muslim judicial bodies in the country, which together, leave Muslim women unprotected. This research aimed to uncover the reasons Muslim women seek to exit their marriages and understand these experiences informing the desire to leave the marriage. This research further wished to gain insight into the understanding of marriage and leaving a Muslim marriage, as told, and experienced by Muslim women. The goal was to reveal how Muslim women leave a Muslim marriage, considering the difficulties noted earlier in this chapter and shed light on what it takes to successfully exit a marriage as a Muslim woman. This research did not require that the women be divorced but instead was focused on the experience of leaving, with or without an Islamically recognised divorce, thus cognizant that divorce is difficult to achieve, and potentially unattainable for some. With a qualitative research design, the findings of this research were informed by four individual unstructured interviews in which Muslim women were asked to share their experiences of leaving a Muslim marriage in South Africa. This research employs an Islamic feminist approach, revealing how Muslim women resist the manifestation of patriarchy in their lives.

Divorce Options

For Muslims, there exist multiple options for achieving an end to one's marriage. Although the religion *does* allow for one to exit the marriage, it is discouraged. Divorce is seen as "the most detestable of all permissible things in the sight of God" (Essof, 2011, p. 183). In Islam, both parties are allowed to end the marriage. Three common types of divorce in Islam are briefly discussed below. Relevant to women in South Africa are the *khul* and *faskh* as these are the two common types of Islamic divorce in the South African Muslim community (Dangor, 2001, p. 119). *Talaq* is the divorce option afforded to Muslim husbands.

Khula is a type of divorce in Islam sought by women, however, requires the consent of the husband (Amien, 2006, p. 733). This is a request to be released from the marriage (Dangor, 2001, p. 118). The wife would need to return the *mahr* (marriage gift) she received when entering the marriage. (Amien, 2006, p. 733). This means of divorce is based on a story in which a woman approached the Prophet communicating that she cannot find fault in her husband, however, she cannot "stand the sight of him" any longer. The husband was advised to divorce his wife subject to her returning the *mahr* (marriage gift) (Essof, 2011, p. 184).

The *talaq* has been described as unilateral as it is a right only afforded to the husband, consent from his wife is not required (Amien, 2006, p. 732). The husband can revoke the *talaq* over a three-month period after the *talaq* has been issued. This three-month period is referred to as *iddah* which means the waiting period. Reconciliation can occur during the *iddah* period (Dangor, 2001, p. 118). Should a total of three *talaqs* have been issued then reconciliation can no longer take place as three *talaq* "makes the marriage void of any legality within Islamic law" (Essof, 2011, p. 184). With the *talaq*, women may find themselves divorced "for no apparent reason" as the husband is not required to provide any when issuing a *talaq* (Dangor, 2001, p. 118).

The *faskh* requires the permission of a religious leader to allow women to exit the marriage (Amien, 2006, p. 732). The *faskh* has thus been described as "an Islamic judicial process" (Gabru, 2004, p. 47). With the *Faskh* a fault needs to be identified, faults such as domestic violence, incompatibility, and cruelty, among others (Amien, 2006, p. 732), (Essof, 2011, p. 184). The *faskh* however in practice does not enjoy the same authority that a *talaq* enjoys. Gabru (2004, p. 48) notes that in South Africa, although some institutions have concluded *faskhs*, there remains a lack of consensus and consistency around such procedures. Further, when concluding such a divorce there have been cases where husbands simply refuse to accept

the *faskh* as valid (Gabru, 2004, p. 48). Amien (2006, p. 732) further reports that "few women apply for *faskh*" as the procedure can prove "time-consuming, difficult, expensive and sometimes humiliating" for women.

Chapter Outline

Following chapter one's introduction and rationale to the research topic, and background to the Muslim communities in the country, the following chapter will provide a review of the literature relevant to this research. This chapter opens with the theoretical framework guiding this research which is Islamic feminism. The emergence of Islamic feminism is discussed, allowing us to consider the ways in which an Islamic feminist approach understands intimate partner violence in Muslim communities and understands Muslim women's responses to such experiences of abuse. This allows us to review relevant IPV scholarship, particularly IPV scholarship on Muslim communities around the world. Here, economic abuse is foregrounded as a form of abuse experienced in the context of IPV. The literature review concludes by discussing the significance and relevance of the literature to this research. Chapter three allows us to consider the methodology informing this research, including the challenges faced during the research journey. Chapters four and five report on the women's experiences shared on leaving a Muslim marriage. These chapters largely revolve around experiences of IPV and how the women responded to their experiences. Chapter six goes on to discuss these findings in conversation with the literature reviewed in Chapter Two. The thesis then concludes by highlighting the limitations of the study and sharing recommendations for future research.

Chapter Two: Literature Review

Intimate partner violence (IPV) has been well-researched and extensively documented by scholars worldwide. A particular form of abuse however which has not received as much academic attention, in comparison to physical abuse and sexual abuse, is economic abuse (Eriksson and Ulmestig, 2021, p. 1626; Meler, Herbst-Debby and Sabbah Karkabi, 2022, p. 2122; Postmus, Plummer, McMahon, Murshid and Kim, 2011, p. 2). This dissertation is particularly concerned with IPV whilst foregrounding economic abuse, as experienced by employed and unemployed Muslim women in South Africa. It further considers the experience of such abuse in a legal pluralist state where Muslims are a minority and Muslim marriages remain unrecognised. This literature review aims to speak to the above areas of study, that is, economic abuse in the context of IPV as experienced by Muslim women in a legal pluralist society where their marriages are not recognised. Exploring economic abuse in the context of IPV through an Islamic feminist approach will reveal economic abuse and experiences of IPV, in a legal pluralist context in which their marriages are unrecognised, as a manifestation of gender inequality in which Muslim women are discriminated against by both, the religious councils and the state.

This literature review starts by highlighting the theoretical framework that informs this research, which is an Islamic feminist approach. Islamic feminism is discussed by referring to its emergence before focusing on how Islamic feminists understand violence against women as experienced by Muslim women in Muslim communities. This will then allow us to consider how Islamic feminists understand responses to IPV, by Muslim women, and how to address IPV in Muslim communities[2]. Once the theoretical framework has been outlined the literature review goes on to consider IPV scholarship, whilst foregrounding experiences of economic abuse within the context of IPV. Thus, highlighting these behaviours as tactics in which abusers exert control and maintain dominance in their relationships.

Islamic Feminism

Islamic feminism has emerged in the last 30 years, in response to "feminisms that were overwhelmingly hostile to religion - especially Islam - and the dominant interpretation of Islam that was overwhelming patriarchal" (wadud, 2021, p. 11). Islamic feminists, in their commitment to gender justice and egalitarianism - which they believe to be in line with the

[2] In the case of South Africa, the examination of literature on IPV in Muslim communities shines a light on IPV within marriages in the context of legal pluralism, in which the marriage is not legally recognised and regulated.

tenets of Islam - and the existing western feminisms that did not allow for a religion such as Islam to be the departure point, started the work of re-interpreting and re-analysing religious texts from a feminist approach, or as referred to by wadud, "*Islamic feminist exegesis*" (wadud, 2021, p. 1).

The feminisms wadud refers to when highlighting feminisms that were "hostile to religion" are 'secular' feminisms, what Shaikh (2003, p. 149) referred to as 'Euro-American' feminist approaches that reproduce "reductionist views of Islam" (Shaikh, 2003, p. 149). Shaikh (2003, pp. 151-152) when critiquing Western feminist discourses highlights problematic literature on Muslim women and "*veiling*", or wearing the *hijab*, to illustrate some of the reductionist views promoted and reproduced by Western feminists, regarding Islam and Muslim women. Shaikh highlights that whilst it is true that in certain contexts the *hijab* is forced on women, with punishment consequently for not wearing it such as under Taliban rule, the hijab may also have multiple levels of meanings for different Muslim women which Western feminists tend to ignore. Here Shaikh highlights how the hijab has been a symbol of resistance in various contexts, or as resistance to Western consumerism, further as an assertion of identity by Muslim women. Shaik, therefore, illustrates that the *hijab* has "multiple levels of meaning for different Muslim women" in different contexts. The author illustrates a move away from a reductionist "one-dimensional Western feminist depiction of Muslim women as always oppressed…" (Shaikh, 2003, pp. 151-153), which has dominated Western feminism. Islamic feminism, therefore, challenges, both, "the dominant rubrics of feminism" and also "the dominant rubrics" of Islam (wadud, 2021, p. 1) which is furthered below.

For those who believe that egalitarianism is indeed inscribed in the Quran and thus took Islam as the departing point, Islamic feminism was born. "Islamic feminist exegesis of the Quran" (wadud, 2021, p. 1) saw the emergence of Islamic feminism in response to the patriarchal *mis*interpretations that dominate Islamic religious teachings and "trouble Muslims committed to gender egalitarianism" (Shaikh, 2007, p. 66). Scholars of Islamic feminism, therefore, take the primary religious texts of Islam as their departure point by re-interpreting these texts. Islamic feminists have argued that the overall "ethos" of the Quran is one that promotes gender equality (Shaikh, 2007, p. 68), even though this is not reflected in dominant 'classical' Islamic teachings. An Islamic feminist approach argues that the classical traditional interpretations which dominate and are believed to be "objective religious knowledge", mirror the context in which the interpretation took place which was "seventh-century Arabia" (Shaikh, 2007, p. 68), a time in which the interpretation of religious texts was an exclusive right held by men from

which women were excluded (wadud, 2021, p. 2). The patriarchal interpretations, therefore, reflect the context in which they were originally interpreted, however, even centuries later, continue to dominate in the present era.

An Islamic feminist approach to IPV illustrates a need to address patriarchal misinterpretations of Quranic verses (Shaikh, 2007). A particular verse referred to is the Quranic verse 4:34. The author notes that "given the high levels of spousal violence against women globally" the above verse requires 'reconsideration' in which the experiences of women are prioritised (Shaikh, 2007, p. 69). Verse 4:34 from the Quran has been used by Muslim leaders and community members, as Shaikh (2007, p. 69) highlights "in the contemporary era" to support and justify patriarchy (Ammar, 2007, p. 517). Interpreters of this text have interpreted the text in line with the privileging of men in which it is argued that husbands are entitled to 'discipline' their wives, but further, it informs men "on *how* to 'discipline' their wives" (Ally, 2018, p. 15; Hansia and Merolla, 2021, p. 611). Shaikh (2007, p. 69) highlights that this verse reflects "the gender mores of the seventh-century Arabian context". It is important to highlight "that it is the problematic interpretation of religious texts, rather than the text themselves that" promotes patriarchy (Hasnia and Merolla, 2021, p. 611). Islamic feminists have however called for religious texts, such as the one above, to be interpreted in line with the core tenets of the religion which promote the *"just treatment of women"* (Ally, 2018, pp. 14-15; Shaikh, 2007, p. 58).

Shaikh provides a review of some exegetical approaches to the above verse, looking at interpretations from both, "classical male scholars" and "contemporary woman exegetes", see in Shaikh's "*Tafsir of Praxis"* (Shaikh, 2007, pp. 70-74). The review highlights that these 'classical' interpretations, by male scholars, were influenced and informed by the gender assumptions that existed in their specific "cultural and historical contexts". Shaikh illustrates this by referring to certain concepts contained in the Quranic verse, and how the male scholars understand and interpret these concepts within certain moments in time, informed by "normative gender ideology and gender roles characterising the social, cultural, and historical realities and experiences of these exegetes" (Shaikh, 2007, p. 72). Shaikh concludes a review of classical male scholars by stating "The classical *tafsir* evidently reflects premodern, patriarchal assumptions that systematically silenced and excluded women's voices" (Shaikh, 2007, p. 73).

Woman scholars, in the present era in response to such interpretations, have therefore engaged in Quranic exegesis which wadud (2021, p. 1) reports was the "precursor" to the rise of Islamic

feminism. Shaikh (2007, p. 73) notes that scholars committed to such interpretation, Quranic exegesis, drew on the classic interpretations discussed above, whilst contesting the gender ideology that informs those classical interpretations. Feminist-orientated scholars performing Quranic exegesis in the contemporary moment were committed to and prioritized "visions of gender justice and universal human dignity in their readings of the Quran" (Shaikh, 2007, p. 73). The scholars, when addressing verse 4:34 of the Quran, argue that the verse, in which the striking of one's wife is mentioned presents a "pragmatic three-step solution" that seeks to discourage violence against women, as it was revealed during a time in which such violence was accepted. Islamic feminist scholars have therefore argued that the verse is descriptive of the times in which it was revealed, thus not prescriptive on gender norms (Shaikh, 2007, pp. 73-74). Moving beyond verse 4:34 of the Quran, overall, Islamic feminist scholars approach the interpretation of Quranic verses holistically, in line with "themes of justice, moral agency and human equality", as inscribed in and promoted by the Quran (Shaikh, 2007, p. 74). They argue that Quranic verses cannot be interpreted in isolation but should be interpreted in line with the themes present in the Quran, whilst considering the historical and cultural context in which the text was received and interpreted. An Islamic feminist approach to violence against women, therefore, argues that such violence is "contrary to the logic of the Quran" and thus not allowed or justified by the Quran (Shaikh, 2007, p. 74).

Mir-Hosseini furthers this by calling our attention to the role of both patriarchal *mis*interpretations as highlighted by Shaik and wadud earlier, but also *Fiqh*, illustrating the role that *Fiqh* has performed in establishing patriarchy in Muslim communities. *Fiqh*, as referred to by Mir-Hosseini (2006, p. 632), is "the science of jurisprudence" and is the process in which humans "discern and extract legal rules from the sacred sources of Islam" thus from the Quran. *Fiqh* is not sacred or set in stone, unlike Sharia, which is the revealed law, thus "sacred, universal and eternal" and infallible. *Fiqh* texts, the author argues, are fallible and "are patriarchal in both spirit and form" but often referred to as God's law which it is not. *Fiqh* is human understanding and is informed by the realities of the jurists (Mir-Hosseini, 2006, pp. 632-633). The significance of *Fiqh* to understanding gender inequality and thus IPV in Muslim communities is discussed below.

In *"Justice, Equality and Muslim Family Laws"*, Ziba Mir-Hosseini (2013, p. 9), argues that "at the heart of the unequal constructions of gender rights in Muslim legal tradition lies the idea that men have guardianship or *qiwama* over women". Mir-Hosseini refers to the same verse highlighted by Shaikh (2007) above, illustrating that it is in this verse 4:34 that the ideas of

male guardianship over women and men as protectors and providers of women are rooted. The author highlights that the verse "mandates" male authority over women (Mir-Hosseini, 2013, p. 10). It is the above idea, the author argues, men as guardians, providers and protectors of women that informs all areas of "Muslim family law relating to gender rights, but its impact is most evident… in laws that classical jurists devised for the regulation of marriage". The author argues that it is this, the "*qiwama* postulate" that "is the lynchpin of the whole edifice of the patriarchal model of family in classical *Fiqh*" (Mir-Hosseini, 2013, p. 10).

Mir-Hosseini illustrates the role of patriarchal misinterpretations, informing *Fiqh*, or human understandings of law by referring to Muslim marriage. Here the author argues that classical jurists defined Muslim marriage as a contract "and patterned it after the contract of sale" (Mir-Hosseini, 2013, p. 10). With this contract, sexual relations between parties become legal. The contract contained "rights and obligations" for each party, or spouse. For husbands, they have the right to sexual access, which is the wife's duty. For the wife, maintenance is her right and her husband's duty. Mir-Hosseini refers to the two legal concepts significant to the above, this is, *tamkin* which is obedience or submission and *nafaqa,* which is maintenance (Mir-Hosseini, 2013, p. 10). The right to maintenance is however lost when the wife is "in a state of *nushuz*" or disobedience. The author goes on to highlight that the contract can be terminated by both parties. The husband has access to a *talaq* which allows him to terminate the contract unilaterally and without judicial involvement. The wife, however, cannot terminate the contract in the same way and instead needs to provide a reason and rely on the permission of an Islamic judge, or her husband's agreement or consent to the divorce (Mir-Hosseini, 2013, p. 10). Thus, inequitable marriage and divorce rights between the two parties. Mir-Hosseini highlights the belief that the *talaq* is "among the most detested of permitted acts" indicating that even though the above is believed to be communicated by the Prophet, classical *Fiqh* jurists did not use this to support the restriction of a husband's unilateral right to *talaq* his wife without reason or consent (Mir-Hosseini, 2013, p. 10), but as we will see later in this chapter, is used to discourage and deny divorce to Muslim women.

It is within the above, that Mir-Hosseini (2013, p. 10) argues, classical ideas of gender rights and justice came to be. It was these beliefs, that "men provide and women obey" that have informed other inequalities in which women are entitled to less than men. These 'classical' *Fiqh* rulings and understandings went on to be passed down, hence 'classical' and as highlighted by Mir-Hosseini, codified in current legal systems in some Muslim-majority countries. The above has been included here as it is key to understanding the gender inequality

and patriarchy that exists in Muslim marriages today. Here, by referring to Shaikh (2003 & 2007) and Mir-Hosseini (2006 & 2013) above, we see how through *mis*interpretation of primary religious texts and human understanding of Islamic law, *Fiqh,* passed down for centuries, the authority of Muslim men has been entrenched to the disadvantage of Muslim women, who have been discriminated against (2013, p. 1). It is this, the gender inequality, and the patriarchy that Islamic feminists have argued, is the root of IPV in Muslim communities.

Shaikh (2007), in "*Tafsir of praxis"* looks at approaches to IPV by focusing on experiences of IPV, as experienced by Muslim women in Cape Town. Shaikh illustrates how the women interviewed engaged with, re-interpreted and challenged the dominant traditional understandings of Islam. The author argues that such engagement with the dominant religious understandings "inform ethical quandaries that emerge from ahistorical interpretations of the Qur'anic text" (Shaikh, 2007, p.75). The author, highlights how the women she interviewed, employed an Islamic feminist approach to the violence they experienced by re-interpreting the dominant understandings of Islam that they experienced from others, such as religious leaders and community members, who encouraged them to remain in abusive marriages. Shaikh's findings illustrate how, in response to their lived realities of abuse, the women developed "their *own* sense of religious identity and often challenged gender hierarchy in religious terms", thus performing their own exegesis. Shaikh (2007, p. 75) calls this a "*tafsir through praxis*" or "*embodied tafsir*" in which the lived realities of the Muslim women interviewed, in response to IPV, illustrate Quranic exegesis.

The above look into Islamic feminism, its emergence and Islamic feminist exegesis or re-interpretation of the Quran in response to 'classical' patriarchal *mis*interpretations and *Fiqh* have allowed us to consider the ways in which Islamic feminists address IPV in Muslim communities. Islamic feminist scholars argue that 'classical' interpretations of Quranic text interpreted in seventh-century Arabia by male scholars, reflect the context in which the interpretation took place, thus resulting in patriarchal androcentric interpretations that have informed *Fiqh*, or human understandings of Islamic saw, and since been passed down as 'objective religious knowledge' and therefore existing as the dominant interpretation informing religious rulings. Islamic feminists in response to "rampant patriarchy in their communities" (Shaikh, 2007, p. 66) are committed to feminist Quranic exegesis, thus re-interpreting the Quranic texts in line with the overall ethos of the Quran which does not allow for violence against women but instead promotes egalitarianism. The discussions on Islamic feminism and

an Islamic feminist approach to IPV now allow us to explore experiences of IPV in Muslim communities around the world.

Intimate Partner Violence

The World Health Organization shared that IPV "is one of the most common forms of violence against women and includes physical, sexual and emotional abuse and controlling behaviours by an intimate partner" (Garcia-Moreno, Guedes and Knerr, 2012, p. 1). Controlling behaviours include social isolation, restricting mobility and economic abuse (Krug, Dahlberg, Mercy, Zwi, Lozano, 2002, p. 89). IPV is violence perpetrated by an intimate partner (Krug et al., 2002, p. 96), with the most common perpetrator of IPV being male intimate partners (Garcia-Moreno et al., 2012, pp. 1-2); (Krug et al., 2002, p. 89). IPV occurs in all settings and societies, across race, "social and economic background" and "religious and cultural groups" (Garcia-Morena et al., 2012, pp. 1-2); (Ahmad and Jaleel, 2015, p. 118). A study conducted by the WHO in 2005, across many cultural and geographic settings, confirmed that IPV is widespread across the 10 countries included, in which data was collected from more than 24 000 women (Garcia-Morena et al, 2012, pp. 1-2); (Garcia-Moreno, Heise, Jansen, Ellsberg and Watts, 2005, p. 1282). VAW has further been reported to affect "more than one-third of women worldwide" (Alghamdi, Lee and Nagy, 2022, p. 18).

Included in the vast scholarship on IPV has been a focus on risk factors associated with IPV (Ahmad and Jaleel, 2015); (Tekkas Kerman and Betrus, 2020); (Hayes and Van Baak, 2017); (Garcia-Moreno et al., 2012); (Krug et al., 2002, p. 12). Here a common model used to discuss the associated risk factors of IPV is the social ecological model in which scholars understand IPV as influenced by the "complex interplay between" many factors operating at the "individual, relationship, community, and societal levels" (Garcia-Moreno et al., 2012, p. 3); (Tekkas Kerman and Betrus, 2020, p. 510); (Krug et al., 2002, p. 12). Some of these factors include exposure and acceptance of violence, low levels of education, substance abuse, male dominance in the family, "low social and economic status of women, weak legal sanctions against IPV, lack of women's civil rights, including restrictive or inequitable divorce and marriage laws, weak community sanctions against IPV" (Garcia-Moreno et al., 2012, p. 3). The latter factors, I argue are significant when applying an Islamic feminist lens to understanding IPV in Muslim communities.

An important area of study that calls attention to the severity of IPV focuses on the consequences of IPV. Violence against women has been recognised as a violation of human

rights which denies women in abusive relationships their right to "equality, security, dignity, self-worth, and their right to enjoy fundamental freedoms" (Ahmad and Jaleel, 2015, p. 119). Women in abusive relationships suffer the risk of physical injuries, chronic health problems as well as stress-related conditions (Eriksson and Ulmestig, 2021, p. 1625); (Garcia-Moreno, et al., 2005, p. 1283). Eriksson and Ulmestig (2021, p. 1625) highlight how women experience "shame" due to being a victim of abuse, but also due to poverty as victims of economic abuse. These consequences can continue once the abusive relationship has ended (Stylianou et al., 2013, p. 3200). IPV exposure to children can cause mental health and behavioural problems, with risks into adulthood potentially resulting in the perpetration of violence or susceptibility of experiencing violence from others (Tekkas Kerman and Betrus, 2020, p. 511). IPV extends beyond the relationship as it "places an enormous economic burden on societies in terms of lost productivity and increased use of social services" (Krug et al, 2002, pp. 100-101).

Muslim communities, as one of the largest religious minority groups in the world, are not exempt from IPV (Ally, 2018; Hayes and van Baak, 2017; Hoel, 2012; Shaikh, 1996; Shaikh, 2007; Shaikh, Hoel and Kagee, 2011; Tekkas Kerman and Betrus, 2020; Toefy, 2001). Scholarships focused on Muslim women's responses to IPV have been particularly interested in help-seeking strategies, looking at barriers to help-seeking and help-seeking facilitators (Alghamdi, Lee and Nagy, 2022; Andersson, Cockcroft, Ansari, Omer, M Ansari, Khan, Chaudhry, 2010; Afrouz, Crisp and Taket, 2020; Hansia and Merolla, 2021; Hassouneh-Phillips, 2001; Oyewuwo-Gassikia, 2016; Ting and Panchanadeswaran, 2009). Some of these are considered below, in which, by referring to the existing literature on IPV experienced in Muslim communities in various countries, we see the reproduction of patriarchal *mis*interpretations and 'classical' patriarchal *Fiqh* informing religious rulings and thus manifesting in the lives of Muslim women seeking help in response to IPV, which is also argued to be a manifestation of unequal gender relations (Mir-Hosseini, 2013; Shaikh, 2007). Commonly reported help-seeking strategies involve seeking help from religious institutions, often to secure an exit from the abusive marriage (Hoel, 2012; Issaka, 2012; Shaikh, 2007).

Reporting on "Negotiating Marriage and Divorce in Accra", Issaka (2012) captures the dissemination of 'traditional' interpretations by Muslim religious leaders when interacting with Muslim women who are seeking help and counselling. The author reports that the Islamic religious leaders in Ghana are "prejudiced against women" (Issaka, 2012, p. 47). The author highlights that "all the women noted the *Mallams* were of the opinion that husbands' authority over wives were established and not contestable", in line with the illustration of classical

understandings of Muslim marriages as a contract made by Mir-Hosseini earlier (2013). The women interviewed indicated that when interacting with a religious leader, they were told that their husbands held certain privileges granted by Islam (Issaka, 2012, p. 48). Here the religious leaders often referred to Quranic verses to support such beliefs and dismissed the women suggesting that their complaints and concerns were not valid. The respondents however in their interviews indicated that they interpreted the Quranic verses to have different meanings that promoted kindness and equality (Issaka, 2012, p. 48). The above reflects the patriarchal religious *mis*interpretations held by those who are tasked with offering guidance, and leadership to Muslim communities in Accra. It further highlights how Muslim women have challenged patriarchal *mis*interpretations by reinterpreting the Quran texts to have a woman 'friendly' meaning, a practice highlighted under Islamic feminism. The above experiences of patriarchy are however not isolated to Accra and have been reported by international scholars and South African scholars alike.

Shaikh (2007) and Nina Hoel (2012), highlight the experience of engaging with Islamic religious leaders as Muslim women in the South African context. This experience, as reported by Muslim women, is challenging and often traumatic in which Muslim religious leaders at religious institutions would refuse to grant Muslim women a divorce (Hoel, 2012, p. 188). The authors highlight that male Muslim religious leaders, with the religious authority granted to them, rely on '*androcentric'* interpretations of the religion resulting in "androcentric applications of Islamic law", therefore, religious rulings in favour of men, often disadvantaging women seeking relief (Rasool and Suleman, 2016, p. 39). It has been reported that the widely held position by Muslim religious leaders in South Africa is to deny a divorce to Muslim women (Rasool and Suleman, 2016, p. 42). Muslim women are thus denied access to their rights granted to them by Islam, which is the option to divorce their husbands via judicial help.

Looking at "American Muslim women's experiences of leaving abusive relationships", Hassouneh-Phillips (2001) met with Muslim women from diverse backgrounds. The author reports on the process of exiting an abusive relationship which involves four stages *"reaching the point of saturation, getting khula, facing family and or community disapproval, and reclaiming the self".* Here, much like Issaka (2012) in Ghana, Hassouneh-Phillips (2001) in America, highlights that when attempting to exit the abusive marriage after "*reaching the point of saturation*", "*getting Khula*" the women reported facing great difficulties as the religious leaders denied their request to divorce with some religious leaders suggesting that women remain patient and that remaining in an abusive marriage could be a Muslims wife entry into

heaven (Hassouneh-Phillips, 2001, p. 425). In addition to discouragement by Muslim religious leaders, we see in the third stage of "*facing family and/or community disapproval"* the women reported experiences of stigma associated with divorce, in which their family, friends and community members often treated them differently whilst showing support for the abusive ex-husband. As divorcees, participants reported that they "no longer fit into the social structures of their communities" (Hassouneh-Phillips, 2001, p. 427).

Numerous studies have echoed the above, the disapproval from others, when focusing on barriers to help-seeking. A common theme related to "family context" (Afrouz et al., 2018, p. 557) and stigma are "feelings of embarrassment, fear and shame" (Oyewuwo-Gassikia, 2016, pp. 456-457); (Afrouz et al., 2018, p. 557) which prevented women from seeking assistance with IPV (Ting and Panchanadeswaran, 2009). Anderson et al (2009, p. 19713) found that violence within the family is considered a private matter and therefore prevents help-seeking. As highlighted by Afrouz et al., (2018, p. 557) violence is kept private to maintain "family harmony". The belief that IPV is a private issue to remain within the family, therefore, acts as a barrier to seeking help from healthcare service providers, but further from seeking informal support from family and friends (Afrouz et al., 2018, p. 557).

The above discussions which include Muslim women's experiences when approaching religious leaders, divorce-related stigma, disapproval from family and friends and feelings of shame and embarrassment are all interrelated and act as barriers to seeking help. Here, an important consideration is the beliefs surrounding marriage and divorce. Hassouneh-Phillips (2001, p. 932) shared a widely held belief that "*Marriage is half of faith and the rest is fear of Allah*" which, as highlighted by the author, many Muslims who aim to please their creator "are bound to". The author shared "By marrying and staying married Muslims fulfil 50% of their duty toward God…". Muslim women, therefore, may remain in the abusive marriage until reaching "*the point of saturation*" in which they fear that their marriage may result in their death (Hassouneh-Phillips, 2001). In addition to the sanctity of marriage, divorce in Islam is believed to be "the most detestable of all permissible things in the sight of God" (Essof, 2011, p. 183; Hassouneh-Phillips, 2001, p. 932) and therefore strongly discouraged. These beliefs, that marriage is a significant religious act, along with the belief that divorce is an abominable act, act as barriers to seeking help for Muslim women living through IPV. Further, it informs the other factors, such as discouragement from others, feelings of shame and embarrassment and stigma in which their family and wider community respond negatively when women experiencing IPV search for help and an exit from the marriage.

Returning to Hassouneh-Phillips (2001) stages of leaving an abusive marriage as reported by American Muslim women, we consider the final stage of "*reclaiming the self"*. This stage refers to spiritual awakening in which, when alienated from their communities, the "women felt freed and able to express their individuality from the restrictions placed on them by group norms" (Hassouneh-Phillips, 2001, pp. 428-429). The four stages outlined by Hassouneh-Phillips (2001), and briefly referred to in this section, illustrate the significance of "group-orientated cultural values in shaping participant's experiences of leaving their abusers" in which we see how the thoughts of family and members of the community influenced decision making and experiences of the women before, during and after leaving the marriage. The author argues that this illustrates the "significance of group orientation in leaving abusive relationships and highlights the need to avoid broad application of individually focused research across cultures" (Hassouneh-Phillips, 2001, p. 429).

The above discussion revealed some of the factors that hinder Muslim women from seeking help in response to the IPV they are experiencing and the beliefs that inform these barriers. The beliefs that inform these barriers, I argued, here utilizing an Islamic feminist approach, include patriarchal *mis*interpretations and 'classical' *Fiqh* that inform religious rulings surrounding violence against women in intimate partner relationships and divorce rights available to Muslim women (Mir-Hosseini, 2013; Shaikh, 2007). We therefore see how Muslim religious councils in various parts of the world, tasked with educating and leading Muslim communities, depart from dominant 'classical' religious understandings, which not only illustrate weak legal and community sanctions against IPV but further normalises and promotes acceptance of violence by sending women back to their abusive marriages. Thus, further entrenching inequitable marriage and divorce laws in which Muslim women are discriminated against.

Muslim women have further reported on their experiences of economic abuse, often experienced along with other forms of abuse, thus economic abuse in the context of IPV (Adams et al., 2008, p. 580; Eriksson and Ulmestig, 2021, p. 1636; Usta, et al, 2013, p. 365). Economic abuse, which refers to "behaviours that control a woman's ability to acquire, use and maintain economic resources" is therefore connected to, influences and is influenced by other forms of abuse experienced in a woman's life. The forms of abuse "co-exist and reinforce each other" (Adams et al, 2008, p. 580; Eriksson and Ulmestig, 2021, pp. 1636-1637). Women have reported "tolerating" economic abuse to avoid the perpetration of other forms of abuse and in this way "ensure family stability" (Usta, et al, 2013, p. 356). Economic abuse therefore even though not explicitly mentioned is often referred to when highlighting the experiences of other

forms of abuse (Stylianou et al, 2013, p. 3200). “Economic control, exploitation and employment sabotage” are the conceptual categories of economic abuse developed by Postmus, Plummer and Stylianou (2016). Muslim women experiencing economic abuse have reported on all three categories.

Meler et al, when looking at economic abuse amongst Palestinian women, found that the women reported dissatisfaction with “income management” in which their husbands managed the household finances whilst the wife received a “housekeeping allowance” often reported to be insufficient (Meler et al, 2022, p. 2133). Anitha (2019, pp. 1860-1861), looking at economic abuse experienced by South Asian women in India and the UK, found that women were excluded from ‘household’ funds as bank accounts were registered in a male, usually the woman’s father-in-law, name (Anitha, 2019, p. 1860). The women further reported having no knowledge of the family finances, including the husband’s income and financial resources (Anitha, 2019, p. 1860; Usta et al, 2013, p. 364). Men’s refusal to contribute to household expenses was also recorded, along with misusing benefits meant for women and children (Meler et al, 2022, p. 1862). Usta et al (2013, p. 364) found that women in Lebanon reported the same, husbands would force women to “surrender their earnings” or control their earnings. The authors note that men “deplete women’s resources as a means of control” which includes refusing to pay bills, forcing wives to pay, or using the wife’s earnings (Usta et al, 2013, p. 364).

Economic exploitation refers to tactics in which the abuser deliberately misuses family finances, damages, and steals money or property, creates debt in “secret or coercion”, refuses or restricts the partner’s access to healthcare, and restricts or denies the partner access to transportation (Anitha, 2019, p. 1861; Postmus et al, 2018, p. 5). Anitha (2019) shared that the women reported “coercive debt”, in which debt was created in the wife’s name, further theft of the wife’s belongings, such as the jewellery gifted as a dowry (Anitha, 2009, p. 1862).

Looking at economic abuse experienced by Muslim women, scholars reported on employment sabotage, which is when abusers negatively interfere with the employment or studies pursued by their wives. Meler et al (2022, p. 2129) found that the husbands of the women they interviewed severely restricted employment opportunities for the women. Women shared that their husbands did not want them to engage in employment, this was echoed by Usta et al (2013, p. 363) when looking at economic abuse and perceptions in Lebanon. In cases where women were *allowed* to work outside the home, the women reported that their husbands acted

as gatekeepers by arranging and managing such employment for their wives. In addition to gatekeeping employment, in instances where women *did* work, they were not allowed to work outside of their home village which they reported was small and often had no jobs available (Meler et al, 2022, p. 2129). Anitha (2019) interestingly, did not record employment sabotage but instead found that women were encouraged to further their studies on condition that the husband and his family control her wages (Anitha, 2019, p. 1863).

Such tactics of abuse threaten a woman's "economic security and potential for self-sufficiency" (Adams, Sullivan, Bybee and Greeson, 2008, p. 564). With the use of the above, economic control, exploitation and sabotage, abusers deplete women's resources and "limit the woman's financial independence" thus creating dependence and affecting her ability to become self-sufficient (Postmus et al, 2011, p. 3); (Meler et al, 2022, p. 2138); (Usta et al, 2013, p. 357). Such behaviour, as reported by Adams et al (2008, p. 563) is part of behaviours used by abusers in which they "maintain power and control over their partners", thus economic abuse tactics within the context of IPV. The women experiencing such abuse face great difficulty in leaving the abuser as they worry about financing their exit from the relationship and survival after the relationship (Eriksson and Ulmestig, 2021, p. 1625; Postmus et al., 2011, p. 4). Women in the above context have reported that they simply cannot afford to leave the relationship, or once left, reported that they felt the need to return to the abusive relationship to sustain daily living (Eriksson and Ulmestig, 2021, p. 1641). The above is considered below when brought into conversation with the topics covered in this review.

Conclusion

The literature reviewed above illustrates that IPV is indeed experienced across the world, of which Muslim communities are not excluded. IPV is widespread across Muslim communities as reported by Muslim women who have shared their experiences on forms of abuse, tactics used by abusers and their help-seeking strategies. Economic abuse in the context of IPV, as discussed above, is employed along with other forms of abuse. It refers to the husband's attempt to dominate and maintain control within the relationship by employing the tactics discussed. With an Islamic feminist lens, we see how IPV, which includes economic abuse, is a manifestation of gender inequality. In line with an Islamic feminist framework, this dissertation argues that such gender inequality is a result of patriarchal *mis*interpretations and classical *Fiqh* which is informed by the *mis*interpretations and thus patriarchal as well. The above unequal

gender relations have been entrenched, influencing beliefs, behaviours, practices, and gender norms within the Muslim community.

In the present era, we continue to see and experience male dominance in the family, inequitable divorce, and marriage laws for Muslim women, as well as weak legal and weak community sanctions against IPV along with the normalisation of violence, which are some of the community and societal risk factors highlighted earlier (Garcia-Moreno et al, 2012, p. 3). An Islamic feminist approach would therefore understand the reality of IPV and economic abuse in the context of IPV as a manifestation of gender inequality, the gender bias and discrimination, in which men have been privileged and assumed authority over women, who are entitled to less as seen in unequal divorce laws. Islamic feminism further allows us to consider the ways in which Muslim women have responded to gender inequality in their communities with various acts of resistance. Here, Muslim women have challenged the manifestation of patriarchy, often in religious terms in which, guided by the religious texts and teachings, Muslim women resisted the abuse that their husbands perpetrated by not only making such abuse visible and decreeing that it is wrong but further by seeking an exit from the marriage as they do not condone or accept that their husbands are entitled to inflict such pain on them. The women further resist experiences of IPV when interacting with religious leaders who enable such abuse by sending the women back to their marriages in the name of religion, to "*sabr*" or think of it as their way into heaven (Hassouneh-Phillips, 2001; Hoel, 2012). We, therefore, with an Islamic feminist approach, see how Muslim women challenge the "dominant rubrics" of Islam, which is patriarchal, but also the "dominant rubrics of feminism" which depict them as oppressed and submissive (Shaikh, 2007; wadud, 2021, p. 1).

The above experiences of economic abuse and IPV are particularly concerning when focusing on the legal pluralist state of South Africa. Due to the non-recognition of their marriages, Muslim women are unable to access their rights to equality as women in South Africa and as a spouse in South Africa, thus their civil law benefits. This includes the inability to request a divorce via the civil law process as their marriages are not regulated and therefore there exists no legislation to refer to dissolve a Muslim marriage. Muslim women are forced to turn to informal, unregulated Muslim councils that only further discriminate against them, which we have seen in this chapter (Hoel, 2012; Issaka, 2012), by denying them access to the rights that they are entitled to as Muslim women. Muslim women in South Africa are therefore caught in a vulnerable position in which they are left unprotected by both systems of law. An Islamic feminist approach would therefore call for the re-interpretation of religious text and classical

Fiqh to address IPV and experiences of economic abuse, experienced in Muslim communities. Within a legal pluralist society such as South Africa, such re-interpretation will allow for Muslim marriages to be recognised in line with the Constitution's provisions for gender equality and religious freedom.

Methodology

Qualitative Research Design

A qualitative research design approach with Islamic feminist aims, informs this research. This approach has been described as "taking the perspectives and accounts of research participants as a starting point" (Ormston, Spencer, Barnard and Snape 2003, p. 3), providing tools that aid the researcher in producing "data that are detailed, rich and complex", including "detailed descriptions of the phenomena being researched, grounded in the perspectives and accounts of participants" (Ormston et al, 2013, p. 4).This, along with an Islamic feminism allows the researcher to interact and engage with women, particularly Muslim women in this research, prioritizing *their* lived realities as Muslim women, listening to their views and understandings. This is in line with Islamic feminist aims which seeks to prioritize the voices and experiences of Muslim women. With an Islamic feminist approach to research design, this research challenges "the dominant rubrics of" (wadud, 2012) western feminism which "speak *about* and *of* Muslim women" (Hoel, 2010) whilst challenging the silencing and exclusion of Muslim women in Islam (Shaikh, 2007). A qualitative research approach, informed by Islamic feminist aims is therefore an appropriate research design for this study.

Unstructured Interviews

Unstructured individual interviews were my primary method of data collection. The interview method has been described as a "guided conversation" (DiCicco-Bloom and Crabtree, 2006, p. 315) or "a conversation with a purpose" (Legard, Keegan and Ward, 2003, p. 138). During this conversation, however, you would have the interviewer and participant, in which data is co-generated between the two parties (Legard et al, 2003, p. 140). Unstructured interviewing allows the researcher access to experiences, ideas, feelings, and memories as told by the participant. Originally, I had planned to conduct semi-structured interviews and designed an interview guide. However, when conducting the very first interview it became clear that it would be best, considering the aims of this research, to allow the interviewee the time and freedom to share her experiences and explore her understandings and feelings, according to her timeline and train of thought. Thus, opting for unstructured interviews. Here I realised that a structured interview would not allow for the participant to share her lived experiences as she would like as I would be leading the interview with guiding questions. As the interviewee shared her experiences, many of the questions I had included in the interview guide were organically referred to. I would ask clarifying questions and use silent probes such as nodding

to allow further depth and detail where needed and to encourage the participant to continue. I believe that opting to allow the participant to take the lead, allowed her the freedom to share what she believed to be relevant and appropriate to her experience of marriage and leaving a marriage.

The individual interviews were conducted via online platforms. One interview took place on Zoom, another on Microsoft Teams and the remaining two via WhatsApp video calls. When first contacting participants who expressed interest in participating, they were provided with the option to conduct the interview online or in person. Participants who were not located in Cape Town chose to conduct interviews online. The online platforms chosen by participants were Zoom and Microsoft Teams. The two participants in Cape Town also selected online interviews, they opted for WhatsApp video calls. As discussed shortly below under *research challenges*, this research took place during the COVID-19 pandemic, thus resulting in many people limiting their movements to prevent the spread of the virus. Further, the women were single mothers and found it easier to conduct an interview via video call than meeting in person.

Participants received a cash compensation of R250 to thank them for sharing their experiences and to thank them for their time. Participants were not informed of the amount prior to the interview. The amount was not advertised and therefore did not aid in the recruitment process, as it did not function to encourage participation such as an incentive would (Head, 2009, p. 336). There are thus no concerns that the amount might have influenced participants to provide false information to be eligible to participate (Head, 2009, p. 342). This research found it important to compensate the women for their time, any inconvenience and possible expenses incurred, thus the TIE compensation model (Colvin, 2015, p. 72), this model guided the payment structure. Here, R150 was considered appropriate to cover potential data costs, where one gig of data tends to be around R65-R85 depending on the network provider, and less when valid for less than 30 days. Even though this cost was not necessarily incurred by participants due to existing Wi-Fi access, the amount could be used to contribute to the Wi-Fi bill or related costs. As per SAHPRA, the South African Health Products Regulatory Authority, R50 is suggested per hour for time and inconvenience costs, as the interviews ranged between 1 to 2 hours an additional R100 was added to the R150 (Colvin, 2015); (SAHPRA, 2022, pp. 4-5). Whilst this research was not a clinical trial, SAHPRA guidelines informed the payment structure.

All interviews exceeded an hour, and two interviews were just under two hours. Each participant had one interview. All interviews were recorded, and written interview notes were kept. Once the interviews were complete, I transcribed the interviews verbatim, which allowed for direct quoting.

Purposive Sampling

As highlighted by Sharlene Nagy Hesse-Biber (2014, p. 192) "qualitative research is concerned with in-depth understanding" and thus tends to rely on small sample sizes as here the goal is not to generalize, but instead to focus on "process or the meanings" that "individuals attribute to their given social situation" (Hesse-Biber, 2014, p. 192). I had a small sample size of 4 women. This sample, although small, produced in-depth, well-informed data, reflected in the findings. As reiterated throughout this dissertation, this research is specifically focused on the experiences of Muslim women who have experienced leaving a marriage. The research aims therefore determine the sample selected. Purposive sampling was selected for this study and refers to choosing a sample "because they have particular features or characteristics which will enable detailed exploration and understanding of the central themes and puzzles which the researcher wishes to study", here referring to "socio-demographic characteristics or…specific experiences, behaviours, roles, etc." Purposive sampling is also known as judgement sampling and criterion-based (Ritchie, Lewis and Elam 2003, p. 78). This research had a very specific sampling criterion. The participants were required to self-identify as Muslim and be over the age of eighteen years. They had to have been married and have since left the marriage(s). A further requirement was for the participants to be mothers. I included being a mother as a requirement as I believed that this would allow for a look into the important realities related to parenting, during the marriage and once leaving the marriage. Participant recruitment proved to be challenging, this is discussed shortly under "*Research Challenges".*

Thematic Analysis

Thematic analysis, "a method for identifying, analysing, organising, describing and reporting themes found within a data set" (Nowell, Norris, White and Moules, 2017, p. 2) was used to analyse all interviews. This method of analysis, as highlighted by Braun and Clarke, identifies commonalities in the way a topic is talked about (Braun and Clarke, 2006). This method was chosen as the preferred method of analysis due to the sensitive nature of the experiences shared and to protect the identities of the participants and their children. The women shared many specific details and experiences, which, when combined with other minor details and specific

events, as shared by the participants, may make it possible for the identities of the women to be revealed to those who *already* know them. I, therefore, instead of analysing and reporting the findings using a narrative analysis approach, opted to use thematic analysis. The findings chapters therefore refer to the women's experiences within sections dedicated to specific themes. This decision was made to be extremely careful and cautious as to prevent revealing too many details about the participants.

The thematic analysis started with transcribing. I transcribed all interview recordings manually. Whilst transcribing I created summary tables for each participant. As I transcribed the interviews I would go between transcripts and highlight similarities, differences, and other important details. In this way, I became familiar with the data, which allowed me to identify recurring themes and patterns relevant to the research focus (Nowell, Norris, White and Moules, 2017, pp. 4-11). Once I was confident that I was familiar with the data, I identified themes relevant to my research focus. Across the data set it was clear that all the women reported experiences of IPV. I then grouped these experiences accordingly within themes of "controlling behaviours: isolation" and "single married mothers and economic abuse". Experiences of resistance strategies were grouped within the themes "walking on eggshells", "challenging the abuser"; "religious institutions and religious leaders" and "family and friends". Once I was satisfied that these themes captured the realities the women reported, and within the limitations of the word count, I started writing my research report (Nowell et al, 2017, p. 4).

This process of analysing, as noted above, even though presented in phases flowing from one to the other, was not linear as it is "an iterative and reflective process" that requires moving forward and going back again between stages (Nowell et al, 2014, p. 4). Every phase reported above was iterative and had to be revisited multiple times before reaching the final stage of reporting on the findings.

Research Ethics

The research project and participation were discussed beforehand, thus before scheduling an interview with each participant. This was reiterated before every interview, ensuring consent and voluntary participation were confirmed (Hesse-Biber, 2014). As interviews were conducted online, I sent out the information sheet and consent form before the start of every interview to allow participants to read over the documents before the call was placed. Before starting the interviews, I would then ask participants if they had the time to read over the

information sheet and consent form and then go over it again with the participant to ensure that all questions about the research and interview are asked and answered prior to the interview. The consent form briefly outlined what the research was about and that it would be published in a master's thesis. It further asked participants for permission to audio record the interview. The consent form assured participants that all identities mentioned during the interview would remain confidential. I informed them that I would be transcribing the interview myself and would be the only person with access to the recordings. After participants gave their permission, I would then start the recording and ask them to provide their consent once again to allow it to be recorded.

Originally, I had planned to get both written and verbal consent from participants. However, once in the research field, I opted to only require verbal consent. I thought it would be unfair to require all participants to provide written consent as the interviews were conducted online, requiring additional resources, such as personal computers to receive and print or electronically sign a PDF document online, this can prove to be an extra effort for those who would need to rely on a third party for assistance. I therefore decided that only verbal consent would be required. All participants provided informed verbal consent, and this was audio recorded at the beginning of every interview. However, as all participants were sent the consent form beforehand, two participants signed and returned it via email.

Researcher Reflexivity

This research has been drawn from my own background as a Muslim woman. The Muslim communities in South Africa are a minority group and thus their realities are not necessarily 'common' knowledge. It is the experiences that I have heard from Muslim women who are family and friends, sharing the difficulties surrounding leaving a Muslim marriage, that has informed my research interest. These stories are shared in private spaces with those who share a religious background. Therefore, my position as an 'insider' has informed this research (Bukamal, 2022, p. 332). But further, I believe that this position has proved significant when interacting with the women during data collection. It was the shared understandings of marriage, gender norms, practices, traditions, and divorce that, as an insider of a minority community, I had access to and therefore allowed for easier communication and engagement with participants.

However, being an insider may negatively influence the interview in other ways. Hoel (2013) found that as an outsider, her Muslim participants opted to share their "intimate experiences"

with her, instead of with Hoels supervisor who was a Muslim woman. The participants suggested that Hoel would be "less likely" to judge them based on their experiences and thus opted to share their experiences with her instead (Hoel, 2013, p. 32). In addition to fear of judgement, participants, when sharing their experiences with an insider may not be as informative or direct as it is taken for granted that an insider is aware of the intricacies and details, thus omitting certain information. Here self-reflexivity before and during the interview process prompted me to ask where necessary what was meant by experiences quickly glossed over, such as when a participant expressed that her ex-husband gave her a *Talaq* three times and therefore they could not reconcile. I asked her to elaborate which resulted in her sharing that after three *talaqs* a husband and wife cannot reconcile, in which she revealed they visited the MJC who ruled that due to the circumstances around the *talaqs* not all of them were valid and thus they could reconcile. Here, even though aware of the above, I practised reflexivity and prompted the participant to reveal more details about the practice and her experience.

Research Challenges

This research project, born during the heart of the COVID-19 pandemic, faced many obstacles surrounding participant recruitment and fieldwork. I started my dissertation year in 2021, a time in which much of the world were experiencing a hard lockdown in response to rising COVID-19 infections. During this time, we faced strict restrictions on our mobility. This made it incredibly difficult to recruit participants and impossible to conduct in-person interviews. Besides the government-enforced limitations set on our movement, were ethical considerations around conducting fieldwork during a pandemic. As a result, I faced many delays and difficulties in recruiting participants.

Prior to the pandemic, I had planned to go out into communities, from one household to the next recruiting participants which, during lockdown was not possible. The easing of lockdown restrictions did not make recruitment much easier. COVID-19 was still a big cause of concern, and I did not want to risk the possibility of catching the virus and passing it on to others while recruiting and conducting interviews. It became clear that in response to my concerns and to prevent further delay, my only option was to recruit participants via alternative ways other than in-person recruiting.

I set out to recruit participants by contacting my network, contacting appropriate organizations via email and telephone, and relying on social media. To make the above as easy as possible, I created a research recruitment sheet which I shared with family, friends and colleagues, asking

them to pass it on to others. I also contacted organizations such as the Women's Legal Centre and Muslim Assembly via email, asking if they could please share my research with women who may be interested in participating. The above methods were largely unsuccessful. This research topic is however sensitive and therefore I understood that online recruitment might prove to be more challenging, compared to in-person recruitment. This setback in the recruitment caused great delay and left me concerned for the future of my dissertation.

It was only with the help of a private Facebook group that I managed to gain access to participants. My supervisor initiated contact between myself and the owner of a private Facebook group regarding childcare and maintenance. The Facebook group had a large following of diverse women. The owner of the group then shared my research on the Facebook page, which resulted in a total of eight women showing interest, of which four were interviewed. Thus, only half of the women who showed interest were interviewed. The difference in numbers was caused by difficulty in scheduling. Scheduling interviews with the ladies who initially showed interest proved rather difficult and most interviews were only scheduled after checking in with participants for a second or third time after first making contact. Difficulties around scheduling were influenced by trying to successfully arrange an interview date and time that fit well with both my full-time shift work schedule and the participant schedule. Further challenges were with women I had arranged interviews with but however, were unavailable when the time came as they were on call with their jobs or had other important commitments arise. In instances where an interview was not successfully scheduled, potential participants replied informing me that they would be in contact when they had the time to meet, I would then follow up after that to which again, the ladies would advise they would be in contact once ready. In some instances, my messages did not receive a reply.

Privacy and Anonymity

All interview recordings, notes and transcripts have been safely stored. I am the only person that has access to these files. All participant's names have been kept private and have been replaced with pseudonyms. Care has been taken to not reveal *too* many personal details about the participants and their families. The women referred to very specific events and instances in their lives when sharing their experiences of leaving their marriages, which, when combined with other personal information can reveal the identity of the women to those who know them, as mentioned previously. These are experiences I report on by referring to the participant's excerpts. I, therefore, take extreme care in not revealing certain details of the participants to prevent the possible identification of the participants. I opted to omit certain experiences they

referred to as an extra precaution in protecting the identity of the participants and their families. Thus, in the participant profiles to follow, I have not included the ages of the women, the year of marriage and divorce, and their careers, in line with protecting the identities of the women interviewed.

Participant Profiles

All four women were over the age of 18 and self-identified as Muslim. Two participants, Nuraan and Aneesa identified themselves as Cape Malay, both born in Cape Town. Aneesa indicated that she is Cape Malay, whilst her ex-husband is Indian. The marriage between Aneesa and her ex-husband took place 6 months into their relationship and they had two children during their marriage. Nuraan reported that her first marriage was soon after high school ended and lasted 9 years. She has two children with her first ex-husband. Her second marriage was to a Sheikh. They did not have a romantic relationship prior to marriage. The marriage lasted for 1.5 years, and she had one child with him. Zainab, based in Johannesburg, identified herself as Indian. She married her ex-husband 9-10 months into their relationship. Their marriage lasted for 8.5 years. The last participant, Laila, did not refer to either classification, Cape Malay or Indian, as did the other women. Laila was based in KwaZulu Natal. She married her ex-husband 6 months into their relationship and had two children during the marriage. All the women interviewed were South African. None of the participants were married at the time of interviewing. All participants, at the time of interviewing, were employed in professional careers. Three of four participants lived alone, as the only adult in the home with their children. One participant Laila, lived with her family who assisted with the childcare as she had a very demanding job and studied part-time. The lived experiences of the above four women are reported below, in chapters four and five.

Chapter Four: Experiences of Intimate Partner Violence

This chapter focuses on experiences of abuse and control, as told by the participants. This chapter captures the women's reasons for seeking divorce from their ex-husbands. The women shared many stories highlighting the violent and controlling behaviours of their husbands. All but one of the women experienced physical abuse, Laila was not physically abused by her husband. The controlling behaviours were largely cited as reasons for seeking a divorce. These include experiences of social isolation, economic abuse, physical abuse, and emotional and psychological abuse, in which the husbands insidiously removed support and created dependency in the lives of the participants. In addition to marital abuse, parenting, particularly poor fathering, was consistently mentioned by all participants as a contributing factor as to why they left the marriage, here, largely referring to men's absence in their roles as both father and husband. An argument is made that this absence and lack of financial support results in a phenomenon in which married mothers are rendered *single married mothers*. This chapter, therefore, sheds light on the reasons why Muslim women seek a divorce, illustrating the manifestation of patriarchy in the lives of the women interviewed. This is done by focusing on sections themes concerning "*Isolation*" and "*Single Married Mothers and Economic Abuse*" in which varied forms of abuse are discussed.

Controlling Behaviours: Isolation

This section looks at some of the stories the women shared illustrating the ways in which they experienced various forms of isolation throughout the marriage. These ranged from social isolation such as being removed from family and friends by moving to different communities, provinces and/or countries, to being actively overtly prohibited by their husbands with restrictions on mobility, restrictions on social media and mobile use, to isolation due to the unpleasant nature of the marriage. The stories shared by the participants, ultimately illustrate how husbands slowly removed the existing support systems the women had and created a reality in which the women became dependent on their husbands for social and emotional support, which were often withheld from the husbands, the experiences are shared below.

"We moved, we were happy and then eventually we moved down to Johannesburg, where he got a job as a manager, but things just became worse. Things became worse. He liked fishing, uhm but he would leave me for the whole day. He would work Monday to Saturday and then on a Sunday he would go fishing and I was like so you going fishing the whole day and then you have work so when do we have time to spend together as a family, when can we go out, I

get that my family is not here but then at least be here for me, be here for our family. Uhm, and then ya that was our first divorce that we had actually..."

Within the above excerpt, Aneesa highlights some of the many forms of isolation she experienced throughout her marriage. Aneesa, originally from Cape Town shared that she lived in her mother-in-law's home during the first years of their marriage. In the above excerpt, Aneesa reports moving away from her mother-in-law's home to Johannesburg where her husband secured a new job. On its own, moving to a new location would not necessarily be considered a form of isolation, however, in Aneesa's experience, her husband, after moving their family to an unfamiliar city in a different province, became emotionally unavailable, absent and physically abusive. Aneesa highlights that she had no family or friends around for support as she had moved provinces multiple times and was restricted to the home. She was therefore completely reliant on her husband for social interaction and emotional support. However, when reaching out to her husband to communicate her feelings of loneliness and requesting to spend time together, her husband responded by divorcing her via text message. When recounting the first *Talaaq* Aneesa explains:

"He gave me a divorce over SMS he told me he is divorcing me now. And I was like okay, and I had one child at the time and then I packed my bags and took a flight down to Cape Town. And not too long after that I came back and then we continued, we moved from one area to Joburg we moved to Pretoria. And people could see how unhappy I was… you know in Pretoria he gave me another divorce because also about fishing and going out and whether it was really him going fishing, I wouldn't really know because I am confined to the household. I can't have Facebook, I can't have friends, oh my word that is how terrible it was and it was so bad and I was like okay so you had Facebook but I can't have Facebook, you can have friends but I can't have friends, and then eventually I started making friends in Pretoria, I did my teaching practical and I made friends who were also doing their practical, nice girls, they came to the house and they hung out. And then before –- was born they gave me a baby shower for my birthday and he was so pissed off because somebody is doing something nice, he was so pissed off, he was so angry"

Aneesa experienced isolation by her husband as not only did he withhold his presence from their family, working Monday to Saturday and spending Sundays fishing, he further ensured she remained isolated by prohibiting her from joining social media platforms such as Facebook

and therefore keeping in touch with her existing social networks. Her mobility was further restricted as she was confined to their home. These attempts, largely successful at first started unravelling when Aneesa, who was studying online had to leave the home to complete the practical component of her degree. As a result, Aneesa formed relationships with her colleagues who surprised her with a baby shower. As she noted above, this angered her husband as it was now clear that she had formed meaningful relationships with her colleagues which was interfering with his attempt at socially isolating her. They soon after moved once again. In the new town, Aneesa, who was prohibited from driving, asked her neighbour for a lift to her workplace as her husband was unavailable to transport her, this then resulted in another move as her husband was angry that Aneesa had interacted with the local neighbour.

Aneesa, therefore, experienced many forms of isolation in which her husband slowly removed the existing social support she had access to and prevented her from forging new connections. This was achieved by moving from one location to the next, prohibiting her mobile and social media use, further by prohibiting her from driving and leaving the home, all of this further prevented her from meeting new people and maintaining those connections, and when she did, they would simply relocate. In this way, Aneesa was made to be dependent on her husband for support and social interactions, which he did not provide by ensuring that he was absent from their home. This form of abuse was accompanied by physical abuse and economic abuse, captured in the section to follow. Here, it is important to note that although Aneesa was severely isolated and restricted, she completed her degree which her husband "*allowed"* as he took complete control of her earnings. This is something Anitha (2019) reported in which women were encouraged to study further on condition that their earrings would be controlled by their husbands or other male family members. The above will be furthered under the section to follow on economic abuse.

Zainab, although not prohibited from social interactions by her husband in the ways Aneesa experienced, expressed feelings and experiences of isolation throughout her marriage. The feelings that Zainab shared however were related to the misery and sadness that she felt caused by her husband's infidelity, absence, stealing, substance abuse, physical abuse, and emotional abuse. Due to the marital abuse that Zainab experienced at the hands of her husband, she reported feelings of loneliness and isolation:

"…I became a recluse, miserable, even more than I was before that. Before I was still outgoing, I would see my friends and family and that, after that it just dissipated my family didn't see me, my mother and friends didn't see me."

Zainab, therefore, although not actively isolated by her husband, experienced isolation in her marriage due to the circumstances of her marriage, due to her husband's actions. During her husband's affairs with his co-workers and the many forms of abuse Zainab endured, she became, as she described, a recluse. Even though living in the same province and in close proximity to her family and friends, she avoided them. Zainab remained in the house with her two young sons, often alone as her husband would disappear and not return home at the end of the day. Thus, although Zainabs husband did not force her to remain in the house, limit her communication with others, or restrict her mobility, she experienced isolation throughout her marriage due to his actions and his absence.

Laila reports a similar experience, in which her husband did not actively restrict her mobility or prohibit her from securing employment, he however did not offer her the needed support in terms of childcare which would allow her to search for jobs and attend interviews. Here, Laila highlights the ways in which she experienced isolation in her marriage. Laila, after getting engaged, resigned from her job so that she could move to the Middle East with her husband as he was offered a new job. Laila reported that she loved her job but was happy to make the big move as it was exciting. In the Middle East, Laila remained unemployed, however once returning to South Africa, Laila expressed the desire to return to the job market, she recounts:

"I felt unsupported. There was a time I wanted to start working, my mom lived in -, and we were in Pretoria at this time. He would not help me with the kids, and I had two toddlers at this stage, so even to apply for jobs and go to interviews and that type of thing, I couldn't do that. And I didn't have anyone else there. So my mom came up to help me and then at that point I thought it cannot be like this"

Laila, although financially supported by her husband who provided her with a credit card linked to his bank account, did not receive any '*help'* with their children. Laila shared that because she was not working, she was expected to spend all her time with their children. She was therefore the primary caregiver of their two young children which prevented her from securing any forms of employment, even after sharing that she would like to start working once back in South Africa. These feelings of isolation Laila sums up as feeling *"unsupported"* as a parent

which is discussed further below. Laila, therefore, felt isolated in that she was not able to return to the job market as her husband did not allow or provide the support needed. In addition to isolation, Postmus et al (2016) describe the above as employment sabotage, in which her husband interfered with her efforts to secure a job by not providing the required support. Laila left the marriage before securing employment, she relied on the financial support of her family to successfully exit the marriage.

The above experiences reported by participants illustrate the varied forms of isolation women experienced in their relationships. Moving to a new town, province, or country, thus to an unfamiliar location has the potential to result in the experience of social isolation in which women do not have physical access to their family and friends and, therefore poor access to their support structures. This is especially powerful when coupled with other forms of isolation such as prohibiting access to any forms of social media and a mobile device to contact others. The above creates a situation in which the wife is only left with her husband and children as a source of social interaction and emotional support. The husband, therefore, by restricting his wife's access and movements, whilst withholding his presence and communication from his family creates an extremely lonely and painful reality in which his wife is left completely isolated from her husband, family, and friends. Such isolation contributes to increased difficulty in reporting the abuse to others and exiting the relationship. We, therefore, see how support is removed and dependency is created in the above ways. For the husband who is also physically and economically abusive toward his wife, the above situation allows him greater control.

The significance of moving away from social support structures and restricting access that would allow continued communication becomes clear in chapter five when the women illustrate the key role that their family and friends performed in assisting them with leaving their abusive marriages. Closely related to the above experiences of isolation was the reality of parenting as a single mother, even though all the participants were married to the father of their children and resided in one home. These experiences are shared below.

Single Married Mothers and Economic Abuse

As highlighted in the earlier sections, participants reported feeling *"unsupported"* by their husbands, they recounted experiences of being the primary caregiver of the children whilst their husbands were absent. In addition to physical childcare, three out of the four women advised that they were also the primary financial providers for their household, for the majority, if not the entirety of the marriage. The mothers, therefore, although married to the fathers of their children and sharing a home, were the primary caregivers and often the primary financial providers for their children, including feeding and housing their husbands, whilst he was employed. These experiences have been described, in this section below, as economic abuse, a form of abuse experienced in intimate partner relationships.

Economic abuse has been understood as 'tactics' used by abusers attempting to "maintain power and control over their partners" (Adams et al., 2008, p. 563). It refers to ways in which an abuser seeks to "control, exploit or sabotage" their partner's funds or employment, thus interfering with the "partner's ability to acquire and use funds, and maintain funds or other economic resources" (Postmus et al., 2018, p. 2). To achieve this, abusers use a range of techniques to create a situation in which their partner is forced to be financially dependent on them and diminishing the partner's ability to become self-sufficient. As a result, women experiencing such abuse are unlikely to leave the relationship (Postmus et al, 2018., p. 2). The experiences of economic abuse, especially women as the primary financial providers as their husbands withheld their (husbands) income, were not lost on the participants who shared traditional Islamic understandings of men as the providers highlighted by three of the four participants, interestingly these were the three women who were the primary financial providers even though their husbands were employed. This is furthered below by referring to experiences the participants shared during their interviews.

"We were renting a place from my parents for a very long time, I had to pay for the rent, I had to pay for the school fees, the electricity, the water and for everything happening inside of the house. I had to make sure there was groceries, I had to make sure all of these things were happening. And then when he got paid, he would be like oh no, he needed to buy this, and he needed this on the car and wanted to buy this whatever so there was always just something where his money was going to and I had to be paying the bills and you know making sure life was happening, so that took its toll."

With the above excerpt, Nuraan, a mother of two at the time highlights her experience as the primary financial provider, even though married to the father of her children who was employed. Nuraan asserted that although her husband was earning an income, he would not contribute toward their household expenses as he claimed to have other financial priorities which she mentioned were often car-related and non-essentials. This would result in Nuraan paying all their household bills as she explained in the above excerpt. Nuraan further expressed that she experienced the same financial abuse in her second marriage to the Sheikh. Nuraan recalls: *"So from the very first month there was, he wasn't going to pay for rent, he wasn't seeing to anything in the house…".*

Similarly, Zainab shares her experiences of economic abuse when married. She described being the sole provider for her family whilst her husband continued to live life as if he was unmarried and without parental responsibilities, much like Nuraan reported above, Zainab shared:

"Even when he was working… 'Oh no I got, I got debt, I need money for this', always some excuse. In the meantime, all the money was going to drugs, gambling, and frivolous things, cheated, and spent money on himself, his girls whatever. Didn't spend money on his kids, he definitely didn't spend money on me, didn't even buy diapers"

Much like Nuraan, Zainab also a mother of two, had a similar experience in which her husband would claim to have his own personal expenses thus not contributing to their household expenses and not providing any financial support toward their children's care. In the above events, both fathers, by withholding their financial contribution toward taking care of their families, forced the participants to spend more of their own income on the family. This, therefore, resulted in the women having less money for themselves and other expenses and less money for savings, thus, affecting their financial security in the present and the future, which Zainab noted: *"I was living off peanuts and living in debt. There was no way I could come out of a month okay".* Zainab thus identifies that her husband's refusal to contribute to their family costs hindered her economic self-sufficiency (Stylianou et al, 2013, p. 3187), this is known as economic exploitation (Anitha, 2019, p. 1856).

Aneesa also shares experiences of economic abuse throughout her marriage. The experiences were consistent throughout, during periods of her unemployment when her husband did not want her to engage in formal employment outside of the home, thus employment sabotage and the abuse continued once she completed her degree and was formally employed and her

husband retained her income, thus economic control. Aneesa recounts of a time during her marriage when she was unemployed and pregnant:

"And eventually I gave birth to – it was a crazy moment because he wasn't even taking me for check-ups, and had he been taking me for check-ups I would've known that there was a problem… I can't say that he was selfish because I mean he provided for the house, he provided food but when it came to my personal needs, I remember there was a time when I had to beg him to buy me a panty, I was like okay so let's just go into PEP and go and see, maybe it's cheap at PEP, I needed like underwear and he was so angry about it."

Aneesa, in the above excerpt, expresses appreciation that her husband saw to their family's needs in terms of food, however, as far as Aneesa's care and personal needs were concerned, she shared that he withheld financing necessities such as healthcare and underwear during her pregnancy which led to complications during the birth of her son. Once Aneesa was formally employed, now no longer restricted to the home, and earning her own salary, she continued to experience economic abuse. Her husband would not only take control of her salary but would further deny her the right to access her salary, even when she expressed the need for healthcare, she shared:

"And okay by the month every month when I got paid I needed to give my salary off to him so there was still no time for me to buy underwear or whatever the case may be. I needed to do an extraction on my tooth, and I wanted to also do like a clean and I told him about this and then he told me "but you don't have money" and then I said but I just got paid. And like can I not go for it?"

The above excerpts provided by Aneesa are significant as they illustrate the economic abuse, she experienced both, when she was unemployed and once, she was formally employed. Aneesa's husband aimed to keep her financially dependent, even though she was earning her own salary. Therefore, in addition to the severe social isolation mentioned earlier, we see how Aneesa was caught in an incredibly difficult situation in which she was not only far removed from her family and friends, thus without social support, but was financially dependent on her abuser, not because she was unemployed, but because he took complete control of all her earnings. Her husband, therefore, not only removed support but, created great dependency in many ways and ensured that it would be incredibly difficult for her to exit the abusive relationship. As a result, once Aneesa decided that she could no longer continue living in the abusive marriage, she knew that she would need to devise a plan to exit. She recounts:

"Then I planned on leaving so I got a credit card, and he took that credit card and used all the money. He promised me that he was going to put the money back, but he didn't and when he got paid, I asked him did you put the money back on the credit card, because in my mind without telling him I knew I am taking that money and I am leaving. He didn't want to put the money back. And then he stood in front of me in the kitchen that morning, he stood in front of me with his hands like this as if he was going to finish me luckily for me there were people behind me building and so he looked at this people in this moment of wanting to finish me, he looked at these people and that is what made him stop"

Economic abuse is a powerful tool used by abusers to exercise power and maintain control, as we see in Aneesas case. To exit the marriage, Aneesa, who was financially dependent on her abuser but had an income, managed to apply for a credit card to secure the financial resources needed to successfully exit the marriage. Her husband then however discovered the credit card and misused the available funds on the credit card and refused to reimburse the credit. He therefore not only stole her funds and created the debt in her name, as the credit card was in her name only, but potentially ruined her credit score as he refused to pay the debt. He did this whilst withholding her income and thus not allowing her to pay the debt that he created either. In this way, he depleted Aneesa's financial resources and aimed to keep her financially dependent by taking away any means of financial autonomy she might have. This, as already mentioned, created extreme difficulties in leaving the relationship, but further, created difficulties in her becoming self-reliant. This of course could not only lead to poverty during and after the marriage, but further has been linked to anxiety and depression (Eriksson and Ulmestig, 2021).

A different experience to those noted above was Laila's experience of economic abuse whilst unemployed, yet completely financially supported and dependent on her husband. Laila was the only participant who was unemployed for the entirety of her marriage yet had sufficient funds to take care of herself and her children. Before marriage, Laila was formally employed in a career position, a job which she loved, however, quit as her husband was offered a job in the Middle East. In the Middle East, Laila remained unemployed. It was when they moved back to South Africa that Laila expressed interest in returning to the job market, she shares:

"I felt unsupported. There was a time I wanted to start working, my mom lived in -, and we were in - at this time. He would not help me with the kids, and I had two toddlers at this stage,

so even to apply for jobs and go to interviews and that type of thing, I couldn't do that. And I didn't have anyone else there. So, my mom came up to help me and then at that point, I thought it cannot be like this".

In the above excerpt, Laila highlights her partner's lack of support when she attempted to secure employment, determined to return to the job market her husband's lack of support did not deter her, Laila instead called on her mom to assist during her job search in which her mom travelled from one province to another to support her during this time. The above illustrates what Postmus et al (2016) identified as employment sabotage, in which Laila's husband did not provide support or assist with efforts to secure a job, thus preventing Laila from earning an income and becoming self-sufficient. Laila was however not struggling financially as she had access to a credit card provided by her husband. Here it is important to highlight that Laila was completely financially dependent on her husband and wanted her own income. She expressed the significance of a job and financial dependence when recounting her exit:

"… I wasn't working, I had two children so if it weren't for my family, I don't think I would have been able to leave because financially I would not have been able to manage"

Similar to Laila's experience of employment sabotage when attempting to secure employment and an income, was Nuraan's experience of employment sabotage whilst employed. Nuraan's job in finance required her to meet new people and take on new clients. Nuraan expressed that her husband's behaviour and accusations related to her new clients, interfered with her work, she shared:

"…and then it was also like started accusing me of having affairs and because I was meeting people, and you have to network and grow and things, so whenever there was someone new, I needed to liaise with or deal with then it is always like oh are you busy with this guy, oh are you busy with that guy… checking my clothing, smelling my clothes you know, following me around, those kinds of things were happening, and it got really hectic…"

Nuraan clearly makes the connection between her employment and her husband's abuse when she shared the following:

"I didn't mind doing all of those things because I was doing it for my family, but not with what it came with, there was no, oh yes, you doing well and like I understand why you doing it. Had that happened then things would have probably been a lot different, but dealing, having to take

that role and then having to deal with someone trying to constantly pull you down, that was really taxing so that led me to my wanting out of the marriage."

In the above Nuraan is referring to working hard for her family. Nuraan highlights that she would not "*mind*" being the primary financial provider if her husband was encouraging, but instead, the psychological and emotional abuse in which her husband would degrade her, coupled with being the primary caregiver took its toll on Nuraan and led her to seek divorce. Aneesa, much liked Nuraan, shared a similar experience in which her husband's abusive behaviour interfered with her employment:

"...we got into an argument in the car and he punched me, but he punched me in my face, obviously he was driving and I was in the passenger, he gave me a solid punch that a man would give a man and I was minutes from getting out of the car to get out for work. I just had to keep myself composed and go inside and work".

Here Aneesa highlights the ways in which physical abuse could interfere with one's employment, thus employment sabotage. Women experiencing IPV in South Africa have reported how bruises and injuries, especially to the face interfered with employment due to its location and would often result in the women staying absent from women (Makofane and du Preez, 2000, p. 60), something that Aneesa did not report. Aneesa did however highlight the significance of the location and that it was right before work, thus acknowledging the significance of how it could affect her employment, as highlighted in the excerpt above.

The above excerpts reveal the economic abuse the women faced whilst married. These excerpts illustrated the varied ways in which their husbands perpetrated economic abuse, via control of funds, exploitation of funds, interfering with employment opportunities, or exiting employment. The women therefore revealed various tactics their spouses used to perpetrate economic abuse, in some instances forcing their wives to rely on them financially, thus financial dependency. In other instances, economic abuse resulted in the wife having limited financial resources thus forcing her to remain in a precarious financial position as the abuser refused to contribute toward the family and household expenses. Further identified was employment sabotage where husbands attempted to interfere with their wife's employment. All the participants, excluding Laila, were employed. We, therefore, see experiences of economic abuse as experienced by formally, full-time, employed women. Economic abuse, as experienced in the above instances, could result in what Postmus et al (2018, p. 19) referred to as material deprivation, preventing women from reaching a point of 'economic security and

independence', which was a reality for the participants. The women, in response to their reality of varied forms of abuse, responded with various acts of resistance, we see this in the below chapter.

Chapter Five: Resisting IPV

This chapter highlights how participants slowly made the IPV that they were experiencing in their private homes, visible. The chapter highlights the many ways in which the participants resisted the power and control that their husbands exercised throughout the marriage. Here we see acts of resistance in which the women 'managed' themselves and thus managed the abuse, in this way preventing abusive episodes. The women further revealed their strategies of resistance in which they challenged their husbands and responded to IPV by seeking assistance from external parties. By focusing on the strategies, the women referred to, in which they aimed to prevent further abuse while remaining in the marriage, thus personal strategies or an aim at ending the abuse by leaving the marriage by seeking assistance from external parties, we see the many ways in which Muslim women resisted various forms of abuse.

"Walking on Egg Shells"

"…But I felt like if I crossed the line if I didn't do what he wanted to do or agree with what he said then it wouldn't be peaceful. Then it got to a stage where I felt like I was constantly walking on eggshells. Because I didn't know what he would blow up about or when. And then [we] moved back to SA just before my second daughter was born and at that time, he was incredibly aggressive and didn't help with the kids at all because I didn't work and because I didn't work so I had to be with them all the time. But still, that was not enough. And I just didn't want to live in a home that wasn't peaceful and so I left."

Laila, refers to what life was like when married to her ex-husband for four years. She described him as possessive, controlling, unwilling to compromise and critical which resulted in Laila feeling unhappy, she expressed *"I felt stifled… like I could not be me. I felt unsupported".* She described the marriage as "*very up and down"* with constant conflict. Laila highlighted that if she disagreed with her husband or voiced a counter opinion, he would get upset thus causing tension in their home in which their two young toddlers resided. In response to her husbands' temperamental ways, Laila reported constantly "*walking on eggshells"* in which she would be extremely cautious when interacting with him as to not anger him, to attempt to maintain peace and diffuse tension in the home. She thus attempted to manage his outbursts by restricting herself and behaving in a certain way. After many promises that he would change and after many *Talaqs* pronounced in anger, Laila left her marriage with the help of her family, this is discussed further in this chapter under the section '*Seeking Help: Family and Friends*'.

Like Laila's experience of "*walking on eggshells*", Nuraan refers to a time during her second marriage when she approached a Sheikh in hopes of securing a *Fasakh*. She explained that she had been visiting the Sheikh throughout her marriage, informing him of her husband's abuse, Nuraan's husband was also a well-known Sheikh. In this incident when Nuraan visited the Sheikh she requested a divorce, it was during the holy month of *Ramadan* when her husband had refused to speak to her for a period of three weeks. She described that there was *"zero communication, no words, not salaam, not goodbye, not good morning…"*. Nuraan was pregnant at the time of the visit. The Sheikh convinced her to remain in the marriage citing that her husband has been trying for the last few months so she should give him another chance, he also referred to her pregnancy and suggested she allows time as *"it's just hormones"*. Nuraan recalls returning to the marriage after visiting the Sheikh and she shares:

"And then I think things did get a little bit better, I started managing myself better with him also, in hindsight you realise it is a sort of conditioning they create like you don't ask questions, you don't get upset, you know your place, walk on eggshells, don't do anything to upset him that kind of thing. So, after two years it was already like up in the brain, like you don't cry if you upset, don't push if he doesn't want to talk, if he comes home after not talking to you for a week, you just make as if nothing happened. That kind of life you had to live because I remember one week he disappeared for a whole week after he hit me one day and he disappeared for a week, and the Friday he just showed up and he said "hi my darling can we talk? And I had to be like okay"

Within the above extract, Nuraan powerfully describes the ways in which she would '*manage'* herself in an attempt to manage the abuse. Here, Nuraan explains that after two years of marriage, in which she experienced abuse and infidelity throughout, she had conditioned herself to strategically act and hide her true emotions, as to minimise the abuse. She would therefore behave in ways that would be the least likely to result in abuse.

The above narratives highlight a strategy of resistance employed by women who are on the receiving end of abuse, a strategy in which they attempt to 'keep the peace'. The above, walking on eggshells or managing yourself to minimise abuse, has been referred to "Covert Resistance" which refers to strategies such as temporarily avoiding the abuser or, as the partner would know their abuser well, acting in a way that would limit, prevent, or eliminate the likelihood of an abusive attack. Rajah and Osborn (2022, p. 1382) explain that, due to the risk that comes with abusive relationships, women may act in 'hidden' ways, whilst improving life for themselves

and their children. The strategies of resistance are referred to as hidden as they are personal strategies that, unless announced, only the abused partner is aware of. In Nuraan's case, we see the 'reward' of covert resistance as she indicates that "*things got a little bit better*". Further resistance strategies referred to were challenging the abuser by verbally resisting the abuse, which we see below.

Challenging the Abuser

This section looks at the ways in which the women overtly challenged their abusers by fighting back verbally, thus although a personal strategy of resistance like those noted above, challenging the abuser is not hidden as both the abusive husband and his wife are aware of the response. Zainab challenged her abuser verbally on more than one occasion. One of the ways in which Zainab resisted her husband's abuse was by exposing his transgressions and questioning his behaviour. Zainab recalled:

"He was in and out of jobs. He had affairs, he cheated on me with the people he worked with… I am a Scorpio so I am very direct, I was listen, I know what you doing, I will call you out, my instincts are strong so I called him out every time I figured out something was wrong, and then what did I do, I got a hiding because I was calling him out of his bullshit. So that carried on"

Here, Zainab assertively communicated that she was unhappy with her husband's actions. She voiced her resentment at the way he was behaving. She refers to him being *"in and out of jobs"* thus expressing displeasure at his lack of responsibility, as a father and a husband, whilst she remained the primary caregiver and financial provider. Zainab also refers to the many affairs her husband had with his co-workers, here not only highlighting his infidelity that she resented but also relating it to his need to change jobs due to unprofessional improper behaviour. With Zainab's powerful excerpt on challenging her husband, we see how resisting in this way can result in further violence which she expressed "*I got a hiding because I was calling him out…".* Zainab furthers this by sharing the last abusive incident she experienced in her marriage before she left. On this day her husband returned home and was angry that she prepared a meal that he did not enjoy. She shared:

"I made fish curry and rice and he came home that day and he said, and I didn't expect him to come home because he didn't come home, he said "how must I eat this", I said but we like it so we going to eat it, I don't know if you coming home or not so it doesn't matter to me, because you eat out every day... Next minute I knew all of my fish curry was all over the floor, that was

the last day he laid his hands on me, he pushed me against the cupboard, I was concussed for a few seconds, I blacked out, my kid was lying in a foetal position on the bed. He was in shock."

Here Zainab captures the great risk attached to overtly challenging the abuser. Zainab, in response to her husband's attempt at insulting her instead highlighted his failure to return to their family home and went on to inform him that she does not care about what he eats. This act of defiance, in which Zainab challenged her husband's attempt at insulting her, was met with an extreme act of violence in which Zainab lost consciousness, which traumatised her son. This act however was the final act of violence as Zainab reached out to external parties for assistance, this is furthered in the sections to follow.

Laila and Nuraan also referred to instances where they challenged their husband's control by questioning the husband's behaviour and communicating their unhappiness in the relationship. Laila shared that after voicing her displeasure at the way he behaved, her ex-husband would make promises that things would improve, which it would for a short period of time but soon after return to turbulence. She indicated that she had moved out of the house at one point during the marriage but returned to give the marriage another try. Laila therefore verbally resisted her husband and challenged him with the above acts. Similarly, Nuraan recalls:

"...we went on Umrah together and I think I decided then that I was going to leave him when we came back from Umrah, in fact, I told him when I come back to Cape Town we going to get divorced. We did, somewhere in between that we also, he divorced me in a fit of rage that he had divorced me twice before, so he knew that there was only one divorce left. So, I told him you know what I can't do this with you anymore, when we come back to Cape Town, you know we getting divorced. And he was like he is not divorcing me; I would need to go for a Fasakh. But when we came back to Cape Town, he kind of did a 360, so he was quite good, you know the abuse stopped, he was being, just like better compared to what he was like".

Here, Nuraan explains how, by threatening to leave the marriage once they returned home, her ex-husband, at first attempted to disrespect her by taunting her, informing her that she would need a *Fasakh* as he would not be divorcing her as per her wish. Here, the comment made is taunting as Nuraan's husband, in the above incident, was a Sheikh and therefore well aware that a *Fasakh* would be difficult to achieve, especially as he was a respected religious leader in the community. Even though at first taunting Nuraan, her husband soon after changed his behaviour and was *"better compared to what he was like",* albeit for a short period of time.

The above instances, therefore, highlight the various ways in which the participants challenged the abuser by employing personal strategies such as verbally fighting back. In some instances, such as Zainab's, this resulted in severe violence as a punishment and warning. In cases where threats were made to leave the marriage, such as Laila and Nuraan, it resulted in changed behaviour for a short period of time. The threat of leaving therefore compelled the husbands to change their behaviour which the participants responded to with patience. These above strategies have been referred to as personal strategies women employ before seeking assistance from others via formal and informal channels (Rajah and Osborn, 2022, p. 1381). Experiences of resistance related to seeking help from formal and informal channels are shared below.

Formal Channels: Religious Institutions

After attempting personal strategies of resistance noted earlier, the women sought external assistance from religious organisations as well as friends and family members in an attempt to escape their abusive relationships. For Zainab and Nuraan, one of the first points of call was to reach out to the local religious institutions. The various religious institutions are highly respected in the Muslim communities across South Africa, however, these institutions, although considered to be decision-making bodies, hold no authority and do not have any enforcement powers (Amien, 2006). These institutions are further male-dominated in leadership, which is reflected in their rulings (Amien, 2006; Hoel, 2012). The interactions with the religious institutions are discussed below.

Nuraan recalls her visit to the MJC in Cape Town after nine years of marriage to her first husband. Nuraan explained that in addition to the economic abuse referred to earlier in which her husband had withheld his income from the family, her husband had been emotionally and psychologically abusing her. This included having affairs, attempting to belittle her, following her around, and accusing her of having affairs which involved smelling her clothes and tracking her movements. She indicated that it interfered with her work as her job involved networking and meeting clients. Nuraan shares:

"He was holding us back a lot and he wouldn't, there was no nafaqah (maintenance)*, no, he was very mentally, I won't say, he didn't physically abuse me, but he would emotionally, he would mentally, he would say things that make me feel like when I was trying to do something, like I am making him less than a man even though he himself didn't want to move forward in life… then having to deal with someone trying to constantly pull you down, that was really taxing so that led me to my wanting out of the marriage."*

Nuraan, therefore, approached the MJC to assist with bringing an end to her marriage. Nuraan was met with disapproval. She was told that her husband does not physically abuse her, therefore suggesting that she would be satisfied with her marriage as she was not being violently hurt. The MJC refused her request for a divorce. Nuraan reported feeling dismissed and unheard. She expressed her frustration with the institution:

"…my thing with them is that I don't think that they really qualified to make these kind of, because they have no social skills, no skill in counselling, they got no idea of what they are doing over there right. And, so they just dismiss you, they give you a box of tissues, they want you to tell them your sad story and then they like oh no you guys need counselling and then they send you to some person that is barely qualified in counselling"

Within the above, Nuraan expresses her dissatisfaction with the decision made by the religious leader who, after she explained the difficulties she was facing in her relationship and attempting to justify her call for a divorce, denied her this right and referred her to counselling instead, which as she highlighted above, was unsatisfactory as the counselling services offered are lacking. She believed that the counsellors do not have the appropriate training to provide counselling, something noted by Essop (2022, p. 73) who, when completing ethnographic research at the MJC in Cape Town, reported "lack of training". Nuraan expressed her feelings of disempowerment:

"…and also what they don't understand is that by the time you get to them it's not like you woke up this morning and decided you know today I am going to the MJC and I don't want to be married anymore. It's like you've been going through these things, you tried everything that you wanted to try, you've been to the counselling, you've been to therapist and psychologist, you've been through the whole tutti frutti you know…"

In this powerful excerpt, Nuraan highlights an important consideration, that is, that Muslim women often only approach religious institutions once they have reached the *"point of saturation"* and can no longer remain in the toxic and often life-threatening relationship (Hassouneh-Phillips 2001, p. 423). Nuraan, determined to exit her marriage then turned to another Sheikh who, again, referred her to counselling. Nuraan was only successful in her efforts after receiving a recommendation from a counsellor who referred her to another Sheikh, recommending that he facilitate the divorce. With the assistance of the Sheikh, as per the social worker's recommendation, Nuraan's husband agreed to the *Talaaq*. She, therefore, determined to exit the marriage, approached multiple external parties when the MJC failed to assist her.

In many ways similar to Nuraan's story, Zainab approached the Jamaat in Johannesburg for a *Khula*. Zainab had approached the institution many times, often with her husband as they attended their recommended counselling sessions, as referred to by the religious leaders she approached. The institution was aware of the varied forms of abuse Zainab faced in her marriage but continued to deny her the right to a divorce, she recalls the demeaning response she received from the religious leader:

"*So the Jamaat was under the impression that it was only about him not providing financially, they couldn't understand that I was being emotionally abused, physically abused, oh I must have sabr, patience, I was getting abused but I must have patience?"*

In this very powerful excerpt, we can sense Zainab's frustration and shock at being told to have patience, and therefore told to remain in the marriage, after she shared the nature of her abusive marriage with the religious leader and had many visits. Zainab highlights how the religious leaders focused on economic abuse; she further refers to this:

"… 'is it only about the money', that was their and his best line, that's it, is it only about the money? I was like it is not just about the money, it's the fact that I am so unhappy, I am completely and utterly miserable, and I would beg them and ask them… The only thing I want him to do, is stop being abusive. I don't care about his money, that's not the biggest problem, that's part of the problem, but the problem was that he was emotionally and physically abusing me. And it got to the point where I would beg and beg and be like please I just want out of this. We had a few sessions like that, it was the whole sabr thing"

Zainab's experience captures the *reconciliation-at-all-costs* approach that Hoel (2012) reported in Cape Town. The religious leaders by dismissing the lack of financial support, therefore suggested that economic abuse is insignificant and thus insufficient motivation for a divorce. Zainab, however, in response to their preoccupation with '*money'* went on to plead her case, Zainab relayed her feelings of misery and experiences of the emotional and violent abuse she experienced. She expressed that she had been patient, she was married for eight years. Her pleas expressed her desperation as she mentions begging for a divorce. Zainab's begging was however met with '*sabr',* once again. Within the above narrative, we see Zainab's resilience and tenacity, as she recounts that she did not give up on fighting for a divorce, she visited multiple times and followed through with the recommended counselling sessions, determined to exit her marriage. The response by the religious leader, when she shared these traumatic incidents and relived painful memories, was therefore not only dismissive of her reality but

further demeaning and unempathetic. She was sent back to her abusive reality. The potential dangers in the response Zainab received was not lost on her as captured in the below narrative:

"The day after the fish curry and rice incident, I went there. Because now I had a doempie in my head and marks all over my body. And I went and showed them and said would you guys be happy if I left my home in a body bag, how would that sit with you. I obviously didn't get the answer I wanted or needed because the actual guy that was doing our counselling wasn't there at the time. I needed them to know that they can't keep on saying they need to have sabr with women who are in this position, they need to help the woman and come to some sort of resolve, especially for women who have nowhere to go, and they're oblivious…"

In the above excerpt, we see how Zainab, after a recent violent attack, approached the institution once again, this time armed with evidence which was the bump on her head and the bruises on her body. Zainab challenged the religious leaders by questioning their rulings and highlighting the dangers attached to sending a woman back to her abusive marriage. Zainab further calls attention to the fact that many women may have no recourse other than approaching the religious institution for relief and protection. Zainab powerfully refers to a *body bag* as a way to illustrate this life-threatening 'ruling' to the councillor. Whilst possibly feeling empowered in this moment and with hopes that this act will result in the divorce, Zainab was denied once again. As a result, she contacted her husband's estranged father who facilitated the divorce, thus finally bringing the abusive marriage to an end. This is discussed under *Seeking help: Family and Friends*, below.

The above excerpts shared by Nuraan, and Zainab illustrated the many shortcomings of Islamic religious institutions in South Africa. Nuraan reported that her husband's failure to maintain her, or *nafaqah* as she referred to was insufficient grounds for divorce as she was told "at least" her husband was not physically hurting her. Zainab on the other hand, reported both lack of maintenance and experiences of physical abuse, yet was also denied a divorce. We therefore see that regardless of the IPV reported, Muslim women are still denied access to a divorce that they, according to Islam, are entitled to. Both participants succinctly communicated the poor relief, assistance, and protection they received from these institutions as abused Muslim women seeking an exit after enduring many years of abuse from their husbands. The participants reported feeling disempowered, marginalised, insulted and dismissed when interacting with the above institutions. They both reported being sent to counselling, whilst being encouraged to have patience, even though they communicated that they have lived through such abuse for

many years. We, therefore, see how in resistance the women approached these institutions in an attempt to leave their abusive relationships, but, however, were met with a "*reconciliation-at-all-costs approach*" which left them unprotected (Hoel, 2012). It is further important to highlight the resilience and determination of the women, even after being denied and dismissed on multiple visits to religious institutions and religious leaders, the women did not give up and continued fighting for their Islamically recognised divorce which was achieved in the end.

Seeking help: Family and Friends

Another act of resistance women engaged in was reaching out to external parties such as family and friends, to seek help. Once the women reached the "*point of saturation*" they often turned to their family members and friends for assistance (Hassouneh-Phillips 2001, p. 423). Here we see how the women made the abuse visible to others, those they had personal connections with. The assistance ranged from support in terms of being removed from the abuser or removing the abuser from the shared space, it involved providing the financial support needed to fund a move and securely housing the participants and their children during the exit. The women in this sample, therefore, relied on their social networks once they decided to leave the marriage, social networks which proved instrumental in ensuring a safe exit.

After losing consciousness and seeing her son in shock in response to her husband violently assaulting her, Zainab called her close friend to inform him of what had been going on in her marriage as she realised that she could not continue with the marriage any longer. Zainab's friend, concerned for her safety, then phoned Zainab's brother who arrived at her house the same evening. Zainab recounts her brother's arrival:

"It was something like out of a gangster movie, he walked in there and said "can you open the door?", and the next minute there was like shots, like left right and centre, my brother hit him with a golf club, it was amazing, I got a few shots in there, it was great, fantastic I loved it"

Zainab's brother thereafter removed his brother-in-law from the home. Zainab clearly highlights how the arrival of her brother in response to the violence she experienced and voiced to others for the first time, validated her feelings and reality. This left Zainab feeling empowered. Zainab then visited the religious institution soon after with the bruises as evidence on her body, her request for a divorce was however once again rejected. She then contacted her estranged father-in-law, who prior to this phone call was uninformed of his son's abusive ways, she informed him that she could no longer continue with the marriage. With the help of her father-in-law, Zainab's ex-husband agreed to the *Talaaq*. The father-in-law brought his son over

to Zainab's home, along with a document that he had Zainab and his son sign thus finalising the *Talaaq*. Within the above, we see how after many acts of resistance, including challenging her ex-husband's control and power, and many attempts at exiting the marriage by contacting religious institutions, Zainab finally achieved an Islamically recognised divorce by relying on her friends and family members who helped her escape her abusive marriage. Here Zainab had to rely on the 'authority' of a male figure whom her husband respected to influence or compel him to divorce Zainab as she wished and was trying to achieve for a long time.

Similarly, Aneesa, when recounting her escape from her abusive marriage, albeit temporarily as they remarried soon after, refers to a key moment in which she reached out to her family and friends in order to escape what she feared could result in the end of her life:

"… He stood in front of me with his hands like this as if he was going to finish me luckily for me there were people behind me… and so he looked at these people in this moment of wanting to finish me… that is what made him stop. And then I phoned my colleague and told her to come fetch me, so I took my bags and I left. I went to stay by her. I told my mother this is what's happening, my mother said you know what, you rather come home because "I am not going to fetch you in a body bag" come home because this is what it seems"

Aneesa's husband gave her a *Talaaq* on this day, one of many. Aneesa, scared for her life called upon the help of a colleague and moved out of the home she shared with her husband. Once safe she revealed what had been happening to her mother, who, fearing her daughter's death, encouraged Aneesa to move to Cape Town where her family resided. Aneesa returned to Cape Town with her two children where she settled down. She secured employment and found an apartment. During this time, however, Aneesa had hope that her husband could change, and they could continue living as a family. Aneesa agreed to give the marriage another try under strict conditions that included therapy and living in Cape Town. She expressed: *"I was quite comfortable with him being here maybe because I had my family around".* This was however short-lived as he soon after left Cape Town and married someone else.

In Aneesa's case we see the key moment which changed the course of her abusive marriage. Aneesa's relocation to Cape Town was an end to the severe social isolation she experienced when living with her husband in various towns throughout their marriage as they moved often, and she was prohibited from using a mobile device or social media. With her move to Cape Town, she was surrounded by family who were now informed of her ex-husband's abusive ways. The abuse could therefore no longer remain hidden in the privacy of her home many

kilometres away. In addition to this, the economic abuse was also interrupted as with Aneesa's move, she had found a new job and thus a new salary, she advised that she was earning "*well"* she also found her own apartment, her ex-husband was not involved when making these decisions as they were divorced at the time and living in different provinces. She was therefore in control of her income and made her own financial decisions, which she previously could not do. In this way, her abuser lost control once she moved away, control that he could not get back once she was empowered with her family and financial security. Much like Aneesa, Laila expressed the instrumental role that her family performed in her exit. She reports:

"I am very grateful that leaving was so easy because my family was so supportive. And at that stage I wasn't working, I had two children so if it weren't for my family, I don't think I would have been able to leave because financially I would not have been able to manage"

With the above, Laila succinctly highlights the significance of having a support system to rely on, especially in cases where women are financially dependent on their abusers whom they are trying to escape. Laila, with the help of her family, left the marriage by settling into her parents' home where she and her children were warmly welcomed. Laila's ex-husband, once she left their home and the marriage, emailed her and her father the final *Talaaq*. Throughout the interview, Laila expressed the immense appreciation and gratitude she has for her family who not only helped her exit the marriage but continues to support her by providing childcare when needed, as she is now an employed, busy single mom of two furthering her studies.

Within the experiences highlighted above, we see how the women reached out to their family and friends who assisted with removing them from the abuser and further provided the needed emotional and financial support to bring an end to the relationship. We, therefore, see various strategies of resistance, both seeking assistance via external parties but further leaving, which is when the final decision is made to separate from the abuser and exit the marriage.

This chapter on strategies of resistance, as told by the participants, illustrated the various ways in which women resisted the abuse and, in this way, made the abuse visible. By focusing on personal strategies, the participants highlighted how they would manage themselves in an attempt to cope with the abuse and possibly minimise abusive episodes. They, therefore, by studying the behaviour of their abusers and being hypervigilant were able to act in ways that they knew would limit the abuse. Another personal strategy the women used was to directly engage with the abuse. Here the women reported challenging their husbands by highlighting their unacceptable behaviour. We saw that talking back to the violent abuser comes at a great

risk as Zainab illustrated. Laila and Nuraan however when engaging with their abusers indicated that there was a small 'reward' in which the abuse stopped, but only for a short period of time.

All the women reported that they moved from personal strategies to seeking assistance from external parties. The above therefore illustrates how the women slowly made the abuse visible to themselves, by managing the abuse privately and then to others by seeking external assistance. The women reported the incredibly difficult experience of engaging with Islamic religious institutions, who ultimately rejected the participants, dismissed the IPV experienced and sent them back to their abusive marriages, instructing them to practice patience. This approach is unacceptable and dangerous. Islamic leaders are essentially risking the lives of Muslim women and their children when ignoring their traumatic experiences and sending them back to practice patience in an abusive marriage. The women however determined to escape the abuse, reached out to family and friends who ensured that the women safely exited their marriages with Islamically recognised divorces.

Conclusion to Findings

The findings chapter has captured the lived experiences of leaving a Muslim marriage, as told by four Muslim women who have been married and divorced. The women reported various forms of abuse experienced throughout their marriages, the stories shared in the above chapter largely refer to their experiences of social isolation, economic abuse, and physical abuse as these were the stories emphasised by the women. These experiences were shared as reasons for seeking a divorce. Within these experiences, we see how the abusers removed support from their wives using various tactics to isolate their wives socially and financially, as seen in the experiences of economic abuse. It, therefore, becomes clear how support was removed, and dependency created through a slow, insidious process. Here, the women make the abuse visible, first to themselves by responding with personal strategies of resistance, such as managing the abuse, then making the abuse visible to others when reaching the "*point of saturation"* and seeking assistance from external sources. The women, therefore, revealed their help-seeking strategies, in which family and friends proved significant in providing help and ensuring a safe exit from the abusive marriage. Muslim religious leaders proved to act as barriers, instructing women to return to the realities they were so desperately seeking to escape. This chapter therefore not only informed us on the experience of leaving a Muslim marriage, that is, how it is achieved by Muslim women in South Africa, in a legal pluralist context in which Muslim marriages are not recognised and Muslim religious are reluctant to grant women divorces, it

further revealed experiences of IPV as experienced by Muslim women and provided insight into their help-seeking strategies.

Chapter Six: Discussion

This research has aimed to understand the lived experiences of leaving a Muslim marriage, as a Muslim woman in South Africa. This was achieved in this thesis, as told by four Muslim women who have been married and divorced in three provinces in South Africa. With an Islamic feminist approach, this thesis has focused on the strategies of resistance employed by Muslim women when exiting an abusive marriage, in a legal pluralist context in which their marriages are not recognised. With the above, this dissertation contributes to the literature on IPV in Muslim communities, within the context of legal pluralism. This chapter concludes with a closing discussion below.

The women reported various forms of abuse experienced throughout their marriages, as the reason for seeking a divorce. The stories shared captured experiences of social isolation, economic abuse and physical abuse experienced at the hands of their husbands and enabled by Muslim religious leaders. By applying an Islamic feminist approach to the experiences of IPV that the women have shared, this research argues that these forms of violence are in contradiction with the ethos of the Quran and therefore cannot be condoned or justified in the name of Islam. Instead, this thesis argues that IPV in Muslim communities in South Africa is rooted in unequal gender relations present in Muslim communities in the country. The unequal gender relations in Muslim communities are a reality of the patriarchy that has been inherited from 'classical' *mis*interpretation of sacred religious texts and 'classical' *Fiqh* informed by the *mis*interpretations (Mir-Hosseini, 2012; Shaikh, 2007) reflecting the context in which the interpretation took place many centuries ago. According to these dominant 'classical' *mis*interpretations of Quranic texts which are still relied on today by Muslim judicial institutions in South Africa, Muslim women and men are not equal and instead, men are seen as authoritative over women, who are under the authority of Muslim men, as daughters and as wives (Mir-Hoessini, 2013). Muslim men, according to the *mis*interpretation of Quranic verse 4:34, see in chapter three under Islamic feminism, are further entitled to physically harm their wives when disobedient. Such *mis*interpretations, therefore, are not only believed to allow for IPV but further serve as justification for IPV (Shaik, 2007). These *mis*interpretations of sacred text and classical *Fiqh* continue to inform religious understandings and rulings in the present era and continue to be reproduced by those tasked with educating, guiding and leading Muslim communities in South Africa. This has been evidenced in numerous studies (Hoel, 2012); (Shaikh, 2007), including this research as reported by the women who visited these institutions.

Patriarchy, within Muslim communities departing from the dominant 'classical' *mis*interpretation and human understanding of law, is therefore deeply entrenched and pervasive, as seen manifesting in the lives of Muslim women in this study, foregrounded in chapters four and five. The manifestation of such patriarchy in the form of abuse in the lives of the participants however was not lost on the women, as illustrated by the various ways in which they responded to their realities. By applying an Islamic feminist approach, the women's responses to their abusive realities, I argue, illustrate strategies of resistance, as highlighted in chapter five. In response to the abuse perpetrated by their husbands, the women did not accept that their husbands have the right to abuse and control them as suggested by the *mis*interpretation of verse 4:34 and the "taken for granted" assumption of Muslim husbands as the authority. Nor did the women attempt to understand or condone such behaviour in religious terms. They further did not accept Muslim religious leaders' rulings which enabled and normalised the abuse by sending them back to their realities to practice patience with their husbands. The women instead stood firm that their husbands' actions were not permitted and were harmful to their families. As a result, the women initiated attempts at exiting the marriage and were not deterred by their husband's unwillingness to agree to a divorce, and not deterred by religious leaders either.

I, therefore, argue that the women, although not explicitly reporting the reinterpretation of specific religious texts or concepts, illustrate critical engagement with the patriarchal *mis*interpretations that buttress the androcentric rulings by religious leaders and the wider community. They, therefore, challenged the dominant understandings and the existing gender hierarchy, resisted such hierarchies and fought for their right to divorce as provided by Islam. Their critical engagement is illustrated in many ways, by the ways in which they responded with acts of resistance, discussed above. But further illustrated by the ways that they shared their understanding of the abuse they experienced, clearly and vehemently expressing that the abuse was wrong and could not be justified. This was expressed in the tone of the interviews, which I believe is captured in the chosen excerpts shared in chapters four and five. The women, therefore, illustrate critical engagement with religious doctrine, thus actively shaping their lives and challenging the normative order as established by patriarchal *mis*interpretation, classical *Fiqh* and continuously reproduced by Muslim judicial councils in the present era, in South Africa (Amien, 2019; Hoel, 2012), as reported by the women above.

The four women included in this study were resilient and tenacious which saw an end to the abuse as they safely exited the marriages. It is important to note that these women were

privileged in many ways, as they highlighted themselves. All but one participant was formally employed and therefore the women could continue to finance their accommodation and care for their children once divorced. Laila was unemployed but received immense support from her family, as did the other women, who illustrated their families were key in ensuring that they safely exited their marriages. This is important to highlight as for many Muslim women in South Africa, for various reasons, the above may not be true. They may be unemployed and without an income or employed but experiencing economic abuse in the same way as Aneesa, but without friends or family to rely on financially. This was captured by Zainab who shared: "*I needed them to know that they can't keep on saying they need to have sabr* (patience) *with women who are in this position, they need to help the woman and come to some sort of resolve, especially for women who have nowhere to go, and they're oblivious…".* For many women, the end of the fight to escape the abusive marriage might therefore end with the Muslim religious leader instructing her to remain in the marriage, and due to the non-recognition of Muslim marriages, and therefore the inability of the state to regulate Muslim marriage related disputes, Muslim women do not have alternative options.

It is therefore particularly concerning that Muslim religious bodies in South Africa, charged with the critical responsibility of guiding, educating, and most importantly, ruling on Muslim law-related matters, have taken a "reconciliation at all costs approach" as illustrated by Hoel (2012) and echoed by the women in this study. Muslim women, therefore, find themselves in particularly precarious positions because not only can they not rely on the Muslim judicial bodies to provide them access to their rights as provided by Islam, which is an Islamically recognised divorce, but they cannot rely on the state to assist them either. This non-recognition has been illustrated by many scholars, to disadvantage and discriminate against Muslim women, especially when related to the dissolution of Muslim marriages (Amien, 2019; Gabru, 2004). In previous research focused on the case of *Faro v Bingham NO and Others*, I illustrated how, in the absence of legislation recognising and regulating Muslim marriage, the master of the high court relied on 'evidence' received from the Muslim Judicial Council in Cape Town (MJC). I illustrated how this 'evidence' was unreliable, yet informed the rulings made by the Master of the High Court and resulted in severe consequences for Ms Faro and her children who were left homeless (Samodien, 2019). We, therefore, saw how Ms Faro was left unprotected by the MJC who ignored and dismissed her, but further how, the collaboration between state machinery such as the Master of the High Court and the MJC, left Ms Faro as a

Muslim woman with a Muslim marriage related dispute, completely unprotected with no recourse.

It is against the above background that this research calls for the recognition of Muslim marriages in South Africa informed by the work of Islamic feminists. Therefore, a Muslim family law reform in South Africa will guide the recognition of Muslim marriages in the country. This will see the re-interpretation of patriarchal *mis*interpretations which currently inform religious rulings. The above is to protect Muslim women and allow them access to their rights both as *Muslim* women accessing their Islamic rights and as women in South Africa, accessing their constitutional rights. Here Muslim family reform by employing an Islamic feminist approach would aim to re-visit and address previous patriarchal *mis*interpretations of sacred religious text, and outdated *Fiqh*. Such re-interpretation will be in line with the principles of the Quran which promotes justice and egalitarianism and speaks to the lived realities of Muslims in the present era. The lived realities of Muslim women are particularly significant as a group that has previously been excluded and silenced. Such re-interpretation, or Islamic feminist exegesis, does not diverge from the religious texts as it will be interpreted holistically, according to the ethos of the Quran. Further, as the Quran is inherently egalitarian, such a re-interpretation will be in line with South Africa's commitments to gender justice and equality, thus satisfying the right to religious freedom whilst protecting Muslim women.

Limitations and Recommendations

Theis research aimed to capture the lived experiences of leaving a Muslim marriage, as a Muslim woman in South Africa. This was achieved in this thesis, as told by four Muslim women who have been married and divorced in three provinces in South Africa. Experiences of IPV were not required to partake in this research, yet all four women reported experiencing different forms of abuse throughout their marriages. Due to the small sample size of four women, these findings cannot be used to draw conclusions related to Muslim communities and the broader population. It was however not the goal or function of the thesis to produce findings that can be generalised, as the goal was to explore the experiences of Muslim women related to leaving a Muslim marriage in South Africa. The findings, therefore, even though not generalizable, remain significant in contributing to the limited academic material available which prioritizes the lived experiences of Muslim women in South Africa, particularly related to Muslim marriage, divorce, and experiences of IPV. However, it is important to note that the small sample size has been identified as a limitation of this study. A larger sample size will

allow greater insight into the lived experiences of leaving a Muslim marriage as a Muslim woman in South Africa. It will further allow to include women with fewer resources, which may significantly influence the experience of leaving a Muslim marriage. It would further be insightful to include members of the Muslim judicial councils as participants, to aid in gaining an understanding of marital and abuse complaints reported at these institutions.

This research, through the literature, consulted and the findings reported, has revealed that Muslim women in South Africa face incredible difficulties in accessing their rights to an Islamically recognised divorce which often remains unachievable for many women, even when reporting severe experiences of abuse and lack of maintenance by Muslim husbands during marriage. It was not required that the participants be divorced as the experience of leaving a marriage was the focus, however, all the participants were divorcees and thus shared their experiences of leaving a Muslim marriage by achieving a divorce, all of which were *Talaaqs.* This research, as all participants in the end achieved an Islamically recognised divorce, failed to capture the experiences of women who have left their marriage *without* achieving an Islamically recognised divorce. This is a reality for many Muslim women in South Africa considering what has been previously mentioned, the non-recognition of their marriages coupled with discriminatory judicial bodies. Dorasamy (2021, p. 94), in their dissertation, reported this reality in which their participant shared that her husband had more than one wife, reporting that his other wives managed to leave the marriage without a divorce. However, as experienced during this research journey, it was incredibly difficult to access this group of women. The above is therefore a limitation of this study, but further an opportunity to share a recommendation. I, therefore, recommend that further research be conducted into the experiences of leaving a Muslim marriage *without* achieving an Islamically recognised divorce, as experienced by Muslim women in South Africa.

This research, with an Islamic feminist approach, aims to contribute to the limited academic material prioritising the lived experiences of Muslim women in South Africa, particularly related to their experiences of marriage, divorce and IPV. This research further aims to contribute to scholarship focused on the resistance strategies of Muslim women exiting their abusive marriages, in the context of a legal pluralist state in which their marriages are not recognised.

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Annexure

1. Participant recruitment advertisement

2. Information sheet

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Participant Information Sheet

Tentative research title:
Muslim women's experiences of leaving a marriage

Name of researcher: Zeenat Samodien

Mobile: [redacted] **Email**: smdzee001@myuct.ac.za

Name of supervisor: Associate Prof Elena Moore **Email**: elena.moore@uct.ac.za

Purpose and Aims of the study:
This research project focuses on the experiences of Muslim women related to leaving a marriage, with or without divorce, and life thereafter. This research forms part of a dissertation at Masters Level in the department of Sociology at the University of Cape Town. The information provided during your participation will therefore be used in this Master's dissertation.

As a research participant you are being asked to participate in individual interviews. The duration of a single interview will be 40 to 60 minutes long. The interviews will be conducted via a platform of your choosing or in person. The preferred platform, date and time will be discussed and decided before conducting the interview. There will be a total of two interviews, one being the minimum.

Participation in this study requires verbal and written consent. The interview, with your permission, will be audio recorded. The interviewer will also take notes during the interview. The audio recording and notes taken will be stored securely. The researcher/interviewer and supervisor of researcher will have access to the recording and interview notes, no one else. The interview will further be transcribed by the interviewer herself. Your identity will be anonymised and in this way kept private and confidential.

Your participation in this research project is completely voluntary, thus without compensation. You, the research participant, are allowed to withdraw your consent at any time. You have the right to stop the interview at any point. Should you wish to not answer a question or withdraw a response you are free to do so by informing the researcher.

3. Consent Form

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Consent Form

By answering the questions in the interview:

- I agree to participate in this research project.
- I have read the contents of the information sheet and consent form and I had the opportunity to ask questions.
- I understand that the data collected in the interview will be used for education and research purposes.
- I understand that I am under no obligation to partake in this research project.
- I understand that I have the right to withdraw from this project at any stage.
- I understand that this research might be published in a research journal or book. In the case of dissertation research, the document will be available to readers in a university library in printed form, and possibly in electronic form as well.

Tick as appropriate:	YES	NO
I give my permission for the interviewer to record my interview		

I confirm that:

The researcher has explained the research to me
I had the opportunity to ask questions about the research

Signature of participant: _____

Name of participant: _____

Date: _____

Signature of person who sought consent: _____

Name of person who sought consent: _____

Date: _____

2