



FORB and family law 60 min

FORB AND GENDER

CASE STUDY

PLENARY EXERCISE

About the exercise

TARGET AUDIENCE

Best suited to civil society organisations and human rights defenders in contexts where family/personal status law include discriminatory aspects that are justified with reference to religion. Requires a good understanding of freedom of religion or belief (FORB) among participants, as this exercise explores complex dimensions of the right.

PURPOSE

To help participants develop skills in identifying and analysing violations of FORB in the context of religious family/personal status law.

DESCRIPTION

A plenary discussion exercise based on a case study, that is designed to follow a knowledge input on family/personal status laws and violations of FORB.



Instructions

RESOURCES AND ADVANCE PREPARATION

- Select one of three [case studies](#) about FORB and family law which will resonate in your context – a video about Palestine, a video about Malaysia, or a short powerpoint about India.
- Prepare a knowledge input on family/personal status laws and FORB. Use the [information sheet](#) on FORB and religious family law to help you prepare or take the religious family law module of the free, on-demand short course '[Enemies of allies: forb and gender equality](#)'. Remember to tailor your input to your audience by choosing and introducing issues in ways that will be constructive.
- Prepare a flipchart sheet with the buzz group discussion questions (see below).
- Flipchart and maker pens.

Find the case studies and information sheet at

www.forb-learning.org/exercises/family-law.

Find the course at www.forb-learning.org/courses/forb-and-gender.

HOW TO INTRODUCE THE EXERCISE 20 MIN

Precede the exercise with a 10-15 minute knowledge input on the relationship between family law and FORB, based on the contents of the factsheet that accompanies this exercise. Be sure to mention the following:

- All law (religious and secular) is based in values.
- No law that is enforced should violate human rights, for example by being discriminatory or by coercing people to have or practice beliefs that they do not have. Sadly, many religious family and personal status laws include elements of discrimination or coercion. (You may wish to mention that quite



SHORT TALK

a lot of secular laws have such elements too, but the focus in this session is on religious family law).

- At the same time, minority religious laws are often perceived by minority communities as an important protection against assimilation and an important part of their institutional autonomy from the state.

Allow 5-10 minutes for questions and discussion.

HOW TO RUN THE EXERCISE 35 MIN

• CASE STUDY AND BUZZ GROUPS (15 MIN)

Explain that you are now going to share a short case study to illustrate the issues you have been talking about. Point to the discussion questions on the flipchart sheet and ask participants to have the questions in mind as the case is being presented.

Present the case study, then ask participants to get into threes with the people sitting next to them to discuss the questions.

DISCUSSION QUESTIONS

- In what ways is freedom of religion or belief being violated and what other rights are being violated?
- How does this impact upon women and children?
- In what ways is this situation similar or different to your own context?

• PLENARY DISCUSSION (20 MIN)

Invite participants to share their answers to the buzz group discussion questions. Make sure that all the dimensions of FORB that were violated in the case study are mentioned, as well as any other rights violated.

After participants have shared their thoughts on similarities and differences with their own context, lead the discussion with these follow-up questions:

- What other issues related to family/personal status laws (positive or negative) are there in your context?
- What arguments are used by the government and/or minority groups in your context to justify discriminatory laws?
- Are there any needs/efforts to reform family/personal status laws in your context?
- What are the obstacles to reform?

TIP! Learn about the dimensions of FORB with the '[Quick guide to religious freedom](#)'.

HOW TO CONCLUDE THE EXERCISE 5 MIN

Summarise central themes that have arisen in the discussion, referring back to your knowledge input to emphasise key points. Thank everyone for sharing and say you hope they found that the exercise offered them a fresh perspective on some of the issues related to family/personal status laws and FORB in their context.

SOURCE

Adapted from the FORB Learning Platform online on demand course FORB and gender equality – enemies or allies? www.forb-learning.org/courses/forb-and-gender.