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Abstract

Conceptualizing Fitna: How the Opinions of Muslim Feminists Distort the Image of Islām Today

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2005

While the obvious and common interpretation of the “fitna” of women mentioned in a tradition of the Prophet Muḥammad (SAW) refers to their enchantment and the attraction of men towards them, the recent emergence of contemporary feminists sets forth a new, and perhaps more serious dimension to the concept of fitna. The fitna that is resulting from the writings and statements of Muslim feminists today is affecting both men and women, Muslims and non-Muslims. This fitna presents an incorrect and tainted image of Islām, thus misinforming non-Muslims and causing division and discord within the Muslim umma. This work will examine the opinions of these women, thereby proposing an additional meaning to the “fitna” of women that the Prophet of Islām warned against almost 1400 years ago.

While there are several examples of women who fall into the category of producing “fitna” for the Muslim umma, this study will focus on some of the most well known. A few of these feminists are those who have witnessed the unfortunate subjugation and oppression of women in the Arab and Muslim world, and have decided to proclaim their discontentment. Nawal el Saadawi, Fatna Sabbah, and Fatima Mernissi, all of whom were born as Muslims and live in the Muslim world, are women who rightfully object to the treatment of women in their countries. Though their observations and oppositions are justifiable, they often fail to distinguish between the doctrine of Islām and cultural practices, which is a serious error. Furthermore, they misinterpret the sacred texts and depict Islām as a religion that is degrading to females.

Amina Wadud, on the other hand, chose Islām as her way of life and therefore does not seek to condemn the religion. As a convert, she does not denounce or revile Islām, but feels that it has been misunderstood and needs to be reinterpreted. She therefore seeks to be a reformer of the faith, but unfortunately Wadud misinterprets the Qur’ān and often overlooks the ḥadīth, introducing innovations into the religion which are not acceptable in the “traditional” understanding of Islām. It is needless to say, that the consequences of her actions have a greater effect on Muslims, whereas the influence of these other feminists is stronger on those who are not familiar with the religious teachings. Nevertheless, the opinions of all of these women are contradictory to the principles of the Qur’ān and Sunna, and are consequently distorting the Image of Islām today.

*Conceptualizing Fitna: How the Opinions of Muslim
Feminists distort the Image of Islām Today*

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PREFACE

I would like to clarify a few things about this paper in order to better prepare the reader about what to expect. This is a religious argument, based upon the Qur'ān and sunna, and the works of scholars that I trust and feel conform to these sacred texts. This is not a historical research paper, nor is it a re-interpretation of Islām. It simply presents one religious perspective on the topic that is shared by many Muslims today.

Additionally, it must be said that the topic of women is very extensive and controversial within all religious and societal contexts. Naturally, this is because the issues and arguments surrounding this topic are limitless. However, due to the confines of time and space, I have only focused on certain issues concerning women in Islām that often surface. These, as will be demonstrated, are the points that the feminists I have chosen to examine mention.

Lastly, I would like to articulate that I do not condemn any of the feminists analyzed in this work. That is not my place. A relevant saying attributed to Shaykh al-Islām ibn Taymiyya is:

"أهل السنة يخطئون ولا يكفرون،"

Which means, “the people of the sunna (i.e. those who follow the sunna of the Prophet (SAW)) accuse (people) of an error or mistake and do not accuse (people) of disbelief or infidelity.” However, just as these women have the right and liberty to express their opinions and criticize and attack aspects of Islām, I have the equal freedom and prerogative to defend it, and to evaluate and reprehend the opinions they present. Thus, my objection and remonstrance to these women are based upon three main issues. Firstly, in the case of el Saadawi, Sabbah, and Mernissi specifically, I oppose their failure to distinguish between cultural practices carried out in the pretext of religion, and the religion itself. Secondly, I object to the act of taking Qur’ānic verses and traditions of the Prophet (SAW) out of context, and consequently misinterpreting them. Lastly, and more so in the case of Wadud, I denounce the introduction of innovations into the interpretation of the sacred sources that contradict the sunna of the Prophet (SAW) and the “rightly-guided” generations after him.

INTRODUCTION

Abu Sa'īd al-Khudrī narrates that the Messenger of Allāh (SAW)¹ said: "The life of this world is sweet and green, and verily Allāh has appointed you as His vicegerents in it so that He may see how you act. So beware of the world and beware of women. For certainly, the first trial (awwal fitna) of Banu Isrā'īl² was through women."³

While the obvious and common interpretation of the “fitna” of women mentioned in this ḥadīth⁴ of the Prophet Muḥammad (SAW) refers to their enchantment and the attraction of men towards them, the recent emergence of contemporary feminists sets forth a new, and perhaps more serious dimension to the concept of fitna. The fitna that is resulting from the writings and statements of Muslim feminists today is affecting both men and women, Muslims and non-Muslims. This fitna is presenting an incorrect and tainted image of Islām, thus misinforming non-Muslims and causing division and discord within the Muslim

¹ A title of respect that is used when referring to the Prophet of Islam Muḥammad. Abbreviation for Salla Allāhu ‘alayhi wa sallam, which means may God’s peace be upon him.

² The Children of Israel

³ An-Nawawi, *Riyād-us-Sāliheen* (Riyadh: Darussalam, 1998). 90. My own translation of the Arabic has been used.

⁴ Arabic word that is used to refer to the recorded traditions of the Prophet (SAW).

umma.⁵ This work will examine the opinions of these women, thereby proposing an additional meaning to the “fitna” that the Prophet of Islām warned against almost 1400 years ago.

While there are several examples of women who fall into the category of producing “fitna” for the Muslim umma, this study will focus on some of the most well known. A few of these feminists are those who have witnessed the unfortunate subjugation and oppression of women in the Arab and Muslim world, and have decided to proclaim their discontentment. Nawal el Saadawi, Fatna Sabbah, and Fatima Mernissi, all of whom were born as Muslims and live in the Muslim world, are women who rightfully object to the treatment of women in their countries.⁶ Though their observations and oppositions are justifiable, they often fail to distinguish between the doctrine of Islām and cultural practices, which is a serious error. Furthermore, they misinterpret the sacred texts and depict Islām as a religion that is degrading to females.

Within this category of the “fitna” of women is a subcategory represented by women like Amina Wadud. Unlike the feminists who were born into Islām and are dissatisfied with that position, Wadud chose Islām as her way of life. As a convert, she does not denounce or revile Islām, but feels that it has been misinterpreted and she therefore seeks to be a reformer of the faith. Consequently,

⁵ Arabic word meaning the Muslim community or brotherhood.

⁶ Among these women, another prominent name that may spring to mind is that of Leila Ahmed. However, she will not be discussed in this study, as she fits into a slightly different category. Although she is a Muslim feminist, she is a historian. Her work and approach is historical and she does not highlight “right” and “wrong” in her works, as these other women do. Thus, discussing her perspective is not suitable to this research and her views will not be considered.

the ideas expressed in her book are generally not as radical or heretical, according to “traditional” opinion, as those of these other women. Yet Wadud misinterprets the Qur’ān and often overlooks the ḥadīth, introducing innovations into the religion which are not acceptable in the “traditional” understanding of Islām. Her approach causes more fitna within the Muslim community since she identifies as a devout Muslim, whereas the other women have more influence on non-Muslims. In this way, non-Muslims may get a positive outlook on Islām from Wadud and a negative one from el Saadawi, Sabbah, and Mernissi. While Muslims can easily denounce the views of the latter mentioned feminists as sacrilegious, they face more difficulty with Wadud who practices many aspects Islām. Clearly both components are causing great fitna for the umma.

It is necessary to first establish what is meant by “fitna” and what it entails. In the Hans Wehr⁷ dictionary, the term fitna is translated as “temptation, trial, discord, dissension, and civil strife.”⁸ The first definition refers to the common understanding that women are a temptation and attraction for men, which supports the general interpretation of the Prophet’s Hadith (SAW). According to *Lisān al-‘Arab*,⁹ which offers three pages of definitions for the root of the word fitna, the first meaning translates into “a trial, tribulation, test, examination.” Another definition offered is “straying from the right path, error, a

⁷ Hans Wehr, *A Dictionary of Modern Written Arabic* (Ithaca: Spoken Language Services, 1994).

⁸ Wehr, 815.

⁹ Muhammad ibn Mukarram Ibn Manzūr, *Lisān al-‘Arab* (Beirut: Dār Bayrūt, 1968).

sin, offense, crime.”¹⁰ These words, along with the others provided by Hans Wehr, offer the meaning that demonstrates that the opinions of these feminists are causing fitna for the Muslim umma. The following discussion of the “traditional” Islāmic stance on the status of women within the religion, later compared with the views of the mentioned feminists, will substantiate this argument.

To begin with, a clarification of what is meant by “traditional” Islām is essential. The foundation of Islām rests upon the Qur’ān,¹¹ as the unchanged word of God, and the Sunna, as the way of the Prophet Muḥammad (SAW). The Sunna is defined as all that is narrated from the Prophet (SAW), which includes his sayings, actions, and whatever he approved.¹² All such cases are recorded in the aḥādīth, which are the traditions related by the Messenger’s companions. It is on the basis of these two sacred texts that the principles of Islām are rooted. In this way, the scholars who base their statements upon these sources as well as on the understanding of the first three generations of Islām, which are considered “rightly guided,” will be defined as “traditional” or representing traditional opinions. The interpretation of the relevant verses of the Qur’ān will be drawn from the tafsīr¹³ of aṭ-Ṭabarī, Tafsīr ibn Kathīr, and Tafsīr al-Qurtubī. The original works of renowned medieval scholars such as Shaykh al-Islām ibn Taymiyya and

¹⁰ Ibn Manzūr, 13:317.

¹¹ The English translation of the verses of the Qur’ān that cited in this thesis is by Abdullah Yusuf Ali, unless otherwise noted. Additionally, his parenthetical comments have been removed to give a more literal translation of the Arabic.

¹² Mohammad Hashim Kamali, *Principles of Islamic Jurisprudence* (Cambridge: Islamic Texts Society, 1991). 44-46.

¹³ Arabic word for the interpretation of the Qur’ān.

Ibn al-Jawzī will likewise be consulted in this discussion. Since the fitna posed by these women is fairly recent, and these distinguished scholars do not address the issues raised by these feminists, the works of some contemporary Muslim scholars will also be considered. These scholars hold traditional opinions which are founded in the Qur’ān and Sunna.¹⁴ Those whose works will be referred to are Dr. Jamal Badawi, Sheikh Yusuf al-Qaradawi, Sherif Mohammed, and Abul ‘Ala Maududi.¹⁵ The presentation of the status of women in Islām, as outlined within the religion itself, will serve as the standard against which the issues presented by the feminists will be evaluated. Thus, the distinction between religion and culture will be clarified, thereby measuring the legitimacy of their assertions or lack thereof.

¹⁴ Since many people claim to be following the Qur’ān and Sunna, the clarification to be made here is that these contemporary scholars would fall into the category of “Sunni,” shari‘a abiding Muslims.

¹⁵ These scholars were recommended to me by my sheikh, Wisam Abd al-Baqi of the Islamic Society of Western Massachusetts.

I: THE STATUS OF WOMEN IN ISLAM

The fact that women hold a very honored and esteemed position in Islām is outlined in the Qur’ān and Sunna. The sole purpose of the Islāmic approach towards women is protecting and honoring them. Islām does not discriminate against gender, and women therefore occupy a status of equality with regards to spirituality, they are highly respected socially, and are not deprived of individual rights and freedoms. A Muslim woman has rights within the areas of marriage and divorce, is guaranteed financial security, and has a right to an education. Thus, the “traditional” view, based upon the original sources, demonstrates that Islām offers woman an advantageous station.

Regarding the issue of gender equality, verses of the Qur’ān clearly state that spirituality is not by any means defined by gender. On the contrary, Allāh makes it apparent that honor and superiority is based on piety, not on gender or race. He says,

O mankind! We created you from a single (pair) of a male and a female, and made you into nations and tribes, that ye may know each other. Verily the most honoured of you in the sight of Allāh is

(he who is) the most righteous of you. And Allāh has full knowledge and is well acquainted (with all things).¹⁶

This verse illustrates that gender does not affect who is more honored, but it is one's actions that make such a determination. Furthermore, being either male or female does not facilitate the attainment of honor, as that is exclusively dependent upon piety and righteousness. Allāh says in sura an-Naḥl, "Whoever works righteousness, man or woman, and has Faith, verily, to him will We give a new Life, a life that is good and pure and We will bestow on such their reward according to the best of their actions."¹⁷ It is evident that both males and females will be rewarded equally for their good actions, and there is no distinction made between the two sexes in terms of their recompense. Allāh also shows this in the very detailed verse,

For Muslim men and women, for believing men and women, for devout men and women, for true men and women, for men and women who are patient and constant, for men and women who humble themselves, for men and women who give in charity, for men and women who fast, for men and women who guard their chastity, and for men and women who engage much in Allāh's praise, for them has Allāh prepared forgiveness and great reward.¹⁸

In another verse in the sura entitled "Women," Allāh states, "If any do deeds of righteousness, be they male or female, and have faith, they will enter Heaven, and not the least injustice will be done to them."¹⁹ This idea of equality in terms of reward is apparent in yet another verse in which Allāh Says "And their Lord hath

¹⁶ Abdullah Yusuf Ali, *The Meanings of the Holy Qur'ān*, 49:13.

¹⁷ 16:97.

¹⁸ 33:35.

¹⁹ 4:124.

accepted of them, and answered them: ‘Never will I suffer to be lost the work of any of you, be he male or female: Ye are members, one of another.’²⁰ It is obvious, through the numerous verses of the Qur’ān, that Allāh does not judge individuals based on their sex, and that males are not superior to females and vice versa. The repetition of this fact shows that Allāh proposes absolute equality between men and women in terms of spirituality and the reward granted for rectitude.

The Qur’ān defines men and women as having the same spiritual nature and as a result, they are both required to fulfill Allāh’s commandments and are thereby rewarded. The well known scholar and translator of the Qur’ān, Abul ‘Ala Maududi (d. 1979) emphasizes the notion of equality between men and women in his statement “no one can deny the fact that as human beings man and woman are equal. Both make up the human race as its equal constituent parts. Both are equal partners in building up community life, creating and bringing about civilization, and thus serving humanity.”²¹ His remark reflects Qur’ānic understanding, since it corresponds with the idea that the Qur’ān promotes of men and women originating from the same entity and enjoying spiritual equality. A modern Islāmic scholar, Dr. Jamal Badawi, expands upon the concept that both men and women are required to participate in society in his work *Gender Equity in Islam*.²²

²⁰ 3:195.

²¹ Sayyid Abul ‘Ala Maududi, *Purdah and the Status of Woman in Islam* (Delhi: Human Welfare Trust, 1996), 147.

²² Jamal Badawi, *Gender Equity in Islam* (Plainfield: American Trust Publications, 1995).

He states, “Both genders are dignified and are trustees of Allah on earth.”²³ He quotes the following verse of the Qur’ān to support his statement: “We have honored the children of Adam, provided them with transport on land and sea; given them for sustenance things good and pure; and conferred on them special favors above a great part of Our Creation.”²⁴ The “children of Adam” obviously includes both males and females, as the Arabic word used in the verse does not specify sons. Badawi demonstrates that Allāh does not distinguish between men and women to be his vicegerents on this earth, and so they are both assigned to the task. He also remarks “men and women have the same religious and moral duties and responsibilities. They both face the consequences of their deeds ...nowhere does the Qur’an state that one gender is superior to the other.”²⁵

Sherif Mohammed, a popular and knowledgeable contemporary speaker, also discusses the spiritual equality between men and women in Islām. He cites the verses “The believers, men and women, are protectors, one of another: they enjoin what is just, and forbid what is evil, they observe regular prayers, practise regular charity, and obey Allāh and His Messenger. On them will Allāh pour His Mercy: for Allāh is Exalted in power, Wise”²⁶ and “Whoever works evil will not be requited but by the like thereof, and whoever works a righteous deed—whether man or woman, and is a believer, such will enter the Garden of bliss”²⁷ in his

²³ Badawi, 2.

²⁴ 17:70.

²⁵ Badawi, 3.

²⁶ 9:71.

²⁷ 40:40.

work *Women in Islam versus Judaeo-Christian Tradition*.²⁸ In addition to these verses he refers to the other relevant verses already mentioned, and concludes,

it is clear that the Qur'anic view of women is no different than that of men. They, both, are God's creatures whose sublime goal on earth is to worship their Lord, do righteous deeds, and avoid evil and they, both, will be assessed accordingly. The Qur'an never mentions that the woman is the devil's gateway or that she is a deceiver by nature.²⁹

Moreover, Sherif brings to attention the examples of the virtuous women who are mentioned in the Qur'ān, and expounds upon how they are models for the believers—both males and females. He says,

the Qur'an has instructed all the believers, women as well as men, to follow the example of those ideal women such as the Virgin Mary and the Pharaoh's wife: 'And Allah sets forth, as an example to those who believe, the wife of Pharaoh: Behold she said: 'O my lord build for me, in nearness to you, a mansion in the Garden, and save me from Pharaoh and his doings and save me from those who do wrong.' And Mary the daughter of Imran who guarded her chastity and We breathed into her body of Our spirit; and she testified to the truth of the words of her Lord and of His revelations and was one of the devout.'³⁰

In this manner, Sherif elucidates that the Qur'ān deals with men and women on an equal footing.

The well-known scholar from Al-Azhar,³¹ Yusuf al-Qaradawi, also addresses this point in his *The Status of Women in Islam*.³² He says, "The man on

²⁸ Sherif Mohammed, *Women in Islam versus Judaeo-Christian Tradition The Myth & The Reality*. Online booklet. <http://www.witness-pioneer.org/vil/Books/SM_wis/index.htm>

²⁹ Mohammed, *Women in Islam versus Judaeo-Christian Tradition*. Chapter "Eve's Legacy."
³⁰ Mohammed, chapter "Eve's Legacy." 66:11-13.

³¹ The oldest and most renowned Islamic University in the world. Located in Cairo, Egypt.

³² Yusuf al-Qaradawi, *The Status of Women in Islam*, online translation by Sheikh Mohammed

this account is a brother to the woman and the woman is the other half of the pair. The Messenger (SAW) says, ‘Women are the sisters of men.’”³³ He goes on to say that the Qur’an maintains equality in social and religious responsibilities by citing the verse

The believers, men and women, are Awliya’ (helpers, supporters, friends, protectors) of one another, they enjoin Al-Ma’rūf and forbid from Al-Munkar they offer their prayers perfectly (Iqāmat-aṣ-Ṣalāt), and give the Zakāt and obey Allāh and His Messenger. Allāh will have mercy on them.³⁴

Al-Qaradawi also mentions specific religious duties that are incumbent on both sexes, thereby further revealing their equal status before Allāh. As a well-versed scholar of the Qur’ān and Arabic grammar, he indicates that the use of the plural pronoun addressing the “believers” applies to both men and women. He ascertains, “The woman is also required to perform religious ordinances and forms of worship the way the man is. Praying, fasting, Zakat (the alms sanctifying tax), pilgrimage and all the other fundamental practices in Islam are required of Muslims in their capacity, both men and women, as responsible humans.”³⁵

The numerous verses of the Qur’ān and the commentary of these scholars demonstrate that Islām regards women as the spiritual equals of men and that they will therefore be held to account and either rewarded or punished in the same manner as men. Both genders are required to perform the same religious duties, and are consequently considered to be equally capable spiritually. Maududi notes

Gemeaah. <http://www.witness-pioneer.org/vil/Books/Q_WI/default.htm>

³³ Al-Qaradawi, chapter “The Woman as Human Being.”

³⁴ 9:71

³⁵ Al-Qaradawi, chapter “The Woman as Human Being.”

“absolute equality has been established between the man and woman in so far as civil and penal laws are concerned. The Islamic law does not recognize any distinction between them in so far as protection of life and property, honour and reputation is concerned.”³⁶ The difference in the sexes, then, occurs in their roles in the physical realm as they have been naturally assigned to fulfill different social roles. Maududi explains this by saying, “any person with a little common sense can understand that though man and woman are equipotential...they have not been entrusted with equal responsibilities by nature.”³⁷ However, even in the difference of their social roles, Islām does not make the distinction of superiority. It simply express that some roles are more suitable for one gender than the other.

A woman as a mother, daughter, and wife holds a position of remarkable esteem and value in Islām. Al-Qaradawi claims that

history does not recall a religion or a system which honours the woman as a mother and which raises her as Islam does. Islam repeatedly commends the woman, and this comes directly after the command to worship and believe in the Oneness of Allah. Allah has made honouring one’s mother a virtue, and he puts forth the mother’s right over that of the father for what she endures in pregnancy, delivery, nursing, and raising her children.³⁸

Allāh Declares in the Qur’ān “And We have enjoined on man (to be good) to his parents: in travail upon travail did his mother bear him, and in years twain was his weaning: (hear the command), Show gratitude to Me and to thy parents: to Me is

³⁶ Maududi, 198.

³⁷ Maududi, 153.

³⁸ Al-Qaradawi, chapter “Legitimate Mixing Between Men and Women: The Woman as Mother.”

(thy final) Goal.”³⁹ Furthermore, Allāh begins sura an-Nisā’ (Women), with a verse instructing the reverence of mothers. He commands

O mankind! Revere your Guardian-Lord, who created you from a single person, created, of like nature, His mate, and from them twain scattered countless men and women; revere Allāh, through whom ye demand your mutual (rights), and (revere) the wombs (that bore you): for Allāh ever watches over you.”⁴⁰

In yet another verse Allāh mentions the sacrifice and pain that a woman goes through during pregnancy and birth and commands the child to be grateful and dutiful to his parents throughout their lifetime. He asserts

We have enjoined on man kindness to his parents: in pain did his mother bear him, and in pain did she give him birth. The carrying of the (child) to his weaning is (a period of) thirty months. At length, when he reaches the age of full strength and attains forty years, he says: ‘O my Lord! Grant me that I may be grateful for Thy favor, which Thou hast bestowed upon me, and upon both my parents, and that I may work righteousness such as Thou may approve; and be gracious to me in my issue. Truly have I turned to Thee and truly do I bow (to Thee) in Islām.’⁴¹

The importance of respecting one’s parents is so great in Islām that Allāh mentions it as second after worshipping Him alone. This is apparent in the verse “Your Lord has decreed that you worship none but Him and that you be kind to parents. Whether one or both of them attain old age in your life, say not to them a word of contempt nor repel them but address them in terms of honor.”⁴² Thus, the Qur’ān unambiguously portrays the noble status of mothers and commands life-long devotion, obedience, and respect towards them.

³⁹ 31:14.

⁴⁰ 4:1.

⁴¹ 46:15.

⁴² 17:23.

The traditions of the Prophet (SAW) are even more extensive with regard to the subject of honoring mothers, as there are numerous authentic sayings in which the Prophet praises mothers and mentions their virtue. The great 12th century scholar Ibn al-Jawzī (d. 1200) in his work *Aḥkām an-Nisā*⁴³ mentions several of these aḥādīth⁴⁴ of the Prophet (SAW) that show veneration to mothers. In view of pregnancy and childbirth he allocates a section of his book, which translates⁴⁵ “The reward of a mother when she is pregnant and delivers.”⁴⁶ Under this title he cites the following ḥadīth:

"عن ابن عمر رضي الله عنه قال: أراه عن النبي صلى الله عليه وسلم قال: 'إن للمرأة في حملها إلى وضعها إلى فصالها من الأجر كالمتمشيط في سبيل الله. فان هلكت فيما بين ذلك فلها أجر الشهيد.' وعن ابن عمر قال 'المرأة في حملها إلى وضعها إلى فصالها كالمرابط في سبيل الله. فان ماتت فيما بين ذلك فلها أجر الشهيد.'"

The translation of the first ḥadīth is,

Narrated ibn ‘Umar (R)⁴⁷ that the Messenger of Allāh (SAW) said ‘verily for a woman during her pregnancy until her delivery and during her weaning period, is a reward like that of the bloodstained person in the Path of Allāh. And if she passes away during any of that time, for her is the reward of a martyr.’⁴⁸

⁴³ ‘Abd ar-Raḥmān ibn ‘Alī ibn Muḥammad Abul-Farash ibn al-Jawzī, *Aḥkām an-Nisā* (Cairo: Maktaba al-Qur’ān).

⁴⁴ Plural of ḥadīth: traditions of the Prophet (SAW).

⁴⁵ All of the translations of Ibn al-Jawzī’s Arabic text are my own.

⁴⁶ "في أجر المرأة إذا حملت ووضعت."

⁴⁷ Abbreviation for the Arabic phrase Raḍī Allāhu ‘anhu, meaning May Allāh be pleased with him.

⁴⁸ Ibn al-Jawzī, 96.

He adds, “ibn ‘Umar also narrates that ‘ a woman during her pregnancy until she delivers and during her weaning period is like a soldier in the Path of Allāh. So if she dies during that time, for her is the reward of a martyr.’”⁴⁹ The following ḥadīth also emphasizes the respect due to one’s mother. Abu Hurayra reported that a man came to the Messenger of Allāh (SAW) and asked:

‘O Messenger of Allāh, who is the person who has the greatest right on me with regards to kindness and attention?’ He replied, ‘Your mother.’ ‘Then who?’ He replied, ‘Your mother.’ ‘Then who?’ He replied, ‘Your mother.’ ‘Then who?’ He replied, ‘Your father.’⁵⁰

This is a well-known tradition of the Prophet (SAW) that all of scholars allude to a propos Islām’s position on the mother. Another ḥadīth in which the Prophet (SAW) established the value of mothers is, “A man came to the Prophet (SAW) and said, ‘O Messenger of Allah! I want to fight and I want your advice.’ He asked him, ‘Have you a mother?’ The man said, ‘Yes.’ He said, ‘Do not leave her because Paradise is under her feet.’”⁵¹ Al-Qaradawi relates a ḥadīth from al-Bazzār where he recounts that a man was circumambulating the Ka‘ba carrying his mother. The man asked the Prophet (SAW), ‘Have I repaid her?’ The Prophet said, ‘No, not even for one of her moans’ (i.e. one of the moans of labour, delivery, and so on).⁵² It is obvious that women as mothers possess great respect and value in Islām, as it is through serving them that a child can attain Paradise.

⁴⁹ Ibn al-Jawzī, 96.

⁵⁰ Al-Bukhārī, Book 73 Number 2 and Muslim, Book 32 Number 6180.

⁵¹ Al-Qaradawi, chapter “Legitimate Mixing: The Woman as Mother.”

⁵² Al-Qaradawi, chapter “Legitimate Mixing: The Woman as Mother.”

The aḥādīth of the Prophet (SAW) epitomize the importance of kindness and care towards mothers, who employ those qualities while raising their children.

In addition to respect and reverence towards mothers, Islām also preaches appreciation for daughters and regards them as a blessing. During the pre-Islāmic period the people of Arabia had a strong contempt for daughters and would bury their female infants alive because they deemed them disgraceful. The Qur’ān contains a few verses that condemn this practice. Allāh describes the reaction of the fathers when their wives give birth to daughters,

And when the news of (the birth of) a female (child) is brought to any of them, his face becomes dark, and he is filled with inward grief! He hides himself from the people because of the evil of that whereof he has been informed. Shall he keep her with dishonor or bury her in the earth? Certainly, evil is their decision.⁵³

Allāh also says in a verse describing the Day of Judgment “And when the female (infant) buried alive shall be questioned, for what sin was she killed?”⁵⁴ Allāh further expounds that He is the One who has control over whether the child is male or female in the verse “He bestows female (offspring) upon whom He will, and bestows male (offspring) upon whom He will Or He bestows both males and females, and He renders barren whom He wills. Verily, He is he All-Knower and is Able to do all things.”⁵⁵ Hence, it is Allāh who provides people with children and consequently does not approve of the killing of innocent girls because of their

⁵³ 16:58-9.

⁵⁴ 81:8-9.

⁵⁵ 42:49-50.

gender. He says, “Lost are those who slay their children, from folly, without knowledge, and forbid food which Allāh hath provided for them.”⁵⁶

Along with these verses of the Qur’ān which condemn female infanticide, there are many aḥādīth of the Prophet (SAW) that encourage appreciation for daughters through praising girls and explicating the manner in which they are a blessing. Ibn al-Jawzī mentions several aḥādīth on this subject. He writes,

"وعن أبي هريرة رضي الله عنه عن النبي صلى الله عليه وسلم قال: 'من كان له ثلاث بنات فصبر على لأوائهن وضرائهن وسرائهن أدخله الله الجنة وبفضل رحمته إياهن.' فقال رجل: 'أو إثنان يا رسول الله؟' قال: 'أو إثنان' فقال رجل: 'أو واحدة يا رسول الله؟' قال: 'أو واحدة.'"

Which means,

Abu Hurayra (R) is reported to have said that the Messenger of Allāh (SAW) said ‘Whoever had three daughters and was patient with their hardship and distress and through their pleasure and displeasure, Allāh will enter him/her into Paradise by the virtue of his/her mercy on them.’ So a man said, ‘What about two girls, O Messenger of Allāh’ He said ‘Or two.’ So a man said ‘Or one, O Messenger of Allāh?’ He said ‘Or one.’⁵⁷

In an alternative Hadith,

"وعن عقبة بن عامر قال سمعت رسول الله صلى الله عليه وسلم يقول: 'من كانت له ثلاث بنات فصبر عليهن وأطعمهن وسقاهن وكساهن من جدته كن له حجابا من النار.' وعنه قال: قال رسول الله صلى الله عليه وسلم: 'لا تكثر هوا البنات فإنهن المؤنسات الغالبات.'"

This ḥadīth translates as,

Narrated ‘Uqba bin ‘Āmir, ‘I heard the Messenger of Allāh say, ‘Whoever has three girls and was patient with them and fed them

⁵⁶ 6:140.

⁵⁷ Ibn al-Jawzī, 98.

and gave them to drink, and clothed them with his hard work, they will be a veil (barrier, screen) from the fire for him' and he also narrated: 'The Messenger of Allah said 'Do not hate girls, for they are victorious, triumphant weapons.'"⁵⁸

It is evident that the Prophet (SAW) tried to emphasize that girls are a blessing and there is great reward for the one who is good to them and raises them well. Al-Qaradawi says, "the Prophet of Islam (SAW) made Paradise the recompense of every father who conducts himself well with his daughters, has patience in raising them, provides their moral education, and observes Allah's commands concerning them..."⁵⁹ He cites the ḥadīth transmitted on the authority of Anas: "the Prophet (SAW) said, 'whoever sustained and protected two slave-girls until they came of age, on the Day of Judgment, he and I will be' and then he put his two fingers together."⁶⁰ Al-Qaradawi also introduces traditions transmitted by Ibn 'Abbās that the Prophet (SAW) said "A Muslim who has two daughters whom he treats well when they accompany him or when he accompanies them is admitted to Paradise" and that "Whoever had a female who was not buried nor insulted by him, and had not preferred his male children over her, Allah admits him to Paradise."⁶¹ Badawi also quotes these two aḥādīth in support of his statement that "parents are duty bound to support and show kindness and justice to their daughters."⁶² Another ḥadīth of the Prophet (SAW) that discourages

⁵⁸ Ibn al-Jawzī, 99.

⁵⁹ Al-Qaradawi, chapter "The Woman as Daughter."

⁶⁰ Al-Qaradawi, chapter "The Woman as Daughter."

⁶¹ Al-Qaradawi, chapter "The Woman as Daughter."

⁶² Badawi, 5.

contempt for girls and encourages respecting and valuing them is related by ‘Ā’isha, where the Prophet (SAW) said “Whoever suffers any mishap due to keeping his girls, but still treats them well, they will be protection for him from the Fire of Hell.”⁶³ These Prophetic traditions corroborate the fact that the birth of girls is a blessing, not a disgrace. The Prophet’s extreme stress on the benefits of daughters serves to illustrate that the pre-Islāmic practice of partiality to boys is not acceptable in Islām and consequently, it should not be implemented in any society. Al-Qaradawi says

it is a blessing to be thanked for and a mercy to be desired and requested because it is a blessing of the Almighty and a reward to be gained. In that way Islam nullified forever the custom of burying girls who now have a great place in the heart of the father. This is shown in what the Prophet (SAW) says about his daughter Fatima, ‘Fatima is part of me; what makes her angry makes me angry’ and ‘Fatima is part of me, what makes me sad, makes her sad, and what pleases me, pleases her.’⁶⁴

Due to these various aḥādīth regarding daughters that depict them as a blessing and a means of attaining Paradise, it is evident that Islām does not favor males over females and is not the least bit oppressive to women.

Concerning women as wives, Islām holds virtuous wives in the utmost regard. The Prophet (SAW) gave extensive advice concerning women as wives and illustrated their virtue in many of his traditions. The Messenger of Allāh (SAW) told ‘Umar “Shall I tell you the best a man can treasure? It is a good wife. If he looks at her, she gives him pleasure; if he orders her, she obeys; and if he is

⁶³ Al-Qaradawi, chapter “The Woman as Daughter.”

⁶⁴ Al-Qaradawi, chapter “The Woman as Daughter.”

away from her, she remains faithful to him.”⁶⁵ Ibn al Jawzī discusses the reward of a virtuous wife who completes her duties and quotes the ḥadīth,

"وعن أنس بن مالك رضي الله عنه قال: أتت النساء النبي صلى الله عليه وسلم وقلن 'يا رسول الله ذهب الرجال بالفضل من الجهاد في سبيل الله ما لنا من عمل ندرك به عمل المجاهدين في سبيل الله؟' قال: 'مهنة إحدانك في بيتها تدرك بها عمل المجاهدين في سبيل الله.'"

The ḥadīth translates as;

narrated by Anas bin Mālik (R) that, ‘the women came to the Prophet (SAW) and said, ‘O Messenger of Allāh, the men have gained virtue from struggling in the path of Allāh. What work can we do to attain the reward of those who struggle in the path of Allāh?’ He said ‘The task of one of you in her house will enable her to attain the reward of the work of those who struggle in the path of Allāh.’⁶⁶

This ḥadith exemplifies that the roles of men and women are different, however the question of superiority does not exist because for both of their actions is the same reward. Al-Qaradawi expounds upon the role of women as mothers and wives by saying,

Islam considers the home as the great kingdom of the woman. She is its mistress, its head and axis. She is the man’s wife, his partner, the solace of his loneliness, and the mother of his children. Islam considers a woman’s job of keeping house, looking after her husband’s affairs, and raising children well as a kind of worship (‘ibaadah) and struggle in the cause of Allah (jihad). Therefore, it resists every method or system that hampers her from fulfilling her task or that impairs her from performing her duty in the best way or that destroys her home. Every method or system that attempts to remove the woman from her kingdom, to take her from her husband, or displace her from her children in the name of freedom,

⁶⁵ Al-Qaradawi, chapter “The Woman as Wife.”

⁶⁶ Ibn al-Jawzī, 101.

work, art, etc., is in fact the woman's foe that wants to rob her of everything and hardly give her anything.⁶⁷

These scholars argue that by nature women are more suited for motherhood than men are, and therefore the tasks of fighting in battle and supporting the family financially are obligations meant for men. Maududi makes a valid point that indicates the distinct occupations each gender performs in his remark "all the men of the world together—hard as they try—cannot produce from among their sex even a most ordinary mother."⁶⁸

Both the occupations of males and females are equally valued and recompensed for by Allāh. Imām ibn al-Jawzī mentions some aḥādīth that depict the admiration Islām has for a virtuous woman and wife. He cites,

"و عن إسماعيل بن محمد بن سعد بن أبي وقاص عن أبيه عن جده قال: قال رسول الله صلى الله عليه وسلم: 'من سعادة ابن آدم المرأة الصالحة.' وعن عبد الله بن عمرو بن العاص رضي الله عنه عن رسول الله صلى الله عليه وسلم أنه قال: 'الدنيا متاع، وليس من متاع الدنيا شيء أفضل من المرأة الصالحة.'"

Narrated Ismā'īl bin Muḥammad bin Sa'd bin Abī Waqqās from his father, from his grandfather who said: "The Messenger of Allāh (SAW) said 'Among the happiness of the child of Adam is a righteous woman.'" In another tradition he reports that 'Abdullah bin 'Amr bin Al-'Ās that the Messenger of Allah (SAW) "The world is a delight and there is not from the delights of the world anything better than a righteous woman."⁶⁹ The elevated regard for women in Islām is

⁶⁷ Al-Qaradawi, chapter "Woman as Member of the Society."

⁶⁸ Maududi, 156.

⁶⁹ Ibn al-Jawzī, 120.

instantly recognizable through these traditions that avow that women are the best entities in the world. How can one perceive Islām as being oppressive to women, when this is the principle it maintains towards them? Clearly, Islām promotes respect and appreciation for women as mothers, daughters, and wives as they are described as being the best of this world and the means for attaining the best of the next world.

In terms of education and seeking knowledge, Islām also does not make a gender distinction nor does it prevent women from exercising the right to learn. On the contrary, it is considered an obligation for a Muslim woman to pursue an education. Ibn al-Jawzī indicates this with his remark,

"المرأة شخص مكلف كالرجل، فيجب عليها طلب علم الواجبات عليها لتكون من أدائها على يقين."

This statement translates as, "A woman is an individual that is entrusted with the same duties and responsibilities as a man. It is therefore incumbent upon her to seek obligatory knowledge so that she performs (her role) with certainty."⁷⁰ Islām guarantees the woman's right to seek education, as the Prophet (SAW) said "Seeking knowledge is mandatory for every Muslim."⁷¹ Al-Qaradawi explains, "every Muslim' obviously involves men and women on an equal footing as a rule formalized by all authorities of jurisprudence."⁷² Likewise, Badawi states that seeking an education is not only among the rights of a woman, but it is a responsibility upon all males and females.⁷³ The example of women seeking

⁷⁰ Ibn al-Jawzī, 11.

⁷¹ Al-Qaradawi, chapter "Woman as Human Being."

⁷² Al-Qaradawi, chapter "Woman as Human Being."

⁷³ Badawi, 5.

knowledge is manifest through the women at the time of the Prophet (SAW) who used to learn from him. Al-Qaradawi says that a woman's husband "has no right to prevent her from seeking knowledge, which she is obliged to do."⁷⁴ He relates that

women always attended the teaching sessions of the Prophet (SAW). They would address 'Aisha (R) with the questions they found awkward or too bold to ask. The Prophet's wife, 'Aisha, praised the women of the Ansar whose shyness did not prevent them from seeking knowledge of the religion and asking questions about major issues...this, however, was not enough for them compared to the men's completely enfolding the Prophet (SAW); so they demanded a special day of teaching be allocated to them without vying with a crowd of men, and said openly, 'Messenger of Allah, the men have taken complete possession of your company, so devote one of your days to us.' The Prophet (SAW) promised to give them a day and he preached and gave them instruction.⁷⁵

So, seeking knowledge is a right that neither a woman's husband nor anyone else can deny her. Maududi summarizes the opportunities granted to a woman by Islām in saying "the Muslim woman indeed has the right to attain the highest place of honour and advancement materially, intellectually and spiritually, both in religious and mundane spheres open to the Muslim male."⁷⁶

⁷⁴ Al-Qaradawi, chapter "Woman as Member of the Society."

⁷⁵ Al-Qaradawi, chapter "Legitimate Mixing."

⁷⁶ Maududi, 204.

II: RULINGS AND LEGISLATIONS CONCERNING MUSLIM WOMEN

The “ḥijab”:

Based on the foregoing account, it is apparent that a Muslim woman is viewed as a precious and respectable individual, and it is therefore not at all surprising that the religion outlines certain regulations to ensure her protection and preserve her honor and respect. One of the means of assuring woman’s protection is through the veil, which is designed to command deference. The obligation of veiling is mentioned in the Qur’ān in the verse

And say to the believing women that they should lower their gaze and guard their modesty; that they should not display their beauty and ornaments except what (must ordinarily) appear thereof; that they should draw their veils over their bosoms and not display their beauty except to their husbands, their fathers, their husbands' fathers, their sons, their husbands' sons, their brothers or their brothers' sons, or their sisters' sons, or their women, or the slaves whom their right hands possess, or male servants free of physical needs, or small children who have no sense of the shame of sex; and that they should not strike their feet in order to draw attention to their hidden ornaments. And O ye Believers! Turn ye all together towards Allah, that ye may attain Bliss.⁷⁷

⁷⁷ 24:31.

The commentators of the Qur'ān interpret this verse in a few ways that are in harmony with one another, despite minor differences of opinion.⁷⁸ The great traditional Qur'ānic exegete ibn Jarīr at-Ṭabarī (d.923)⁷⁹ presents the opinions of numerous mufasssīrūn⁸⁰ within his commentary. The summary of his interpretation of the verse above is;

"وقوله: (ولا يبدین زینتهن) يقول تعالى ذكره: ولا يظهر للناس الذين ليسوا لهم بمحرم زينتهن، وهما زينتان: إحداهما: ما خفي وذلك كالخلخال والسوارين والقرطين والقلائد. والأخرى: ما ظهر منها، وذلك مختلف في المعنى منه بهذه الآية، فكان بعضهم يقول: زينة الثياب الظاهرة. وقال آخرون: الظاهر من الزينة التي أبيح لها أن تبديه: الكحل، والخاتم، والسواران، والوجه."

This translates as,

His saying ‘and they should not display their beauty and ornaments’: He the Exalted says, they should not show (make apparent) to those people who are not their maḥram⁸¹ beauty. And it is of two kinds. One of them is what is hidden and that is like anklets, bracelets, earrings, and necklaces. The other is what is apparent and that differs in meaning in this verse. Some of them [interpreters] say the beauty that is apparent refers to the clothing. Other say the apparent beauty is that which is permissible for her to show: kohl, rings, bracelets, and the face.⁸²

Hence, in at-Ṭabarī's understanding a woman should be covered from head to toe, but he does not express whether he is of the opinion that her hands and face

⁷⁸ The translations for the Arabic commentary of the mentioned Qur'ānic verses are my own.

⁷⁹ Ibn Jarīr at-Ṭabarī, *Jamī' al-Bayān fi ta'wīl al-Qur'ān*, online version Wizārat ash-Shu'ūn al-Islāmiyya wal-Awqāf wad-Da'wa wal-Irshād. <<http://quran.al-islam.com/Tafseer/DispTafsser.asp?l=arb&taf=TABARY&nType=1&nSora=1&nAya=1>>

⁸⁰ Plural of mufasssīr meaning commentator/interpreter of the Qur'ān.

⁸¹ Arabic term meaning those who it is unlawful to marry (fathers, brothers, uncles, etc.).

⁸² at-Ṭabarī, 24:31.

should or should not be covered as well. Ibn Kathīr (d.1372),⁸³ another well-known exegete interprets this verse saying,

وقال: ولا يبدین زینتهن إلا ما ظهر منها أي: لا يظهرن شيئاً من الزينة للأجانب، إلا ما لا يمكن إخفاؤه. وقال ابن مسعود: كالرداء والثياب. يعني: على ما كان يتعاناه نساء العرب، من المقنعة التي تجلل ثيابها، وما يبدو من أسافل الثياب فلا حرج عليها فيه؛ لأن هذا لا يمكن إخفاؤه. عن ابن عباس: ولا يبدین زینتهن إلا ما ظهر منها قال: وجهها وكفيها والخاتم. والخمر: جمع خمار، وهو ما يخمر به، أي: يغطي به الرأس، وهي التي تسميها الناس المقانع. قال سعيد بن جبیر: وليضربن: وليشددن بخمرهن على جيوبهن يعني: على النحر والصدر، فلا يرى منه شيء.

He says ‘that they should not display their beauty except what is apparent,’

“means they shouldn’t show anything from their beauty to foreigners except what it is not possible to hide.” Like aṭ-Ṭabarī, he also cites the different

understandings of the definition of “apparent” beauty. He says “Ibn Mas’ūd said:

it is like the outer garments and robes. Ibn ‘Abbās said it is her face, hands, and rings.” Ibn Kathīr also defines the meaning of the “veils” in stating,

khumur is the plural of khimār and it is what one covers with. Meaning, it covers the head and it is what people call the veil. Sa’īd ibn Jubayr said: drawing their veils means they should pull [them] tightly and drawing them over their bosoms means the throat and chest so that nothing of it is seen.⁸⁴

In this way, Ibn Kathīr clarifies that the head, throat, and chest of a woman must

be covered in accordance with this Qur’ānic verse. Like Ibn Kathīr, al-Qurtubī

(d.1172),⁸⁵ also a respected interpreter of the Qur’ān, explains the meaning of

“veils” saying,

⁸³ ‘Imād ad-Dīn Ismā‘īl ibn ‘Umar ibn Kathīr, *Tafsīr ibn Kathīr*, online version Wizārat ash-Shu’ūn al-Islāmiyya wal-Awqāf wad-Da‘wa wal-Irshād. <<http://quran.al-islam.com/Tafseer/DispTafsser.asp?l=arb&taf=KATHEER&nType=1&nSora=1&nAya=1>>

⁸⁴ Ibn Kathīr, 24:31.

⁸⁵ Yaḥya ibn Sa’dun ibn Tamām ibn al-Azdī al-Qurtubī, *Tafsīr al-Qurtubī*, online version

"الْخُمُرُ : جَمْعُ الْخِمَارِ , وَهُوَ مَا تُعْطَى بِهِ رَأْسَهَا ; وَمِنْهُ إِحْتَمَرَتِ الْمَرْأَةُ وَتَحَمَّرَتْ."

This means, “khumur is the plural of khimār and it is what covers her head. From this word comes the verb, which would mean the woman veiled.”⁸⁶ It is apparent from the tafāsīr of these exegetes, that the veil is an obligation for the Muslim woman, and includes the covering of her head, neck, chest, and possibly her face and hands as well.

Another verse that discusses the ḥijāb⁸⁷ is “O Prophet! Tell thy wives and daughters, and the believing women, that they should cast their outer garments over their persons: that is most convenient, that they should be known (as such) and not molested. And Allāh is Oft-Forgiving, Most Merciful.”⁸⁸ aṭ-Ṭabarī interprets the verse as meaning

"ليدين عليهن من جلابيبهن؛ لئلا يعرض لهن فاسق. ثم اختلف أهل التأويل في صفة الإدناء الذي أمرهن الله به فقال بعضهم: هو أن يغطين وجوههن ورءوسهن فلا يبدين منهن إلا عينا واحدة."

“They should draw over themselves their jalābīb so that they are not exposed to evil people.” He cites the various opinions of what the jalābīb entail, and concludes, “the interpreters differ on the description. Some say to cover their

Wizārat ash-Shu’ūn al-Islāmiyya wal-Awqāf wad-Da‘wa wal-Irshād. <<http://quran.al-islam.com/Tafseer/DispTafsser.asp?l=arb&taf=KORTOBY&nType=1&nSora=1&nAya=1>>

⁸⁶ Al-Qurtubī, 24:31.

⁸⁷ The most common Arabic word used today to signify the veil and refers to the covering of the head (hair).

⁸⁸ 33:59.

faces and heads so that nothing is seen except one eye.”⁸⁹ Ibn Kathīr defines jalābīb saying,

"والجلباب هو: الرداء فوق الخمار. قال علي بن أبي طلحة، عن ابن عباس: أمر الله نساء المؤمنين إذا خرجن من بيوتهن في حاجة أن يغطين وجوههن من فوق رؤوسهن بالجلابيب، ويبدين عينا واحدة."

“Jilbāb is the outer garment worn over the khimār. ‘Alī ibn Abī Ṭalḥa said that ibn ‘Abbās said: ‘Allāh ordered the believing women when they go out of their houses for their needs to cover their faces from over their heads with jalābīb and they can show one eye.” He mentions ibn ‘Abbās’ interpretation of the meaning and quotes him as saying “Allah ordered the believing women to cover their faces from above their heads with jalābīb, and to show one eye when they go out of their houses for their needs.”⁹⁰ Al-Qurtubī explicates the details of jalābīb,

"الجلابيب جمع جلباب , وهو ثوب أكبر من الخمار . ورؤي عن ابن عباس وابن مسعود أنه الرداء . وقد قيل : إنه القناع . والصحيح أنه الثوب الذي يستر جميع البدن ."

saying “jalābīb is the plural of jilbāb and it is a garment bigger than the khimār. It is reported according to ibn ‘Abbās and ibn Mas‘ūd that it is an over garment. It is also said that it is a veil. The correct opinion is that it is a garment that covers the whole body.”⁹¹

Shaykh al-Islām Ibn Taymiyya discusses the issue of ḥijāb in detail in his book *Ḥijāb al-Mar’a wa libāsuhā fi as-Salāh*. In his view, like that of these other

⁸⁹ aṭ-Ṭabarī, 33:59.

⁹⁰ Ibn Kathīr, 33:59.

⁹¹ al-Qurtubī, 33:59.

Qur'ānic exegetes, the notion of a woman covering her hair is not even a possible debate. Correspondingly, he discusses his belief that her face and hands should also be covered. This reveals that this renowned scholar and respected authority in Islām was convinced that the head-cover was mandatory for a Muslim woman. He describes the beauty and ornaments that “appear” as mentioned in the Qur'ānic verse as two possibilities, indicating that the hair is by no means in question. He says,

"والسلف قد تنازعا في الزينة الظاهرة على قولين: فقال ابن مسعود ومن وافقه: 'هي الثياب.' وقال ابن عباس ومن وافقه: 'هو ما في الوجه واليدين، مثل الكحل والخاتم.'"

His discussion translates as,

The pious predecessors disputed with regards to the external embellishment and came to two different conclusions. Ibn Mas'ūd and those who agreed with him said that it refers to the clothes. And Ibn 'Abbās and those who agreed with him said it is what is on the face and hands, like kohl and rings.⁹²

As for the definition of the “outer garments” mentioned in the second verse, Ibn Taymiyya says,

"والجلباب: هو الملاءة، وهو الذي يسميه ابن مسعود وغيره: الرداء، وتسمية العامة: الإزار، وهو الإزار الكبير الذي يغطي رأسها وسائر بدنها."

“And the Jilbāb: it is a veil or sheet. And it is that which ibn Mas'ūd and others called the dress or robe. And its common name is the wraparound—and it is a large wraparound that covers her head and all of her body.”⁹³ Thus all of these mufassirūn are in consensus that the Qur'ān requires the Muslim woman to be

⁹² Ibn Taymiyya, 13. All of the translations of Ibn Taymiyya's Arabic text are my own.

⁹³ Ibn Taymiyya, 16.

fully covered, and it is just the physical form of that covering that they debate. So, based on the verses of the Qur’ān, the aḥādīth of the Prophet (SAW), and the interpretations of the traditional authorities of the religion there should be no dispute that the ḥijāb is obligatory on the woman to secure her protection and honor.

Abul ‘Ala Maududi also comments upon these verses, and interprets them in a similar manner. With regards to verse 24 of sura 31, he says “what the Legislator means to say is that a woman should not display her decoration before others on purpose, but she is not responsible for that which cannot be helped.”⁹⁴ He understands verse 35 of sura 59 as especially enjoining the covering of the face.⁹⁵ So, Maududi’s opinions are in harmony with those of Ibn Taymiyya and the other exegetes mentioned. He concludes

a person who considers carefully the words of the Qur’anic verse, their well-known and generally accepted meaning and the practice during the time of the Holy Prophet, cannot dare deny the fact that the Islamic Shari’ah enjoins upon the woman to hide her face from the other people, and this has been the practice of the Muslim women ever since the time of the Holy Prophet himself.⁹⁶

Hence, these scholars have established that in addition to the veil that covers at least the head, neck, and chest, a garment is to be worn on top of this which covers the whole body, and in their opinion this includes the face except for one eye so that a woman may see where she is going.

⁹⁴ Maududi, 245.

⁹⁵ Maududi, 248.

⁹⁶ Maududi, 252.

The latter of the two cited verses also reveals the wisdom and reasoning behind the veil, with its reference to protection from molestation. Accordingly, the implication is that modesty is a safeguard. Sherif Mohammed expounds on this notion of the veil being a defense against harm and harassment by stating that the Islāmic concept of the ḥijāb

is not a sign of man’s authority over woman nor is it a sign of woman’s subjugation to man...it's not a sign of luxury and distinction of some noble married women...it is only a sign of modesty with the purpose of protecting women, all women. The Islamic philosophy is that it is always better to be safe than sorry.⁹⁷

He goes on to explain that the

Qur’an is so concerned with protecting women’s bodies and women’s reputation that a man who dares to falsely accuse a woman of unchastity will be severely punished: ‘And those who launch a charge against chaste women, and produce not four witnesses (to support their allegations)—Flog them with eighty stripes; and reject their evidence ever after: for such men are wicked transgressors.’⁹⁸

It is clear that the ḥijāb is not meant to debase woman or to strip her of freedom, but instead is meant to protect her and safeguard her honor. ‘Ā’isha relates what the women at the time of the Prophet (SAW) did when the verse of the veil was revealed by saying,

May Allāh bestow His Mercy on the early emigrant women when Allāh revealed: ‘They should cover (draw their veils over) their bodies, faces, necks, and bosoms’ –they tore their Mourts (a woolen dress, or a waist-binding cloth or an apron etc.) and covered their faces with those torn Mourts.’ In another narration ‘–

⁹⁷ Mohammed, chapter “The Veil.”

⁹⁸ Mohammed, chapter “The Veil.” 24:4.

(the ladies) cut their waist sheets at the edges and covered their heads and faces with those cut pieces of cloth.”⁹⁹

Observably the women of that time did not see it as oppression, as they hurried to carry out the order of Allāh, and understood His Wisdom. The work of Ibn al-Jawzī demonstrates that the women at the time of the Prophet (SAW) considered the ḥijāb obligatory. He cites a ḥadīth that exemplifies this. He quotes,

”قال الحربي وحدثنا محمد بن عبد المطلب باسناده عن القاسم عن أبي اسامة أن عمر رضي الله عنه قال: ‘لا يجل الحمام لمؤمنة إلا من سقم، فان عائشة حدثتني قالت: قال رسول الله صلى عليه وسلم: أيما امرأة مؤمنة وضعت خمارها في غير بيت زوجها هتكت الحجاب فيما بينها وبين الله عز وجل.’“

Which means that,

al-ḥarbī said and Muḥammad bin ‘Abd al Muṭalib with his chain of narration that Al-Qāsim heard from Abī Usāma who heard that ‘Umar said “The Messenger of Allāh (SAW) said ‘Public baths are not lawful for a believing woman except in the case of illness,’ For ‘Ā’isha said to me that the Messenger of Allāh (SAW) said ‘Any believing woman who takes off her khimār (veil) in any place other than the house of her husband, tears the veil between herself and Allāh.’”¹⁰⁰

The implication from this ḥadīth is undoubtedly that the ḥijāb is compulsory outside of the woman’s home.

Marriage:

Islām defines marriage as a mutual relationship of peace, love, and understanding between husband and wife, and grants both of them individual

⁹⁹ Al-Bukharī, Book 60 Number 282.

¹⁰⁰ Ibn al-Jawzī, 23.

rights. Allāh says in the Qur’ān “And among His Signs is this, that He created for you mates from among yourselves, that ye may dwell in tranquility with them, and He has put love and mercy between your (hearts): verily in that are Signs for those who reflect.”¹⁰¹ Another verse states “(He is) the Creator of the heavens and the earth: He has made for you pairs from among yourselves, and pairs among cattle: by this means does He multiply you: there is nothing whatever like unto Him, and He is the One that hears and sees (all things).”¹⁰² Allāh depicts the relationship of understanding and compassion between husband and wife with the simile “They (your wives) are your garments and you are their garments.”¹⁰³ This comparison of spouses to garments is indicative of the compassionate and supportive nature of marriage in Islām. Just as garments cover and shield an individual, hiding their nakedness and shielding them from unpleasant conditions, so do husband and wife protect and comfort one another. It is for this reason that the Prophet (SAW) strongly recommended marriage. He (SAW) said “When a man marries, he has completed one half of his religion” and “Marriage is a part of my way and whoever keeps away from my way is not from me (i.e. is not my follower).”¹⁰⁴ In another tradition, cited by al-Qaradawi, the Prophet (SAW) said “Nothing is better for those in love than marriage.”¹⁰⁵ Accordingly, it is

¹⁰¹ 30:21.

¹⁰² 42:11.

¹⁰³ 2:187.

¹⁰⁴ Abdur Rahman I. Doi, *Women in the Quran and the Sunna*, Online book. <http://www.witness-pioneer.org/vil/Books/AS_wqs/index.htm>

¹⁰⁵ Al-Qaradawi, chapter “The Woman as Daughter.”

understood that marriage is a virtuous act that should be carried out by every Muslim.

The institution of marriage grants women rights even before a contract is written. Allāh states in the Qur’ān

O ye who believe! Ye are forbidden to inherit women against their will. Nor should ye treat them with harshness, that ye may take away part of the dower ye have given them, except where they have been guilty of open lewdness; on the contrary live with them on a footing of kindness and equity. If ye take a dislike to them it may be that ye dislike a thing, and Allāh brings about through it a great deal of good.¹⁰⁶

This verse delineates the fact that women have a choice in marriage, and cannot be forced into marrying a man they do not wish to. The fact that their permission is necessary is manifest, as they cannot be “inherited.” Furthermore, their right of being treated with kindness is also evident in this verse. Badawi explains,

The female has the right to accept or reject marriage proposals. Her consent is prerequisite to the validity of the marital contract according to the Prophet’s teaching. It follows that if by ‘arranged marriage’ is meant marrying the girl without her consent, then such a marriage is nullifiable if she so wished.¹⁰⁷

Al-Qaradawi quotes the ḥadīth of the Prophet (SAW) that shows the necessity of the bride’s approval. “On the authority of Abu Hurayra, ‘a widow cannot marry unless she gives her consent, nor the virgin until she is asked permission.’ They asked, ‘O Messenger of Allah, how can she give her permission?’ He said ‘by her

¹⁰⁶ 4:19.

¹⁰⁷ Badawi, 5.

silence.”¹⁰⁸ In consequence, forcing a woman into marriage is against the principles of Islām and facilitates the dissolution of the marriage if that is desired.

After choosing to enter into a marriage, a Muslim woman is granted several rights. The first right granted to a woman is a dower. Allāh commands the giving of dower in the Qur’ān; “And give the women (on marriage) their dower with a good heart; but if they, of their own good pleasure, remit any part of it to you, take it and enjoy it with right good cheer.”¹⁰⁹ A woman has the right to request whatever amount she would like for a dower, but since Islām encourages simplicity in all spheres, she is advised not to seek extravagance. A woman’s money is her own, and she is free to do as she pleases with it, without the interference of her husband or her family.

The second right she enjoys is that of maintenance. Badawi states “the husband is responsible for the maintenance, protection, and overall headship of the family (qiwamah) within the framework of consultation and kindness.” He continues, making the clarification “the mutual dependency and complementary [nature] of the roles of males and females does not mean ‘subservience’ by either party to the other.”¹¹⁰ Allāh Mentions the following verse of the Qur’ān with regard to this subject: “Men are the maintainers of women, because Allāh has made some of them to excel others, and because they spend out of their

¹⁰⁸ Al-Qaradawi, chapter “The Woman as Daughter.”

¹⁰⁹ 4:4.

¹¹⁰ Badawi, 6.

property.”¹¹¹ The key word to be analyzed in this verse is that which describes the concept of “qiwāma.” at-Ṭabarī’s discusses the meaning of this verse and says,

"قال أبو جعفر: يعني بقوله جل ثناؤه: 'الرجال قوامون على النساء'، الرجال أهل قيام على نساءهم، في تأديبهن والأخذ على أيديهن فيما يجب عليهن الله ولأنفسهم. 'بما فضل الله بعضهم على بعض'، يعني: بما فضل الله به الرجال على أزواجهم: من سوقهم إليهن مهورهن، وإنفاقهم عليهن أموالهم، وكفايتهم إياهن مؤنهن. وذلك تفضيل الله تبارك وتعالى إياهم عليهن، ولذلك صاروا قواما عليهن."

His discussion translates as follows:

Abu Ja'far said what He (Exalted is His Praise) means by saying 'Men are protectors and maintainers over women' is that men are the people who are concerned for their women with regards to their education and discipline, and in taking their (women's) hands in what Allah has made obligatory on them and on themselves. 'By what Allah favored some of them over others' means what Allah gave preference to men in over their wives. These preferences are from their (men's) granting women their dowries and spending upon them from their (men's) wealth, and their efficiency towards them in providing their provisions. And that is Allah's preference of them (men) over women, and for that reason they became protectors and maintainers over them (women).¹¹²

Ibn Kathīr also cites similar opinions in his explanation. Al-Qurtubī says that the verse means

"أَيُّ يَقُومُونَ بِالنَّفَقَةِ عَلَيْهِنَّ وَالِدَبِّ عَدُوْنَهُنَّ ; وَأَيْضًا فَإِنَّ فِيهِمُ الْحُكَّامَ وَالْأَمْرَاءَ وَمَنْ يُغْزُو ، وَلَيْسَ ذَلِكَ فِي النِّسَاءِ . أَنَّهُ مَنَّى عَجَزَ عَنْ نَفَقَتِهَا لَمْ يَكُنْ قَوَامًا عَلَيْهَا . "

Which translates that men “undertake spending on them (women) and defending them and also, amongst them (men) are arbitrators, leaders, and those who fight in battle, and it is not like that amongst women.” Al-Qurtubī goes on to add “when

¹¹¹ Mohammad Habib Shakir, *The Holy Qur'an*, 4:34.

¹¹² at-Ṭabarī, 4:34.

the man is unable to provide financially for her, he is not a guardian over her.”¹¹³

Maududi’s interpretation of this verse is “man’s position in the family is that of a provider. In other words, he is in charge of the family, and its protector and is responsible for earning a living for the family and providing it with the necessities of life.”¹¹⁴ Thus, the understanding of these exegetes is that men are assigned the task of protecting and providing for women because of certain traits and financial responsibilities that Allāh bestowed upon them, as is evident in the following verse.

Another verse from the Qur’ān that illustrates the degree of “preference” that men have over women, thereby requiring men to provide for them, is “And women shall have rights similar to the rights against them, according to what is equitable; but men have a degree over them. And Allāh is Exalted in Power, Wise.”¹¹⁵ aṭ-Ṭabarī expresses the various understandings of this portion of the verse, saying

"فقال بعضهم: معنى "الدرجة" التي جعل الله للرجال على النساء، الفضل الذي فضلهم الله عليهن في الميراث والجهاد وما أشبه ذلك. وقال آخرون: تلك الدرجة له عليها بما ساق إليها من الصداق. وقال آخرون: بل تلك الدرجة التي له عليها أن جعل له لحيه وحرمة ذلك."

His interpretation means,

¹¹³ Al-Qurtubī, 4:34.

¹¹⁴ Maududi, 189.

¹¹⁵ 2:228.

some say the meaning of ‘daraja’ is that which Allāh granted men over women, which is the advantage that Allāh favored them (men) over them (women) in inheritance, fighting, and similar matters. Others say that the ‘daraja’ that he (man) has over her (woman) is what he has handed over to her from the dower... still others say that the ‘daraja’ that he (man) has over her (woman) is that he is permitted to have a beard, and she is prevented from that.¹¹⁶

Al-Qurtubī gets into a detailed discussion of the technical meaning of ‘daraja’ and where it originates. He then concludes that

"فزيادة درجة الرجل بعقله وقوته على الإنفاق وبالدية والميراث والجهاد."

The translation of which is “the addition of a degree of man is because of his intellect and power in the field of expenditure, and in blood-money, inheritance, and fighting.”¹¹⁷ Hence, the degree that men enjoy over women lies in the advantages they are granted over women, and can vary from the field of being responsible for spending, inheriting more, being required to fight in battle, or even in that they can grow beards. Clearly this degree does not make men superior to women with regards to their spiritual duties and rewards, but has to do with the different roles allotted for each sex.

The obligation of the man to financially provide for woman is undoubtedly a right of the wife over her husband. The ḥadīth of the Prophet (SAW) defines what maintenance entails; “You are obliged to provide them with food and clothes honorably.”¹¹⁸ Al-Qaradawi cites this ḥadīth and expounds on

¹¹⁶ at-Ṭabarī, 2:228.

¹¹⁷ Al-Qurtubī, 2:228.

¹¹⁸ Al-Qaradawi, chapter “The Woman as Wife.”

the details, saying “the husband is required to provide his wife with food, clothes, a place to live and medical treatment according to his environment, conditions and income...hounourably here means what is conventional according to people of faith and honour, without extravagance or meanness.”¹¹⁹

The third right of women is that their husbands live with them honorably. Al-Qaradawi offers the definition of honorably as being “a collective right which is comprised of all around good treatment in all aspects of the husband/wife relationship such as good manners, a flexible attitude, sweet words, a smiling face, a pleasing playfulness and an amusing mien etc.”¹²⁰ There are many sayings of the Prophet (SAW) that illustrate what honorable treatment towards women is. In one such tradition the Prophet (SAW) is reported to have said “the believers who show the most perfect faith are those who have the best character and the best of you are those who are the best to their wives.”¹²¹ When the Prophet delivered his famous sermon on the Mountain of Mercy in ‘Arafāt, he (SAW) said: “Fear Allah regarding women. Verily you have married them with the trust of Allah, and made their bodies lawful with the word of Allah. You have got (rights) over them, and they have got (rights) over you in respect of their food and clothing according to your means.”¹²² Accordingly, the Prophet (SAW) disapproved of harshness towards women. This is apparent in the ḥadīth reported by Iyās bin ‘Abdullah that the Messenger of Allāh (SAW) said:

¹¹⁹ Al-Qaradawi, chapter “The Woman as Wife.”

¹²⁰ Al-Qaradawi, chapter “The Woman as Wife.”

¹²¹ An-Nawawi, *Riyād-us-Sāliheen*, 273.

¹²² Doi, *Women in the Quran and the Sunna*.

‘Do not beat Allāh’s bondwomen.’ When ‘Umar (R) came to the Messenger of Allah (SAW) and complained saying: ‘The women have become very daring towards their husbands,’ He (SAW) gave permission to beat them. Then many women went to the family of the Messenger of Allah (wives) complaining of their husbands, and he (the Prophet (SAW)) said, ‘Many women have gone round Muhammad’s family complaining of their husbands. Those who do so, that is, those who take to beating their wives, are not the best among you.’¹²³

Ibn al-Jawzī says,

"وقد صح عن رسول الله صلى عليه وسلم: 'أنه ما ضرب امرأة من نسائه قط.'"

Which means: “there is an authentic narration about the Messenger of Allāh (SAW) that he never beat a woman from his wives ever.”¹²⁴ He also cites the ḥadīth

"ألا يستحي أحدكم أن يجلد امرأته جلد العبد، ثم يضاجعها؟ فاللطف أولى إذا نفع."

“Don’t any of you feel ashamed to beat his wife like a slave and then sleep with her?” Ibn al-Jawzī concludes “So, kindness is better and more appropriate if it is beneficial.”¹²⁵ It is clear that mercy and compassion is the preferred treatment towards women, as that is what the Prophet (SAW) practiced himself, and he is the ‘best example.’¹²⁶

¹²³ An-Nawawī, *Riyād-us-Sāliheen*, 274.

¹²⁴ Ibn al-Jawzī, 87.

¹²⁵ Ibn al-Jawzī, 87.

¹²⁶ The interpretations on the verse that permits a man to strike his wife in the case of marital misconduct are extensive and set forth very detailed guidelines and restrictions. Therefore this issue has not been discussed due to limited time and space. I will however clarify that all of the exegetes cited in this paper agree that the nature of the “beating” is that it is not violent and does not harm the woman in any way—it is more symbolic. See Tafsir aṭ-Ṭabarī, Ibn Kathīr, and al-Qurtubī on verse 4:34.

As regards the issue of divorce, Islām grants women several rights and privileges. Sherif Mohammed elucidates Islām’s stance on divorce with the following remarks: “Marriage in Islam is a sanctified bond that should not be broken except for compelling reasons. Couples are instructed to pursue all possible remedies whenever their marriages are in danger. Divorce is not to be resorted to except when there is no other way out.”¹²⁷ Once all measures to preserve the marriage have been attempted, but to no avail, he explains, “Islam does recognize the right of both partners to end their matrimonial relationship.”¹²⁸ Therefore both the man and woman can initiate divorce if their marriage is beyond repair. However, Allāh’s fervent displeasure for divorce is evident in the tradition “The most hateful ḥalāl (permissible thing) to Allāh is divorce.”¹²⁹ The husband has the official right to divorce (Ṭalāq). In this case, as discussed by al-Qaradawi, the man is not allowed to consume the woman’s dower or to take back what he had given before. He cites the verse “And it is not lawful for you (men) to take back any of your dower (from your wives) which you have given them.”¹³⁰ Additionally, al-Qaradawi comments that “it is also forbidden for the divorced man to spread rumours about his ex-wife or to scandalize her or offend her or her family after divorce: ‘either you retain her on reasonable terms or release her with kindness’ [2:229] ‘And do not forget liberality between yourselves.’ [2:237]”¹³¹

¹²⁷ Mohammed, chapter “Wife’s Property.”

¹²⁸ Mohammed, chapter “Wife’s Property.”

¹²⁹ Abu Dawūd, Book 12 Number 2173.

¹³⁰ 2:229.

¹³¹ Al-Qaradawi, chapter “Divorce.”

The verses of the Qur'ān concerning divorce are numerous. One verse which illustrates the possible actions that women can take in this matter is:

if a wife fears cruelty or desertion on her husband's part, there is no blame on them if they arrange an amicable settlement between themselves; and such settlement is best; even though men's souls are swayed by greed. But if ye do good and practice self-restraint, Allāh is well acquainted with all that ye do. You are never able to be fair and just as between women, even if it is your ardent desire: but turn not away altogether, so as to leave her hanging (neither married nor divorced). If you come to a friendly understanding, and practice self-restraint, Allah is Oft-Forgiving, Most Merciful.¹³²

This stipulates that a wife has the right to dissolve her marriage if she feels that it is necessary. This is a legitimate form of divorce, as Badawi explains,

forms of marriage dissolution include mutual agreement, the husband's initiative, the wife's initiative (if part of her marital contract, court decision on the wife's initiative (for a cause), and the wife's initiative without a 'cause' provided that she returns the marital gift to her husband (khul' [divesture])).¹³³

In this manner, it is apparent that a woman has a few options in which to initiate divorce if she desires. She can either appeal to a court and be granted a divorce, or act independently by returning her dower to her husband in return for a termination to the marriage. Al-Qaradawi mentions an example of khul' at the time of the Prophet (SAW). He relates

according to the prophetic traditions, Thabet Ibn Qais's wife complained to the Prophet (SAW) of her strong loathing of her husband. The Prophet (SAW) asked her, 'Would you give back his orchard?' –which was her dower—she answered, 'Yes.' The Prophet (SAW) ordered Thabet to take back his orchard and

¹³² 4:128-9.

¹³³ Badawi, 6.

nothing more. He asked the husband to utter one irreversible repudiation.¹³⁴

Al-Qaradawi deduces that “with these outlets, Islam has opened many doors for a woman to be liberated from the cruelty of some husbands and their being domineering without having the right to be.”¹³⁵ It is Islām’s fairness to women in the issues of marriage and divorce that secures rights for them so that their protection and honor is safeguarded. Badawi summarizes the advantages and privileges a Muslim woman receives as a wife, mother, and daughter in his remark:

greater financial security is assured for women. They are entitled to receive marital gifts, to keep present and future properties and income for their own security. No married woman is required to spend a penny from her property and income on the household. She is entitled to full financial support during marriage and during the waiting period (‘iddah) in case of divorce. She is also entitled to child support. Generally, a Muslim woman is guaranteed support in all stages of her life, as a daughter, wife, mother, or sister.¹³⁶

In this manner, it is apparent that a Muslim woman is granted a great level of security and a variety of options during all stages of her life so that she may live in safety, with honor and respect.

Within the framework of marriage, lies the issue of polygamy, which the scholars discuss in length and explain its reasoning, requirements, restrictions, and benefits. The Qur’ān mentions the permissibility of this practice in the verse “If you fear that you shall not be able to deal justly with the orphans, marry

¹³⁴ Al-Qaradawi, chapter “Divorce.”

¹³⁵ Al-Qaradawi, chapter “Divorce.”

¹³⁶ Badawi, 4.

women of your choice, two, or three, or four; but if you fear that you shall not be able to deal justly (with them), then only one, or (a captive) that your right hands possess. That will be more suitable, to prevent you from doing injustice.”¹³⁷

Firstly, the Qur’ān directly limits the number of wives a man can have to four, since there was no limit in the pre-Islāmic period. Secondly, the Qur’ān stresses the requirement of justice between wives, and asserts that if a man is not able to be just, he should marry one woman. Lastly, polygamy in Islām is definitely more of a permissibility than a recommendation as is understood from the implications of the following verse “You will never be able to do perfect justice between wives even if it is your ardent desire, so do not incline too much to one of them so as to leave the other hanging (i.e. neither divorced nor married).”¹³⁸ Sherif Mohammed expands upon these ideas saying, “it should not be understood that the Qur’an is exhorting the believers to practice polygamy, or that polygamy is considered as an ideal. In other words, the Qur’an has ‘tolerated’ or ‘allowed’ polygamy, and no more.”¹³⁹ Badawi holds a similar view as is revealed in his statement “Islam did not outlaw polygyny but regulated it and restricted it. It is neither required nor encouraged, but simply permitted and not outlawed.”¹⁴⁰ Within the institution of polygamy, the ability to ascertain the identity of the mother and father of the child is unambiguous. On the other hand, if women were permitted to have more than one husband, it is not guaranteed that the father of the child would be undoubtedly

¹³⁷ 4:3.

¹³⁸ 4:129.

¹³⁹ Mohammed, chapter “Polygamy.”

¹⁴⁰ Badawi, 7.

known. This is problematic for the Muslim social and family structure, as it is the right of the child to know both his/her parents.

In relation to the requirement of justice and being fair to ones wives, al-Qaradawi cites a ḥadīth of the Prophet (SAW) in which he says “The man who had two wives and was inclined towards one of them will come on the Day of Judgment bent to one side.”¹⁴¹ Al-Qaradawi adds that the “inclination which the Hadith warns us of what takes place when he overlooks her rights and not when he merely inclines in feelings toward her, which is part of the equity that is not possible and which is forgiven by Allah.”¹⁴² As for justice in maintenance, al-Qaradawi declares, “the man who is unable to sustain a second wife, or who is afraid of not being fair to both of them, it is forbidden for him to marry another.” He supports his verdict with Allah’s saying “but if you fear that you shall not be able to deal justly (with them), then only one.”¹⁴³ Al-Qaradawi explicates the details of fairness by saying that the Muslim must be fair in his treatment pertaining to food, drink, clothing, housing, and sustenance. Therefore, “if one is not sure of his ability to fulfill such duties equitably and fairly, he is forbidden to marry more than one wife.”¹⁴⁴

In explaining the reasoning behind Islām’s sanction of polygamy and its possible benefits, the scholars identify a few different incentives. In answering the question of why polygamy is allowed, Sherif Mohammed states

¹⁴¹ Al-Qaradawi, chapter “Polygamy: Fairness is a Condition of Polygamy.”

¹⁴² Al-Qaradawi, chapter “Polygamy: Fairness is a Condition of Polygamy.”

¹⁴³ Al-Qaradawi, chapter “Polygamy: Fairness is a Condition of Polygamy.”

¹⁴⁴ Al-Qaradawi, chapter “Polygamy: Fairness is a Condition of Polygamy.”

there are places and times in which there are compelling social and moral reasons for polygamy...the issue of polygamy in Islam cannot be understood apart from community obligations towards orphans and widows. Islam as a universal religion suitable for all places and all times could not ignore these compelling obligations.¹⁴⁵

A logical reason that all scholars give in support of polygamy is that of imbalance in the gender ratio. There are undoubtedly more females than males in the world, and in some places the ratio of women to men is very high. So, in order that every woman may be provided for and protected, as well as to have the opportunity to have a husband and children, Islām permits polygamy. Polygamy thereby provides a moral solution to disproportional sex ratios. As al-Qaradawi says

the system of polygamy according to Islamic Law is a moral, human system. It is moral because it does not allow man to have intercourse with any woman he wishes, at any time he likes...it is human because through it a man lessens the burdens of the community by sheltering a woman who has no husband and transforms her to a chosen, protected wife.¹⁴⁶

Badawi champions the same reasoning in saying

the intent of its continued permissibility is to deal with individual and collective contingencies that may arise from time to time (i.e. imbalances between the number of males and females created by wars). This provides a moral, practical, and humane solution to the problems of widows and orphans who are likely to be more vulnerable in the absence of a husband/father figure to look after their needs: financial companions, proper rearing, and other needs.¹⁴⁷

The system of polygamy places restrictions and responsibilities on a man, so that he is accountable for his actions. The intention behind the acceptability of

¹⁴⁵ Mohammed, chapter "Polygamy."

¹⁴⁶ Al-Qaradawi, chapter "Polygamy: Polygamy as a Moral, Human System."

¹⁴⁷ Badawi, 7.

polygamy is to sustain and protect the morality of society, as without it sexual promiscuity becomes prevalent. In societies where polygamy is forbidden, extramarital relationships between men and women occur, which cause the break-up of families, high divorce rates, and illegitimate, disturbed children. Additionally, a man is not limited in the number of women he may have relations with, which augments the immorality of the system.¹⁴⁸ Therefore polygamy undeniably presents a solution to some of the social ills present in society. Sherif Mohammed clarifies an important point that reveals that polygamy is not degrading to women, and that they do have a choice in such a matter. He says, “It has to be added that polygamy in Islam is a matter of mutual consent. No one can force a woman to marry a married man. Besides, the wife has the right to stipulate that her husband must not marry any other woman as a second wife.”¹⁴⁹ Based on these numerous explanations, it is clear that polygamy is not permitted in order for men to satisfy their sexual appetites, as it involves numerous restrictions and regulations. Thus, it is incontestable that Islām restricted polygamy and only permits it as a system that may be useful at various stages of time and in different places, since it may contribute to protecting the morality of society as a whole.

Having established the framework of the status of women in Islām according to the original religious sources, it is now possible to examine and respond to the discussions that contemporary feminists present. Based on the religious approach outlined above, the distinctions between cultural and religious

¹⁴⁸ Maududi, 87-95.

¹⁴⁹ Mohammed, chapter “Polygamy.”

practices should be evident. This “traditional” background will serve as the reference when addressing the opinions of those who have misinterpreted Islām’s position regarding women, thereby proclaiming that Muslim women are oppressed.

III: THE VIEWS OF NAWAL EL SAADAWI

Nawal el Saadawi is a well-known Egyptian psychiatrist and writer, and the majority of her written works are novels. Like other feminists in the Middle East, she has taken a thorough look at her surroundings and is legitimately displeased with the treatment of women in that part of the world. El Saadawi fails, however, to differentiate between the cultural practices and the religion of Islām with regards to women. Her arguments demonstrate her lack of knowledge and expertise in understanding Islāmic concepts. It is this grievous mistake of broadcasting her uninformed claims that stations her in the category of being a fitna for Islām.

El Saadawi incorrectly asserts that the Qur’ān and Islām are prejudiced towards women and deem them as inferior. In an article entitled “Exile and Resistance” she claims that women are looked down upon in the Qur’ān as inferior to men, yet she does not provide any evidence from the Sacred Text to support her allegation.¹⁵⁰ El Saadawi repeats this statement in “Women Creativity

¹⁵⁰ Nawal el Saadawi, “Exile and Resistance.” Cairo, Egypt 2002.
<<http://www.nawalsaadawi.net/articlesnawal/bornexile.htm>>

and Mental Health” and adds that woman is also “incomplete and her spirit is inferior or absent.”¹⁵¹ Likewise in this article, she does not supply any proof for her contention. As was previously explained, the Qur’ān presents the opposite idea and does not differentiate between gender in terms of superiority and inferiority. Women and men are created from the same origin and nowhere in Islāmic doctrine is the idea that males are superior to females existent. In this way, el Saadawi’s claims regarding the Qur’ān are not valid as the Qur’ān itself refutes them. In addition to making false statements about the Qur’ān, el Saadawi incorrectly interprets verses of the Holy Book. This is apparent in “Women Creativity and Mental Health” where she alleges “god says in his Book that He created male and female from the same soul and then in another page, says the opposite that men are superior to women.”¹⁵² Needless to say el Saadawi does not cite the verses she is referring to. The references to creating men and women from a single soul are many in the Qur’ān, such as in verses 4:1 and 7:189 to name a few.¹⁵³ Regarding el Saadawi’s remark about a verse describing men as superior to women, there is no such verse. She has misinterpreted the concept of “qiwāma” as superiority, when the general consensus of the exegetes is that qiwāma primarily refers to the financial responsibility of men for their families. This was

¹⁵¹ Nawal el Saadawi, “Women Creativity and Mental Health.” Egypt, 2001.
<http://www.nawalsadaawi.net/articlesby/mental_health.htm>

¹⁵² El Saadawi, “Women Creativity and Mental Health.”

¹⁵³ “O mankind! Revere your Guardian-Lord, who created you from a single person, created, of like nature, His mate, and from them twain scattered (like seeds) countless men and women...”4:1. “It is He Who created you from a single person, and made his mate of like nature, in order that he might dwell with her (in love). When they are united, she bears a light burden and carries it about (unnoticed). When she grows heavy, they both pray to Allah their Lord, (saying): "If Thou givest us a goodly child, we vow we shall (ever) be grateful." 7:189.

detailed earlier in the explanation of traditional exegetes who are well versed in the knowledge of the Qur'ān. Therefore it is apparent that el Saadawi's interpretations demonstrate a lack of religious knowledge and incompetence in understanding the intricacies of the Qur'ān.

In addition to misinterpreting the Qur'ān, Nawal el Saadawi does not differentiate between cultural injustices inflicted upon women and their position within the fold of Islām. This is evident in her article "Women Creativity and Politics" where she says

So when I was still a small child I realized the injustice imposed on me by God because I was born a girl. My imagination was whole and sensitive to this injustice and I was not able to accept it. I was searching for justice, longing for it and at night I used to close my eyes and dream of a world in which God was just and in which fathers were just.¹⁵⁴

This statement is reflective of the cultural practice in much of the world that favors boys over girls solely on the basis of their gender. Nawal's sentiments stem from her childhood experiences when her parents favored her brother over her and granted him more privileges than her, despite the fact that she succeeded in school whereas he repeatedly failed. Nowhere in Islām does it say to favor boys over girls and treat them unfairly. On the contrary, as is previously mentioned, Islām touts the benefits of having daughters. El Saadawi does not understand that she should leave God out of her analysis, as her objections are to the practices of human beings who are acting out of their own will. God's making her a girl does

¹⁵⁴ Nawal el Saadawi, "Women Creativity and Politics." Cairo, 2001.
<http://www.nawalsaadawi.net/articlesby/creativity_politics.htm>

not mean that He sanctions the treatment her society displays towards girls. In contrast, it is obvious that the Qur'ān and ḥadīth promote the opposite behavior.

Society is not following God's commandments when it mistreats women.

She says,

Religions of the world put women in an inferior position relative to the superior gender, the male sex. God is male and all prophets are male...All religions are patriarchal, class religions with the authority of men. Whenever you have revival, especially political revival of religions and religions are political ideologies, then women suffer first.¹⁵⁵

This generalization is unfair to Islām, which does not endorse this practice.

Additionally, God is not considered male, as He is above His creation and cannot be compared to it. The use of the pronoun "He" is what is implemented in all monotheistic discourse about God. Likewise, the pronoun "We" is also used often to refer to God, as it signifies respect and royalty. Neither pronoun is reflective of God's being as male or plural. God is beyond gender and One. He is alone without partners. It follows that these linguistic devices should be taken as the norm and not be read deeper into. They are of no significance to the identity of God. With regard to the prophets being male, the scholars have explained that the responsibilities and duties assigned to the task are more suitable for men due to the biological differences between the sexes and also due to the fact that throughout history, most societies have been patriarchal and would therefore not

¹⁵⁵ Nawal el Saadawi, "Empowerment of Women, Writing and Fighting." Lecture, 1981. <<http://www.nawalsaadawi.net/articlesby/nawallecture19981.htm>>

accept the authority of a woman. Concerning this issue, al-Qaradawī explains that women are not eligible to

hold the caliphate or head the state owing to the great burdens of such a huge responsibility which in most cases outweigh the capacity of the woman (and the man) and conflicts with the natural disposition of the woman as mother. This does not exhaust all possibilities since we are aware that some women could be even more capable than some men...nevertheless, rules are not formed on the basis of rare occurrence but on frequency of it. Thus the scholars establish that generally ‘the rare does not constitute a rule.’¹⁵⁶

Hence, Islām allocates different roles for males and females, but does not present one as superior to another. The fact that only women can give birth and be mothers is the key point here, and elucidates why administrative positions are more suitable for men. It is clear that cultural practice is what Nawal el Saadawi has objections to, as the religious stance is different regarding the situations that she mentions. The distinction between culture and religion is significant, and her failure to identify it consequently undermines the legitimacy of her claims.

Nawal el Saadawi criticizes what she believes is Islām’s negative impact on women, but in doing so she greatly demeans her sex. She depicts women as being easily influenced by men and unable to think for themselves. El Saadawi condemns what she calls a “revival of Islamic influence in Arab countries” and professes that it belittles women. She says,

the religious fundamentalist teachings...create a ‘false consciousness’ among men and among women...false consciousness makes women obedient instruments of their own

¹⁵⁶ Yusuf al-Qaradawī, *The Status of Women in Islam*, Chapter “Refuted Misconceptions: Judiciary and political corps. <http://www.witness-pioneer.org/vil/Books/Q_WI/default.htm>

oppression, and transmitters of this false consciousness to future generations of children, of girls and boys...it makes women their own enemy, incapable of discerning friend from foe.¹⁵⁷

This statement implies that women do not have the intellectual ability to be aware of what is going on around them and to reach independent conclusions. El Saadawi definitely disparages women by insinuating that women lack the intelligence to perceive the events of the world around them. On the contrary, Islām encourages men and women to seek knowledge so that they can discern right from wrong and not be misled into misunderstanding both religious and worldly concepts. El Saadawi makes another statement that supports this intimation in “Women Creativity and Mental Health” where she says,

the educational system is used by political and religious powers to distort knowledge and fragment it. You cannot exploit people without controlling their brains. If our minds are free, if we are left to use our natural creative power, then no political or religious authoritarian system can survive.¹⁵⁸

Assuming that women cannot prevent others from “controlling their brains” implies that they are intellectually inferior. So, in making such claims, el Saadawi is harming her sex more than helping it. It is she who is discriminating against women by suggesting that they can be easily brainwashed by men.

Nawal el Saadawi objects to the religious obligation of the ḥijāb, contending that it is a form of oppression when in the traditional perspective, it is actually the opposite. Moreover, she has the audacity to attempt interpreting the

¹⁵⁷ Nawal el Saadawi, “War Against Women and Women Against War.” Paper presented at The World Social Forum 2004, Mumbai, India, 7.

<<http://www.nawalsaadawi.net/articlesnawal/MumbaiNawalPaper.DOC>>

¹⁵⁸ El Saadawi, “Women Creativity and Mental Health.”

Qur'ān and proclaims that ḥijāb is not an obligation upon Muslim women. As was established earlier, ḥijāb is incumbent in Islām and is a form of liberation for women, as it frees them from sexual exploitation and disrespect. Despite such clear evidence about the issue of the veil in Islām, el Saadawi asserts, “in the Qur'an there is absolutely nothing to indicate that wearing the veil is a divine command.”¹⁵⁹ She believes that “Religious political fundamentalism maintains the subjugation of women to control their minds and their bodies by patriarchal imprisonment, veiling, domestication, and subjugation.”¹⁶⁰ Furthermore, she states, “veiling is nothing more than the patriarchal struggle over women's heads so that men may control their minds.”¹⁶¹ These statements indicate that she feels that veiling is imposed in order to control the minds of women. El Saadawi does not explicate her views on veiling or provide the proofs for her understanding. Additionally, she only mentions a sentence here and there in her various articles regarding the issue, rather than tackling the subject head-on. It is needless to say that her interpretation of the veil is also derogatory towards the intelligence of women, because how does a piece of cloth have the ability to control one's mind? She further degrades women in her discussion that women who defend their right to veil are enemies of themselves and that the veil enforces complete domination over women.¹⁶² Not only does the implication that a woman does not know she is

¹⁵⁹ El Saadawi, “War Against Women” 8.

¹⁶⁰ El Saadawi, “War Against Women” 5.

¹⁶¹ El Saadawi, “War Against Women” 5.

¹⁶² El Saadawi, “War Against Women” 9.

her own enemy connote that she lacks aptitude, but el Saadawi's remark about the veil preventing freedom and encouraging domination is the complete opposite of what the veil is supposed to represent. The Islāmic veil prevents women from being taken advantage of and harassed. In her article "Empowerment of Women, Writing and Fighting" el Saadawi declares that "violence is inflicted upon women by veiling them physically and psychologically" and continues to say that hair is power.¹⁶³ How does the veil inflict violence? How is hair power? She does not explain either assertion thereby weakening her contention because of the lack of evidence and elucidation for support. Thus, el Saadawi's argument is flawed, not to mention that it is Islāmically unacceptable since the ḥijāb is a Divine commandment.

Notably, Nawal el Saadawi brings to attention important details about injustice towards women in the Middle East, but she does not succeed in ascertaining the cause of this unfortunate situation. Had she conformed to criticizing her society from a cultural perspective, her assertions would have been more credible. However, her trespassing into the grounds of religion without sufficient knowledge and background, subtracts from the validity of her claims and conversely, attests to her ignorance. The danger of her statements lies in that she promotes them as fact. To one who has knowledge of the religion of Islām, this is not a problem, because her ineptitude in the religious realm is obvious. The trouble is that when these ideas are presented to an audience who has no

¹⁶³ El Saadawi, "Empowerment of Women ."

background on Islām, the distinction between cultural injustices and religion is indiscernible. Hence, el Saadawi's opinions are harmful to the image of Islām in the eyes of those who are unaware of what the religion itself preaches. In this manner, el Saadawi's writings and speeches represent a new aspect to the "fitna" produced by women for the Muslim umma.

IV: THE VIEWS OF FATNA SABBAAH

In her work *Woman in the Muslim Unconscious*,¹⁶⁴ the Moroccan feminist Fatna Sabbah presents a very complex and elaborate argument about the status of women in Islām. She details her understanding of the relationship between God and man and applies it to that of God and woman and then to man and woman, concluding that woman is subordinate to both God and man. Therefore she suggests that for Muslim women, the way to God is exclusively through men. However, Sabbah gets caught up in the intricacies of her own argument, contradicting herself at times.

Fatna Sabbah indicates that her work stems from her observations regarding women in Muslim societies. She expresses her discontentment with what she believes is the Islāmic approach towards women, hoping to change the mindset of the Muslim world. This is visible in her statement “this book is dedicated to the youth of both sexes of the Muslim countries...because the youth of Muslim countries are filled with ambition. They believe it is possible to remake

¹⁶⁴ Fatna Sabbah, *Woman in the Muslim Unconscious* (New York: Pergamon Press, 1984).

the world, and they long to do so.”¹⁶⁵ Her dedication also implies that much of the grievances she has against Muslim countries may be in their cultural practices which demote women. Her remark that “the ideal female in terms of beauty is defined as silence, spatial immobility (seclusion), and obedience as the qualities that are supposed to excite male desire in the context of the Muslim cultural order” is also indicative of this notion.¹⁶⁶ In addition, she states that based on her analysis, Muslim culture sees women as exclusively sex objects.¹⁶⁷ These attitudes toward women are cultural and not religious, as they have no basis in the Qur’ān and Sunna, which are the foundation of Islām. Sabbah does not acknowledge that some of the practices she opposes are specifically cultural and not religious, but instead chooses to investigate the position of women in what she believes is the religious realm.

Sabbah delves into a very convoluted discussion about the position of Muslim women in their relationship to the Divine. She explores the issue of gender and spirituality and links the two in the form of a complicated hierarchical relationship to God. Sabbah makes the claim that “the God of Islam is jealous of the least threat that might distract the attention of this believer, who owes his body and soul to Allah” and therefore He degrades females so that they are subordinated and do not take male believers away from the worship of God.¹⁶⁸

This assertion is problematic in two ways based on traditional Islāmic

¹⁶⁵ Sabbah, 4.

¹⁶⁶ Sabbah, 3.

¹⁶⁷ Sabbah, 16.

¹⁶⁸ Sabbah, 50.

understanding. Firstly, to say that God is threatened by mankind, takes away from His Power and Omnipotence. God is above all humans and is not affected by their actions. Additionally, it is blasphemous to attribute human characteristics to God, as that also diminishes His Supremacy and Uniqueness. It is therefore important to distinguish that although God wants the complete devotion of His servant, which may seem like “jealousy,” He does not *need* anyone nor is He in contest with His creation. The second issue is that Islām promotes marriage and family life as God says that he creates “love and tranquility” between husband and wife as is mentioned in the Qur’ān.¹⁶⁹ Moreover, the traditions of the Prophet (SAW) that praise women and tout their virtues as righteous wives that were cited previously are in complete opposition with the idea of degrading females as sex objects. So, both the Qur’ān and ḥadīth contradict Sabbah’s interpretation here. She goes on to assert that Islām refuses a spiritual dimension for women, and it is in the explanation of this statement that her argument becomes extremely complex and she contradicts herself.¹⁷⁰

Sabbah begins to detail her understanding of woman’s relationship to the Divine through man and his relationship to God. She states, “the existence of God is rooted in the very existence of man. And man cannot reproduce himself; it is a woman who reproduces him. So the existence of God necessarily entails the

¹⁶⁹ “And among His Signs is this, that He created for you mates from among yourselves, that ye may dwell in tranquility with them, and He has put love and mercy between your (hearts): verily in that are Signs for those who reflect.” 30:21.

¹⁷⁰ Sabbah, 64.

confiscation of woman's ability to engender and give life."¹⁷¹ The primary clarification that needs to be made here based on traditional understanding is that God is absolutely independent of man. His existence is not affected by that of man, as He Created man. God is also not in rivalry with woman, and her ability to give birth does not suggest that she has power equal to that of God. God is the One who has granted woman this ability and through her, Creates human beings. Thus, as Sabbah notes, woman is not the life-giver, but it is only God who is able to give life. This is not a "confiscation" of woman's ability, as it is God who gave her that ability in the first place. Additionally, woman is greatly revered and valued in Islām as a mother. This is evident in the Qur'ānic verses and traditions of the Prophet (SAW) that detail the reward of mothers and the respect and obedience that is owed to them. Sabbah goes on to allege "the connection between the divine being and the human being varies according to sex," and explains that the relationship of the Muslim God to man is different from the relationship of God to woman and her relationship to man "is only understandable through an analysis of the triangular relationship between God, the male believer, and the female believer."¹⁷² This interpretation is contradictory to the idea that there is spiritual equality in Islām, which Sabbah claims to conform to. If there is no distinction between men and women with regards to acts of worship and reaching God, then how can there be a hierarchical relationship between the sexes and God?

¹⁷¹ Sabbah, 66.

¹⁷² Sabbah, 66.

Sabbah further elucidates her idea through describing the relationship of love between God and the human. She says it is a condition in which

the two parties, the divine and human, are bound together in a relationship of inversion in which the affirmation of one signifies the weakening of the other, in which the triumph of the one inevitably signifies the defeat of the other...in a hierarchized relationship.¹⁷³

It must be noted here that God is always Triumphant over His servant and cannot be weakened. The idea of the Omnipotence of God is the essence of Islām. Consequently, denying His All-encompassing Power is renouncing Islām. Sabbah goes on to apply her idea of “inversion-linkage” to describing the relationship between the sexes, and concludes that just as God is dominant over man, woman is subjugated by man. She does not support her understanding with relevant religious sources, thereby detracting from its validity as it stands alone. She continues to present her own understanding as is apparent in her statement “the relationship of domination between the male believer and the female believer are...a fundamental formulation that supports, reflects, and is reflected in the construction of the Muslim universe.”¹⁷⁴

Sabbah attempts to explain this notion through describing the hierarchical relationship between God, the male believer, and the female believer. She says that there are two modes of sacred discourse that concern women: that in which

¹⁷³ Sabbah, 66

¹⁷⁴ Sabbah, 69.

woman is directly addressed in the discourse and that in which she is spoken of.¹⁷⁵ She makes the distinction between the two forms in saying that the first type refers to acts of worship, and it is here that she acknowledges, “men and women are on a level of equality before God.”¹⁷⁶ With regards to the second type, Sabbah says that it concerns religious laws where women are “reduced to the status of background figures.”¹⁷⁷ It is interesting, however, that to support her definition of the first type, she cites the verse of punishment for adulterers and adulteresses in sura an-Nūr, which clearly is a legislation and does not refer to acts of worship.¹⁷⁸ Moreover, the verses 30-34 of sura al-Aḥzāb, which begin “O wives of the Prophet” disprove her claim, as they are addressed to women directly, not regarding acts of worship.¹⁷⁹ These verses are more of a legislative nature, as they command the wives of the Prophet (SAW) on various issues. Therefore not all verses that address women directly are exclusively about worship, and it follows that women are not simply “background figures” with respect to all legislations. Regarding her explanation of the discourse about women, where they are “spoken of,” Sabbah only cites the verses of the Qur’ān concerning marriage and divorce.

¹⁷⁵ Sabbah, 70-1.

¹⁷⁶ Sabbah, 70.

¹⁷⁷ Sabbah, 71.

¹⁷⁸ “The woman and the man guilty of adultery or fornication,- flog each of them with a hundred stripes: Let not compassion move you in their case, in a matter prescribed by Allah, if ye believe in Allah and the Last Day: and let a party of the Believers witness their punishment.” 4:2.

¹⁷⁹ Shakir, *The Holy Qur’an*, “O wives of the prophet! whoever of you commits an open indecency, the punishment shall be increased to her doubly; and this is easy to Allah. And whoever of you is obedient to Allah and His Apostle and does good, We will give to her her reward doubly, and We have prepared for her an honorable sustenance. O wives of the Prophet! you are not like any other of the women; If you will be on your guard, then be not soft in (your) speech, lest he in whose heart is a disease yearn; and speak a good word ...” 33:30-4.

She places these into the category of legislation, yet she overlooks the numerous other legislative verses that address “O you who believe,” which, according to the Arabic plural pronoun, includes both men and women. The verses of sura al-Aḥzāb just mentioned are an example of legislation that is addressed explicitly to women.

Another factor that Sabbah does not take into consideration is that of the historical context in which the verses of the Qur’ān were revealed. In the patriarchal, pre-Islāmic Arab society, women did not have the right to choose with regards to marriage. Islām therefore gave them this right, in addition to many others, through the implementation of men. Men had the power in society and therefore through them, God gave women rights and privileges, which is the reason that women are “spoken of” in the verses Sabbah quotes. Her chart, which depicts a hierarchical relationship between God, men, and women, is therefore faulty, as she does not recognize important exceptions and explanations to her generalization.¹⁸⁰

In expanding upon her understanding of the hierarchical relationship between men, women, and God, Sabbah enters into the discussion of power, sacred time, and possession. She claims that the hierarchical relationship is based on power, as “men and women do not have a symmetrical relationship with the

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God ﷻ

(speaks directly or indirectly through his prophet)

(to believing men) ↓

(believing women: believing men apply to them the laws which they have received from the divine being). Sabbah, 72

divine being; they overlap each other in a pyramid that organizes and hierarchizes beings according to their relationship to power.”¹⁸¹ She then makes a connection between power and sacred time, saying that the one who comes first is more powerful, and therefore “possesses” the one who comes after. She first applies this interpretation to God and human kind, and then to describing man as possessing woman. In her opinion, man is therefore more powerful because he was created first and so, he possesses woman. This belief is noticeable in her statement “chronology determines the degree of power. The being who existed first is the divine being, and in him is concentrated all power and influence without restriction. . . . thus time is the very foundation of power, and it is manifested, incarnated, and actualized in a relationship of possession.”¹⁸² This analysis has grave ramifications, and therefore must be examined meticulously. There are a few faults with this explanation, the first being that Sabbah does not define the notion of power itself. The Divine is “Powerful,” not because He Existed “first,” but because He Created everything, including time. The traditional opinion is that the concept of time was created in relation to human beings and God is beyond all such created boundaries. God’s Power stems from His creation of everything. The fact that He Existed before He Created anything does not necessarily constitute power. Another defect with Sabbah’s argument is that if power is determined by time, which thereby enables possession, then though the “angels are inferior to God, but superior to human beings,” they do not possess

¹⁸¹ Sabbah, 72.

¹⁸² Sabbah, 73.

nor have power over human beings. Accordingly, it does not work to claim that God possesses humans and men therefore possess women, because the angels have been left out of the picture. So the argument that whoever comes first possesses the one who comes afterwards falls apart at the level of the angels. Additionally, the pyramidal structure implies that God possesses women through men. However, it has already been established that God is independent of men, which makes the idea that he needs them to possess women implausible.

Sabbah’s statement that “in the sacred construction of reality the relationship that links the divine being to human beings is not symmetrical” and that human beings are ranked in a pyramidal relationship based on gender and age is also problematic.¹⁸³ She goes on to contend that this “schema of pyramidal relationships not only embodies a hierarchization of duties characterized by an increasing distance from the divine being and a multiplication of intermediaries,” which definitively opposes the fundamental Islāmic principle that each individual can maintain a direct relationship and contact with God.¹⁸⁴ This is evident in the Qur’ānic verse quoted earlier that establishes that superiority is based on piety, not race, age, or gender. Likewise, she contradicts her own recognition that there is spiritual equality within Islām, which if so, why are there intermediaries to reach God?

Sabbah further entangles herself in her complexities of time and power when she identifies the modes through which God is worshiped in her hierarchical

¹⁸³ Sabbah, 74.

¹⁸⁴ Sabbah, 74.

pyramid. She says that time not only determines who has power and possess the other, but allots the functions and purposes of human beings. She elucidates “if the adult human being of the male sex was created to serve God, women and children were created to serve, not God directly, but the adult male human being; only through him do they serve God.”¹⁸⁵ This statement is an extremely dangerous one from the traditional perspective because it insinuates committing the greatest sin. The transgression of committing shirk, associating partners in worship with Allāh, is the most grievous sin that one can fall into, as it is not forgiven by Allāh.¹⁸⁶ The statement that women and children serve men in order to serve God implies that men are in a sort of partnership with God, which is something unimaginable in traditional Islāmic doctrine. Furthermore, Sabbah describes how children can serve God through serving men, but orthodox Islām maintains that children who have not yet reached puberty are not obligated to serve Him.

Sabbah’s placing women and children in the category of objects for men is also not completely valid. She links the inanimate objects with the animate (women and children) in the Qur’ānic verses she cites, instead of interpreting that among pleasures of the world are both living and non-living things. They do not equate one another simply due to the fact that they are mentioned together. They are related in that they are a source of pleasure, not that they are equivalent. In

¹⁸⁵ Sabbah, 74.

¹⁸⁶ “Allah forgiveth not that partners should be set up with Him; but He forgiveth anything else, to whom He pleaseth; to set up partners with Allah is to devise a sin Most heinous indeed.” 4:48.

addition, here as well, she does not take into account the historical context of the verses, which were revealed to a society in which women and children were thought of as valuable riches that gave a man status just as wealth did. Her citing the verse from sura an-Nahl contradicts her intended claim that women are objects, as it says “of your own kind.” Thus, if men are human then so are women, and likewise if one views women as objects, then men must also be considered as such. Moreover, a few of the cited verses are not directed specifically to men alone, as the plural pronoun which includes both genders is used.¹⁸⁷ Sabbah summarizes her discussion with the statement

the relationship between the sexes is nothing but a reflection and incarnation of the fundamental relationship between God, the Master, and his slave, the believer. One of the givens of the relationship between the sexes, as Islam has designed and effected it, is that this relationship is shaped according to the desire of the master, the husband.¹⁸⁸

She does not describe the manner in which this occurs, however, nor does she provide support from religious texts. Sabbah incorrectly compares the relationship of God and humankind to that of man and woman. The believer must submit wholly to God and annihilate his own will to implement the Will of God. However, nowhere in the Qur’ān does it suggest that this should be the nature of the marital relationship between husband and wife. Though obedience of the wife to the husband is emphasized in the aḥādīth, it is not at the same level as the devotion of a believer to the Divine. Obviously, Sabbah stretches her analogy too

¹⁸⁷ Sabbah, 75.

¹⁸⁸ Sabbah, 81.

far. The will of the female is not silenced and overlooked as she suggests, as in Islām wives clearly have rights over their husbands. It is clear that Sabbah gets caught in her own contention, contradicting herself on various points.

Sabbah's opinion that women are possessed by men and subject to them is not only in the spiritual realm, but she insists upon this concept with regards to marriage and family life as well. She acknowledges that Paradise is guaranteed to women both directly as a reward for their own actions and indirectly as wives of male believers.¹⁸⁹ Sabbah goes into details about the situation of women and children in paradise and states that it is ambiguous. She mentions her previous discussion of how the female is deprived of the ability to give birth within the context of the afterlife, saying that this is the case in order for the hereafter to exist. According to Sabbah, God can only give life to the dead if woman does not have the life-giving ability.¹⁹⁰ This is a problematic understanding because it is not woman who gives life in the first place. This is evident in the fact that during the early stages of pregnancy, when the fetus is going through its most critical phases of embryology, women are often weak and vomiting, and are unable to ensure that the baby is getting the necessary nutrition for fetal development. This indicates that it is God who takes care of the child, not the mother who cannot control her own sickness. Therefore it follows that there is no rivalry between God and His creation.

¹⁸⁹ Sabbah, 93.

¹⁹⁰ Sabbah, 98-100.

Sabbah contradicts her acknowledgment that God promises women Paradise with her statement that God has “a relentless and systematic hatred of the believer’s family, especially a polarization of that hatred around the wife and children, identified as enemies of the system.”¹⁹¹ God is undoubtedly above all of His creation and does not *need* the believer. Islām promotes the idea of the family working together to gain His favor in this world so that they may enjoy Paradise in the next. This is apparent in the Qur’ānic verse “O ye who believe! save yourselves and your families from a Fire whose fuel is Men and Stones.”¹⁹² Why would God advise believers to save their families from Hell and promise them the reward of Paradise if He despised them? The argument here is illogical and contradictory to the ideas of the Qur’ān.

Sabbah portrays marriage within Islām in a way that is more like the pre-Islāmic approach rather than the Islāmic one. Here, again, she does not account for the historical context in which the rules and regulations regarding marriage were assigned. She states, “Muslim marriage is an exchange of a woman between two men, the wali and the future husband.”¹⁹³ This is not the case within the Islāmic rules, as a woman is required to approve and accept the marriage. She is given the right to reject whomever she pleases. This is evident in the Qur’ān, which forbids inheriting women against their will. Additionally, there are aḥādīth that mention the necessity of taking the consent of the woman for marriage. Both

¹⁹¹ Sabbah, 103.

¹⁹² Shakir, *The Holy Qur’an*, 66:6.

¹⁹³ Sabbah, 35.

the verse of the Qur'ān and the traditions of the Prophet (SAW) on this subject have been outlined previously. Sabbah also suggests that women do not have rights within the institution of marriage, and their purpose is solely procreation. She claims “woman is recognized as too important to man that the Muslim God obliges man (so that he can worship God without the shadow of a rival) to fetishize her, to reduce her to a mere heap of organs.”¹⁹⁴ As has been repeatedly established, God is neither in competition with man nor woman. Both men and women are encouraged to worship God together, which is contrary to this idea that Islām advocates subjugating women. Women have rights and duties within the religion that oppose the idea that they are merely for purpose of reproduction. Islām stresses the ideas of love, respect, and support within family life as the sacred texts illustrate.

It is therefore apparent that Sabbah has conjured much of her argument on this matter from her own interpretation, which undermines her argument that it is the religion itself that has placed women in a subordinate position to men. Her ideas are extremely problematic for Islām, as they do not reflect the traditional understanding. Her use of traditional sources further complicates the degree of fitna she causes, because only those who are familiar with the teachings of Islām can ascertain that her interpretations contradict the accepted approach to the Qur'ān and Sunna.

¹⁹⁴ Sabbah, 114.

V: THE VIEWS OF FATIMA MERNISSI

Fatima Mernissi, of Moroccan origin, is perhaps the most famous feminist scholar in the Middle East. She expresses her belief that women are oppressed within Islām in an interesting manner in her works *The Veil and the Male Elite*¹⁹⁵ and *Beyond the Veil*.¹⁹⁶ Her quarrel is mainly with the notion of the ḥijāb and the institution of marriage, encompassing the various matters related to it. However she both attacks and defends Islām's position towards women regarding these issues, as is evident in the disparity between her two works. The tone of these two books differs so greatly that at times it seems as if the author is not the same. In *The Veil and the Male Elite*, Mernissi explains the historical context of the veil and the concept of marriage in a relatively positive light, discussing the numerous rights Islām granted women that did not exist in the time of jāhiliyya. By contrast, in *Beyond the Veil*, Mernissi's approach is much more critical and her opinions often conflict with the explanations she provides in *The Veil and the Male Elite*.

¹⁹⁵ Fatima Mernissi, *The Veil and the Male Elite* (Cambridge: Perseus Books, 1987).

¹⁹⁶ Fatima Mernissi, *Beyond the Veil* (Bloomington: Indiana University Press, 1987).

Furthermore, it is interesting to note that the former mentioned work was written after the latter.

In both the works under examination, Mernissi expresses her objection to the idea of the ḥijāb. Her criticism is subtler in *The Veil and the Male Elite*, in which she delves into the reasoning behind the ordinance of the ḥijāb, as opposed to in *Beyond the Veil*, where she engages in detailed denunciation of the concept. *The Veil and the Male Elite* outlines the historical background of the new Muslim society in Medina and elucidates the reason for the descent of the order to veil. Mernissi describes the manner in which some of the men of the time would reinterpret verses of the Qur'ān in order to suit their needs and desires. She comments on how this practice is incorrect and contributes to the establishment of a misogynistic attitude. Mernissi contradicts her criticism of this practice, however, as she introduces her own opinions with regards to ḥijāb despite the Qur'ānic verses that were revealed on this matter. In fact, her comments on this issue are what subject her to censure in the opinion of traditional scholars.

Mernissi views the ḥijāb as a form of suppression for women that prevents them from freedom and equality. She equates the veil with being invisible, obliterated, and non-existent.¹⁹⁷ She continues to say that the veiled woman is a secluded, marginalized object that is reduced to inertia.¹⁹⁸ Mernissi acknowledges that the ḥijāb was ordained for protection, since the women at the time were

¹⁹⁷ Mernissi, *The Veil and the Male Elite*, 21.

¹⁹⁸ Mernissi, 22.

suffering from harassment.¹⁹⁹ Despite relating the entire historical context of the time and admitting that the ḥijāb was indeed an order that descended from heaven, Mernissi argues fervently against it. In this manner she not only contradicts her own criticism of people who misinterpret the legislations of the Qur’ān, but she challenges the authority of God. She does the latter both directly and indirectly, as is evident throughout her work. She implies that ḥijāb is an expression of jāhiliyya that Islām was supposed to annihilate.²⁰⁰ She then goes into a lengthy discussion about the verse of ḥijāb itself, which is verse 53 of sura 33,²⁰¹ and says that it was descended to separate two men.²⁰² Mernissi analyzes the use of the word ḥijāb in reference to the cloth that women are required to cover with, explaining that the original use of the word was intended to mean a screen or curtain to separate between the Prophet (SAW) and his servant Anas. She describes that the verse was revealed on the night of the Prophet’s marriage to Zaynab bint Jaḥash.²⁰³ While Mernissi provides the background information on the descent of the verse of ḥijāb, she tries to insinuate that because this verse refers to a separation between two men, veiling is not obligatory for women. The verses of the Qur’ān

¹⁹⁹ Mernissi, 180.

²⁰⁰ Mernissi, 81.

²⁰¹ “O ye who believe! Enter not the Prophet's houses,- until leave is given you,- for a meal, (and then) not (so early as) to wait for its preparation: but when ye are invited, enter; and when ye have taken your meal, disperse, without seeking familiar talk. Such (behaviour) annoys the Prophet: he is ashamed to dismiss you, but Allah is not ashamed (to tell you) the truth. And when ye ask (his ladies) for anything ye want, ask them from before a screen: that makes for greater purity for your hearts and for theirs.” 33:53.

²⁰² Mernissi, 95.

²⁰³ Mernissi, 85-95, 100.

that discuss veiling as a form of dress explicitly do not use the term ḥijāb. So, Mernissi's explication of the use of the word ḥijāb is irrelevant to the fact that the Qur'ān ordains veiling for women. With regard to the other verses of the Qur'ān which speak directly about women and their physical covering such as verse 24:31,²⁰⁴ Mernissi presents no shortage of comments that reflect her censure of the notion.

Mernissi maintains that the physical ḥijāb required of Muslim women is a hindrance to their equality before God, His Prophet (SAW), and in society as a whole. This is clear in her statement “the hijab that descended from Heaven was going to cover up women, separate them from men, from the Prophet, and so from God.”²⁰⁵ This is an incorrect interpretation, as it is outlined within religious doctrine that women are not more distanced from God than men are. Islām maintains gender equality in terms of worship in that both men and women have an equal access to reaching God. Additionally, the ḥijāb did not separate women from the Prophet (SAW) which has been explicated in the fact that women used to learn from him just as men did, and used to approach him with their questions and concerns. Mernissi even discusses this point in her work, relating that women of the time went to the Prophet (SAW) with their grievances. If this was the case,

²⁰⁴ “And say to the believing women that they should lower their gaze and guard their modesty; that they should not display their beauty and ornaments except what (must ordinarily) appear thereof; that they should draw their veils over their bosoms and not display their beauty except to their husbands, their fathers ...” 24:31.

²⁰⁵ Mernissi, 101.

then how was the ḥijāb a barrier between them and him? She makes another remark about ḥijāb which openly questions the Divine authority. She describes the ḥijāb as “the confinement of women” and claims that when the Prophet (SAW) gave his consent to the ḥijāb, “he gave his consent to the reestablishment of male supremacy.”²⁰⁶ The implication Mernissi gives is that the Prophet (SAW) was not in favor of the ordinance of the veil, and reluctantly complied with it. According to traditional opinion, the Prophet (SAW) was not in a position to give his “consent” as the ḥijāb was the order of God. He had no say in matters that Allāh revealed a verdict on, and His will and command was to be obeyed. Additionally, it is well known that he was the first to submit to the orders of Allāh, and was never hesitant in doing so. Mernissi’s statement also suggests that the Prophet (SAW) could intervene in Divine matters, which was clearly not the case. She goes on to assert, “the hijab incarnates, expresses, and symbolizes this official retreat from the principle of equality.”²⁰⁷ How does this idea correspond with the fact that the ḥijāb was revealed as a response to harassment? Where is the question of equality when men were not being harassed? Women were the ones affected and therefore the legislation was revealed with regard to them.

Another dangerous remark that Mernissi makes refers to the historical context in which the verse of veiling descended. She says, “the veil represents the

²⁰⁶ Mernissi, 164.

²⁰⁷ Mernissi, 179.

triumph of the hypocrites.”²⁰⁸ Such a statement is certainly problematic in light of traditional understanding for a few reasons. Firstly, it is placing the hypocrites at a level of competition with Allāh. This is an idea that would likely be considered blasphemous by the traditional authorities cited in the first part of this paper, as they confirm that Allāh is beyond all humans and their actions do not affect Him or His Power in any way. Additionally, it is impossible for the hypocrites to truly “triumph” over the order and decree of the Almighty. The idea of falsehood overcoming truth is completely preposterous, as Allāh declares that such a phenomenon can never exist. Truth always prevails over falsehood within Islāmic doctrine. This is evident in the verses “The truth has come and the falsehood has vanished; surely falsehood is a vanishing (thing),” “Nay! We cast the truth against the falsehood, so that it breaks its head, and lo! it vanishes,” and “The truth has come, and the falsehood shall vanish and shall not come back.”²⁰⁹ Since this idea of the triumph of truth over falsehood is essential in Islām, it is not surprising that Mernissi’s statement places her in dangerous grounds.

After establishing why the ḥijāb was imposed and contending that it represents inequality, Mernissi further asserts that the ḥijāb is a form of violence against women. She says, “the hijab fell over Medina and cut short that brief burst of freedom.”²¹⁰ She also claims that the ḥijāb disrupted the peace that women enjoyed as is apparent in her remark “the veil, which was intended to protect them

²⁰⁸ Mernissi, 187.

²⁰⁹ Shakir, *The Holy Qur’an*, 17:81, 21:18, 34:49.

²¹⁰ Mernissi, 188.

from violence in the street, would accompany them for centuries, whatever the security situation of the city. For them, peace would never return.²¹¹” A piece of cloth does not cut short the freedom of an individual. On the contrary, it enabled women to go about their business without being subjected to harassment and disrespect. This is evident in the examples of the wives of the Prophet (SAW) who were politically active and interacted with both men and women alike. Thus through granting protection, the veil enabled women to enjoy their individual freedoms which were otherwise being hindered due to harassment. Such was the intention behind its decree, and so any restrictions hindering the freedom of women who observe the ḥijāb that exist or have existed are purely cultural in nature and have no religious founding.

In *Beyond the Veil*, Mernissi expresses more of her own views on ḥijāb rather than providing the historical background for its descent. She claims, “the veil is an expression of the invisibility of women on the street, a male space par excellence.”²¹² Mernissi repeatedly refers to the veil as equating women with invisibility. However it has already been confirmed that the idea behind the veil is to prevent harassment. In this manner, the veil expresses respect and not invisibility. It covers the beauty of a woman, thereby making it “invisible,” but does not obliterate the woman’s presence in the world. The veil sets up a barrier between a Muslim woman and anyone who may want to bother her, clearly

²¹¹ Mernissi, 191.

²¹² Mernissi, *Beyond the Veil*, 97.

marking her as visibly not to be approached and disturbed. It is a mark of distinction to grant her respect, not to overlook her. Mernissi further alleges, “the Muslim exploitation of females is cloaked under veils.”²¹³ How is the concept of covering and protecting the Muslim woman a form of exploitation? From a logical perspective, it is the opposite. Mernissi fails to elaborate on her assertion.

It is apparent from both her works that Mernissi objects to the concept of ḥijāb, although she does not deny that it was decreed. Despite this fact, she still takes the liberty to interpret the notion of veiling on her own, even though she criticizes men who attempt to reinterpret the Qur’ān because they don’t agree with it personally. This is a clear contradiction between what she explains as inappropriate and what she herself engages in. From the traditional perspective, rules and laws within Islām stand as they were revealed unless they are abrogated in the Qur’ān or ḥadīth. With regard to the issue of ḥijāb, the order remains an obligation. It is therefore to be accepted as having a lasting importance and significance within the Muslim community and is reflective of the Wisdom of God. So, despite the obvious benefits of the ḥijāb, any arguments or ambiguities concerning the wisdom behind it should be taken as known to God alone. It is the duty of a Muslim to consent to Allāh’s orders even if they are unclear to the individual.

²¹³ Mernissi, 167.

Another aspect of Islāmic ruling that Mernissi gives the historical background for and then objects to is the institution of marriage. In *The Veil and the Male Elite*, she outlines the situation of marriage prior to Islām and expounds the changes that Islām brought to the existing, unjust system. She explains that women had no choice with regards to marriage in pre-Islāmic times and were inherited by various family members upon the husband's death. She details the manner in which Islām gives women the right to choose and refuse suitors.²¹⁴ So, in this work, Mernissi primarily outlines the general background on marriage before and with the onset of Islām.

In *Beyond the Veil*, Mernissi opposes and argues against Islām's approach towards the institution of marriage and matters related to it. Her grievances in these areas, however, are often more of a cultural than a religious nature. This distinction is vital, as the lack of noting it damages the image of Islām and promotes the proliferation of ignorance concerning religious principles. It is not surprising that Mernissi does not separate culture and Islām. Regarding marriage, Mernissi claims that "the theory of Muslim law is still that marriage is purchase, and the party from whom the husband buys is the father, though by a humane illogicality the price becomes the property of the woman and the husband's rights are not transferable."²¹⁵ This understanding is undoubtedly incorrect from a traditional Islāmic perspective, as both the husband and wife have rights within the marriage. It is not simply that the husband pays the bride and therefore has

²¹⁴ Mernissi, *The Veil and the Male Elite*, 183-5.

²¹⁵ Mernissi, *Beyond the Veil*, 75.

complete control over his wife. Islām portrays marriage as an institution in which both the husband and wife work collectively to create harmony. The rights of a wife over her husband, such as kindness, good treatment, and financial and emotional support, have been outlined in detail previously. So, it is apparent that it is not only the husband who has rights over his wife. Additionally, the dower is viewed as a gift to the bride, which is not necessarily monetary. This is evident in the history of Islām where the Prophet (SAW) conducted marriages where the dower was for the husband to teach his wife what he knew from the Qur’ān. This is clearly not a purchase, as no money was involved. Thus the idea is one of kindness, as the husband offers his life-long partner something precious as a symbol of his happiness that she has accepted to be his wife.

Concerning the issue of polygamy, Mernissi claims “polygamy is a way for the man to humiliate the woman as a sexual being, as it expresses her inability to satisfy him.”²¹⁶ As was discussed previously, there are numerous reasons given for the permissibility of polygamy, in addition to various restrictions. Satisfying the desire of a man is not among those aforementioned reasons, as the permission for polygamy is beyond the satisfaction of the individual. It, like many other practices in Islām, is implemented for the benefit and protection of society as a whole. Mernissi presents some of the reasons behind the idea of polygamy in Islām, which contradict her claim that it humiliates the woman and is permitted in order to satisfy the needs of man. She says

²¹⁶ Mernissi, 48.

the Prophet, concerned about the fate of women who were divorced, widowed or unmarried orphans, decided to create a kind of responsibility system whereby unattached women were resituated in a family unit in which a man could protect them, not just as kinsman but as husband.²¹⁷

The Prophet (SAW) is the ideal example for believers, who should strive to emulate him. His practice of polygamy was for the betterment of society and therefore whenever it is implemented after him, the intention behind it should be the same. If this permission is abused, as it sadly has been and continues to be, that demonstrates a problem with Muslim men and not with the practice of polygamy itself. Their misbehavior is reflective of their lack of reverence for the religion or their being influenced by culture. This is an important differentiation to be made when discussing the issue of polygamy.

Also with regards to the affair of marriage, Mernissi presents various criticisms that, despite her insinuations to religious founding, are purely cultural in nature. In *Beyond the Veil*, she states that according to her understanding of what Islām preaches, “women shouldn’t be an object of emotional investment of the focus of attention, which should be devoted to Allah alone.”²¹⁸ However, this idea is problematic for a few reasons. Firstly, it must be clear by now that Allāh is not in competition with human beings. He is above them and is not in need of them. Secondly, this statement contradicts the āyāt of the Qur’ān in which Allāh states that He Created love and mercy between the husband and wife. If that is so, then does that not necessitate “emotional investment?” Additionally, it is apparent

²¹⁷ Mernissi, 80.

²¹⁸ Mernissi, *Beyond the Veil*, 45.

from the traditions of the Prophet (SAW) that love and kindness within the family is strongly encouraged. This is evident in the well-known love that the Prophet (SAW) expressed for his favorite wife ‘Ā’isha, whom he admitted was the most beloved person to him. Another remark that Mernissi claims is a principle of the religion regarding marriage is that Muslim order condemns love between men and women in general and between husband and wife in particular as an enemy of civilization.²¹⁹ Likewise, this remark, and another which states, “real love between husband and wife is the danger that must be overcome”²²⁰ are completely at odds with the mentioned verses of the Qur’ān and the aḥādīth of the Prophet (SAW) that state the contrary. Another absurd remark is that “in Muslim societies not only is the marital bond weakened and love for the wife discouraged, but his mother is the only woman a man is allowed to love at all.”²²¹

Mernissi derives these opinions from her observations of how the idea of marriage is viewed in her society. Her views stem from cultural practices, though she is unable to discern this. Such ideas oppose the conduct of the Prophet (SAW) who is held as the “best example” within Islām. It is his paradigm that every Muslim is supposed to strive to imitate, and as was delineated before, he encourages both devotion and love to one’s mother as well as kindness and appreciation for one’s wife. There is no discord between the two Islāmically. Though all of these statements that Mernissi articulates may be true in the cultural

²¹⁹ Mernissi, 107.

²²⁰ Mernissi, 113.

²²¹ Mernissi, 121.

context, they are undoubtedly violations in the religious realm. Mernissi also claims that the “Muslim message...considers humanity to be constituted by males only. Women are considered not only outside of humanity but a threat to it as well.”²²² This conclusion is quite bizarre, as it is in contradiction with numerous verses of the Qur’ān that establish that men and women were created from the same entity. How then are women outside of humanity when they were created from men? The argument is entirely unreasonable and at odds with the traditional Islāmic stance.

Mernissi also explores the topic of gender equality, and discusses verses of the Qur’ān on this subject. In *Beyond the Veil*, Mernissi states that woman has been identified “with fitna, chaos, and with the anti-divine and anti-social forces of the universe.”²²³ How is woman anti-divine? It has been repeatedly established that both men and women have an equal relationship to God. Thus woman is not of a lesser status than man, and is not subject to injustice by God. She mentions verse 34 of sura 4,²²⁴ and says that through it, “not only is the inequality of the sexes reestablished, but in addition it is justified by the access of men to wealth, from which women are excluded.”²²⁵ Her interpretation that women are excluded from the realm of economics is incorrect. Women are not excluded, they are simply not responsible to financially provide for the family. This responsibility is

²²² Mernissi, 45.

²²³ Mernissi, 41.

²²⁴ Shakir, *The Holy Qur'an*, “Men are the maintainers of women because Allah has made some of them to excel others and because they spend out of their property” 4:34.

²²⁵ Mernissi, *The Veil and the Male Elite*, 154.

assigned to men, who are obligated to fulfill it in accordance with Islāmic legislation. Hence there is not an inequality that is established, but merely a difference in duties and obligations. The roles of men and women differ in Islām, however the concept of ranking one above another in terms of value does not exist.

The problem with the argument of Fatima Mernissi is that although she does extensive research and uses traditional sources, she misinterprets them. Moreover, despite demonstrating the traditional viewpoint on various issues, she does not hesitate to insert her own interpretation, disregarding those that have been recognized and valued for centuries. She is not a scholar in the Islāmic sciences, and is therefore not qualified to interpret the Qur'ān and Sunna. Her doing so despite her lack of credentials is a fitna for those who cannot ascertain where she replaces traditional understanding with her own.

VI: THE VIEWS OF AMINA WADUD

Amina Wadud, as a convert to Islām from an African-American background, represents another aspect of the fitna for Islām that some feminist women are spreading in contemporary society. The dimension of fitna that is presented by Wadud is perhaps of an even more dangerous nature than that disseminated by el Saadawi, Sabbah, and Mernissi. Unlike these women who criticize the religion of Islām itself with regards to its treatment of women, Wadud believes that there is no fault with the religion and the problem is that it has been misinterpreted for centuries. As someone who has chosen Islām as her way of life, Wadud's mission is not to criticize it and denounce it as misogynistic, but to reform it.

In her work *Qur'an and Woman*,²²⁶ Wadud addresses some of the issues concerning women that she feels have been misinterpreted by the scholars. While she discusses the issue of gender equality and its various offshoots in detail, there are some topics which one would expect to arise in the discourse of women that she either overlooks, or does not explain in depth. Such matters give the

²²⁶ Amina Wadud, *Qur'an and Woman* (New York: Oxford University Press, 1999).

impression that her book is lacking and her argument would have been stronger if she had tackled those issues, as the other feminists discussed do. Additionally, though her work is intended to be a focus on woman's position based on the Qur'ān, as she believes that it is the original source of guidance, the religion of Islām is based on both the Qur'ān and the Sunna. As a result, there are numerous places in her book that she claims something is not in the Qur'ān and therefore invalid, while there is an authentic ḥadīth available that explicitly states the contrary. Ironically, in a few instances Wadud does cite some aḥādīth to support her points. This demonstrates that she is trying only to defend her position rather than to reach the truth and present the complete picture of what the Islāmic stance on a subject is. Her goal is to illustrate that it is the duty of every Muslim woman to re-claim her rights, which Islām grants, but interpretation of the Qur'ān has restricted. This is evident in her actions, which demonstrate her views on some of the points she did not cover in her book. Thus, though most of the opinions that Wadud expresses in her book are relatively conservative and not completely objectionable in the traditional view, her recent actions such as leading jum'a prayer in a mixed congregation and confessing that she does not agree with certain rulings of the Qur'ān are more demonstrative of the fitna she is spreading.

As the general tone of her work is not completely radical and innovative concerning the issues of gender equality that Wadud discusses, there are not an extensive number of divergences to examine. The few that do exist perhaps serve to give a glimpse of her larger, rebellious ambitions which she has recently

executed personally. In the preface to the first edition of *Qur'an and Woman*, Wadud explains that the particular issue of woman in the Qur'ān demonstrates “in specific terms my proposal that in order to maintain its relevance, the Qur'an must be continually reinterpreted.”²²⁷ In her reinterpretation, Wadud feels that she is serving Islām by maintaining the relevance of its sacred text. A somewhat contradictory remark that Wadud makes to her belief that the Qur'ān should be reinterpreted is that she admits “the importance of the Qur'anic text is its transcendence of time and its expression of eternal values.”²²⁸ If she does indeed hold this traditional view, then does it not imply that the relevance of the Qur'ān is interminable? What is the need to “continually” reinterpret it then? And how can she disagree with it?

Another problem with her support for constant reinterpretation is that not just anyone can interpret the Qur'ān. The traditional view of Qur'ānic interpretation is composed of a strict set of guidelines for its understanding, and one must be truly knowledgeable and trained in all of the Islāmic sciences to be able to engage in such a task. The traditional exegetes who have interpreted the Qur'ān fulfill these requirements, and therefore their understandings are legitimate and sufficient. Since they have followed the established guidelines, there is not a need for continual reinterpretation. Wadud goes on to say, “despite fourteen centuries of existence, the Qur'an must be kept alive. Otherwise it will suffer the fate of other ‘dead texts’ and defeat its purpose: to guide humankind—

²²⁷ Wadud, xxi.

²²⁸ Wadud, xxi.

unconstrained by time or place.”²²⁹ The Qur’ān is not kept alive by reinterpretation, but by implementation in the lives of those who claim to have submitted to the Will of God. The mufasssīrūn have already interpreted how it should be applied, so it simply needs to be acted on. This idea of reinterpretation is problematic because Wadud does not specify the requirements of such a task, which gives the impression that every individual is free to interpret the Qur’ān in whatever manner he/she chooses. Though Wadud many not hold that belief, her failure to outline the guidelines for tafsīr suggests that ignorance of the religious sciences is not a hindrance to interpretation. It is needless to point out the degree of fitna that such an implication gives rise to.

In discussing the matter of gender equality within Islām, Wadud mentions many of the same arguments that have been previously discussed to establish that men and women are on an equal spiritual footing before God. However, she rejects some of the interpretations of well-known exegetes and says that their readings are not supported by direct evidence from the text. While this is the case in some points, there are other occasions where the observations of these scholars are legitimate based on scientific facts and the nature of things. So, when some commentators have noted that men have a greater physical strength than women, for example, this is a general fact that cannot be disputed. Studies have proven that generally, men are physically stronger than women, and that is simply the natural state that God has Created. What Wadud fails to differentiate is that

²²⁹ Wadud, xxiii.

although men and women are equal, they are not similar. So in her statement “I hope to demonstrate the negative effects of interpretations which place an inherent distinction between males and females,” Wadud rejects the fact that there are indeed distinctions between the two sexes.²³⁰ The problems stem, as Wadud observes, when value is assigned to those distinctions. Thus, in her effort to maintain gender equality in Islām, she tends to overlook certain facts, which if she had addressed, her argument would have had even more strength.

There are a few instances in her book where Wadud reaches certain conclusions in her interpretation of the Qur’ān which are invalid because of the existence of sound aḥādīth that contradict them. Wadud discusses the issue of leadership for women through her analysis of the Qur’ānic narration of Bilqīs the Queen of Sheba. Wadud proclaims “despite the fact that she ruled over a nation, most Muslims hold leadership as improper for a woman. The Qur’an uses no terms that imply that the position of ruler is inappropriate for a woman.”²³¹ While her observation that the Qur’ān does not indicate that women should not occupy positions of leadership is correct, Wadud overlooks the numerous aḥādīth that suggest that public authority is not the most suitable vocation for women. Additionally, in the traditional view of Islām, the Sunna also extends into the category of what the Prophet (SAW) and the rightly guided caliphs after him, the generation of the followers of the companions, and that of the followers of the

²³⁰ Wadud, 35.

²³¹ Wadud, 40.

followers (the three righteous generations) did not implement. Nowhere in this period, which undoubtedly witnessed the greatest women of Islām, was a woman appointed to a position of leadership. It is for these reasons that most Muslims object to the idea, not because they are implementing their own desires and want to subordinate women to men.

Another part of the Qur’ān that Wadud interprets without taking into consideration the numerous aḥādīth on the subject is that of the marital relationship. She says, “the Qur’an never orders a woman to obey her husband. It never states that obedience to their husbands is a characteristic of the ‘better women.’”²³² As the many aḥādīth regarding the virtue of a good wife and the husband’s duties towards his wife have been discussed earlier, there are also several aḥādīth that emphasize the duty of the wife to respect and obey her husband. In fact, it is some of these very aḥādīth that feminists like Fatna Sabbah and Fatima Mernissi interpret as being indicative of Islām’s “misogynistic” attitude. It is therefore rather significant that Wadud does not bring these into her discussion. One may assert that Wadud’s work is meant to interpret the Qur’ān exclusively, as she herself states, but the problem with that idea is that she cites a ḥadīth within in the same paragraph of her discussion. She says that beating one’s wife contradicts the established practices of the Prophet (SAW), which is true, as was presented earlier. Yet, why does she not cite the aḥādīth that discuss

²³² Wadud, 77.

obedience of a wife to her husband? Clearly Wadud is manipulating the sources and using only what is relevant in proving her point. Ironically, Wadud denounces those whom she believes interpret the Qur’ān to support their “individual whims, perceptions, and prejudices,” yet she is essentially doing the same.²³³ This idea of picking and choosing from the scriptures only that which supports one’s desires is not acceptable in Islām. The Qur’ān repeatedly discusses the sin of taking what one likes and leaving what one does not. One such example is in sura al-Baqara where Allāh expresses His disapproval of those who pick and choose what they want from religion, and describes the consequences of this behavior. He says,

Then is it only a part of the Book that ye believe in, and do ye reject the rest? But what is the reward for those among you who behave like this but disgrace in this life? And on the Day of Judgment they shall be consigned to the most grievous penalty. For Allah is not unmindful of what ye do.²³⁴

As Islām is a complete religion, it follows that everything in the Qur’ān and Sunna needs to be accepted fully.

This idea that the rulings and legislations of the Qur’ān and Sunna have to be taken as they are is an essential concept in the traditional approach to living Islām. In this way, one must submit to the Will of God, whether or not he/she understands the logic or significance behind it. This is the meaning of Islām itself; total submission to God alone, and that is why this concept is indispensable. Wadud’s work indicates that there are places where she refuses to apply this notion, as she insists upon her own interpretation. One such occasion is in her

²³³ Wadud, 97.

²³⁴ 2:85.

discussion of companionship in Paradise. Her ideas here are at odds with traditional understanding. She says,

some commentators use the Qur’anic statements that there will be pure azwaj (i.e. plural) as an indication that a pious man will go to Paradise and have multiple huri for his pleasure. Indeed it is a contradiction of terms that a pious man who practices self-constraint should have multiple erotic pleasures as his objective.²³⁵

While she is free to imagine what she likes about the situation in Paradise for the believer, Wadud seems to forget that the idea of being pious and practicing self-constraint does not apply in Paradise. Such characteristics are required in this world so that one may attain endless bliss in the next. The reward for self-restraint and righteousness is indulgence and unrestricted pleasure in Paradise. She continues with her interpretation of the verse by saying that the

use of the plural azwaj corresponds to the use of the plural preceding it: for believers’ (and such terms) the usage is meant to indicate that companionship awaits those who believe (male and female) in their attainment of Paradise—not that each man will get multiple wives.²³⁶

While she presents a logical argument, Wadud needs to accept the idea that perhaps each man *will* get multiple wives as a reward for his self-restraint here, as that is another way the verse has been interpreted. Paradise is the place where all of one’s desires and pleasures are granted, and so if a man wants multiple wives, then he can have that. The matter of importance here is that a Muslim who accepts the Qur’ān as the word of God is obligated to accept it as it is, even though there

²³⁵ Wadud, 57.

²³⁶ Wadud, 57.

are some matters, such as the afterlife, which one will only discover when one experiences it. The goal of the Muslim is to be upright and get to Paradise, and only then can one know what exactly the circumstances will be.

It is evident that Wadud does not touch upon or go into great detail about many themes relevant to the discussion of women in her book, however her recent actions demonstrate her views on issues such as the ḥijāb, women leading mixed congregations, and the Qur'ānic permission (under extreme circumstances and with specific restrictions) to strike one's wife. Regarding the issue of ḥijāb, Wadud obviously rejects the fact that it is compulsory within Islām, as she chooses to wear it sometimes and leave it behind at others. This attitude of denying its obligation for the Muslim woman is problematic as the discussion of ḥijāb explicated previously demonstrates. However, her views on this subject can only be ascertained by her behavior, as she has not addressed them specifically in her speeches.

Wadud did however express her opinion about a woman leading a mixed congregation both by her speech and her actions. Before performing the jum'a prayer on March 18, 2005 in NYC, BBC reported her as saying, "the issue of gender equality is a very important one in Islam, and Muslims have unfortunately used highly restrictive interpretations of history to move backward." Consequently she feels that "with this prayer service we are moving forward. This

single act is symbolic of the possibilities within Islam.”²³⁷ In this way, it is clear that Wadud feels that her actions are serving Islām and purifying it from what she believes has restricted women from attaining their rights. She does acknowledge, however, that her actions will not be well received by the Muslim community at large. She demonstrates this in her interview with VIBES²³⁸ where she says, “I realize that this single act of leading mixed congregational prayers won't transform the community.” When asked if this idea was new to her, she replied “I've been thinking of this for over a decade. I've done it in small groups before and talked about it in the past.” Another statement that reflects Wadud’s belief that she is serving as a tool to reform Islām is her explanation,

I'd really like for everyone to understand the process of living Islam, along with its complexities that don't always have the 9th and 10th century's approval. Islam is growing, and it is an ongoing situation, and Muslims need to be proactive members of this experience.²³⁹

This indicates her belief in the idea of reinterpretation that she discusses in *Qur'an and Woman*. Another statement that reflects much of what she presents in her book regarding existing interpretations of the Qur'ān on the topic of gender equality is, “these interpretations, I am afraid to say, do not sustain the Qur'anic spirit. They...don't cater to the underlying principles, such as justice for all human

²³⁷ “Woman leads US Muslims to prayer.” *BBC News: World* March 18, 2005. <<http://news.bbc.co.uk/1/hi/world/americas/4361931.stm>>

²³⁸ Wadud, Amina. “Spiritual Equals, Please Stand Up.” Online posting. 15 March, 2005. Naseeb Vibes. <<http://www.naseeb.com/naseebvibes/prose-detail.php?aid=3631&PHPSESSID=711b68d4bfd31cc2380c5dcbca69db1>>

²³⁹ Wadud, “Spiritual Equals.”

beings.”²⁴⁰ Such remarks demonstrate that Wadud believes that the Qur’ān and Islām have been understood incorrectly and therefore must be reanalyzed. The danger of this task and its repercussions in the realm of fitna are obvious, as Wadud does not specify or limit who is qualified to undertake it.

In reference to her action of performing jum’a specifically, Wadud says, “when a woman leads *jumah*, it allows us to prove that women, that make up half of the community, are also concerned with practices of Islam's rituals.”²⁴¹ This belief is disastrous, as it contradicts the fundamental position of women with regards to “Islam’s rituals.” There are numerous aḥādīth that detail the excellence and preference for women to pray in their homes, and that when in the mosques, the back rows are better for them to maintain their respect and honor amongst men.²⁴² Furthermore, there is no evidence from the Sunna that promotes or allows women to lead a *mixed* congregation in *public*. It was never done in the time of the Prophet (SAW), that of the rightly guided caliphs, nor the generations afterwards. So how is such an act to be considered acceptable within the fold of Islām, when it is clearly an innovation from the example that is meant to be followed?

Another unacceptable approach that Wadud has presented in her recent speeches is her disagreement with the rulings and regulations in the Qur’ān. In a

²⁴⁰ Wadud, “Spiritual Equals.”

²⁴¹ Wadud, “Spiritual Equals.”

²⁴² “Abu Hurayra said: the Prophet (SAW) said: ‘the best rows of men are the front rows and the worst (rows of men) are the back rows, and the best rows of women are the back rows and the worst (rows of women) are the front rows.’” Muslim, Book 004 Number 0881.

speech she gave in Toronto she explained that she says “no” to certain rulings in the Qur’ān that she does not agree with.²⁴³ Among these legislations is the permission granted to strike his wife in the case of marital discord and the ruling that the hands of a thief should be cut off. Wadud said that she openly disagrees with these ideas and therefore says “no” to these Divine decrees. She elucidates that in looking at the sacred text, one of the approaches is one can say no when one does not agree. How is it to be considered acceptable to reject God’s commandments? Such an idea is utterly preposterous within traditional perspective. God is Omnipotent and must be submitted to under all circumstances, as has been established repeatedly. Wadud says “It is the Qur’an, that gives me the means to say no to the Qur’an.”²⁴⁴ Where is the logic in such a statement? Because it is God’s word and legislation, and one is required to submit to Him, he/she can therefore refuse? Her remark is completely ludicrous!

It is evident that the ideas and actions of Amina Wadud are instigating a great fitna for Islām. The difference between the fitna she is causing and that of the other feminists discussed is that Wadud’s fitna is affecting the Muslim community, whereas these other women have a greater influence among non-Muslims. Wadud’s actions have become the topic of worldwide criticism and denunciation among the traditional Muslim community. The refutations of her

²⁴³ Omid Safi. “FW: [ISLAMAAR] Abou El Fadl, An-Na’im, and Wadud [was: Amina Wadud in Toronto controversy].” 12 February, 2005, Section for the Study of Islam, American Academy of Religion.

²⁴⁴ Omid Safi. “FW: [ISLAMAAR] Abou El Fadl, An-Na’im, and Wadud [was: Amina Wadud in Toronto controversy].” 12 February, 2005, Section for the Study of Islam, American Academy of Religion.

claims are rampant, and many scholars have gone to the extent of declaring that she has left the fold of Islām.

CONCLUSION

It may be argued that the ḥadīth quoted in the introduction of this discussion, which was the inspiration for this research, is “misogynistic.” However, in reality it demonstrates the truthfulness of the prediction of the Messenger of Allāh (SAW). It is truly remarkable that what he warned against over 1400 years ago, is indeed a problem today. Keeping this in mind, this ḥadīth needs to be examined carefully to determine whether or not it is “misogynistic” and if so, then how.

The Prophet’s ḥadīth advises to beware of women, as the first trial, test, and tribulation that the children of Israel faced was due to the actions of their women. Normally, people are cautioned against whatever may cause difficulty or harm. What is inferred from the ability to inflict tribulation is power. Thus, the ḥadīth implies that women are extremely powerful. Indeed power can be good or bad, regardless, powerful beings, no matter what type of power they possess, are in no way invisible. Their presence is not to be overlooked or belittled as

insignificant. So, from the aspect of its reference to women, the ḥadīth is not misogynistic. As for the advice to be cautious of women, it is clear that this was sound advice, as they are indeed causing fitna today. The fact that the conduct of women has proved the warning of the Prophet (SAW) to be pertinent also indicates that the reasoning behind the caveat was not to demean women in a misogynistic manner, but to genuinely warn against a phenomenon that would occur. Likewise, he cautions against many other incidents that are expected to ensue and therefore his warning should be taken as being in the best interest of the umma and not as a disparagement of women.

Another factor to take into consideration when examining this ḥadīth, as well as others that some may claim are “misogynistic,” is that of the cultural and historical context in which they were communicated. The pre-Islāmic society was patriarchal and Islām could not change the cultural atmosphere instantly. Therefore, various legislations that granted women rights and privileges that were previously denied to them were slowly integrated into that society. In this way, it is evident that some aḥādīth may be perceived as “misogynistic” based on the different cultural ideals today. However the important point here is that Islām is a religion for all times and places, so how does one rectify the argument that some traditions may seem “misogynistic?” It is necessary to understand that these aḥādīth, despite that some may view them as derogatory towards women, do not preach that women should be treated in an unequal manner. There is no such

tradition of the Prophet (SAW) that says to treat women badly or as inferior beings. Consequently, though the wording of certain aḥādīth may appear to some as belittling to women, that is simply in accordance with the cultural society at the time of the Prophet (SAW), and in no way infers that women should be prevented from the liberties that are permitted to them within Islām. Correspondingly, any mistreatment and oppression of women that occurs in the world in the name of Islām, is *not* true Islām. It is purely cultural and failing to make that distinction distorts and falsifies the image of the complete religion. The root of the problem is ignorance which is twofold; ignorance of ‘Muslims’ who do not know the religion and therefore engage in practices that they incorrectly believe have a religious basis, and the ignorance of non-Muslims who judge the religion based on the behavior of ‘Muslims,’ as opposed to the doctrines. Both aspects of this ignorance are evident in the opinions of the discussed feminists. The works of el Saadawi, Sabbah, and Mernissi who do not differentiate between culture and religion, and judge Islām based on the conduct of ‘Muslims,’ represent the latter form of ignorance. In the case of Wadud, she represents the former, as she introduces innovations into the religion, incorporating her own desires with religious principles and claims she is practicing Islām.

The fitna of women is prevalent and continues to grow. This is evident with the appearance of women like Irshad Manji and Ayaan Hirsi Ali, in addition to the feminists discussed already. Undoubtedly, more of such confused feminists will arise as long as there is ignorance regarding Islām. The problem is not with

Islām, but with the people who misunderstand its principles and voice their misconceptions. Additionally, Islām as a religion needs to be discussed and analyzed within the context of religion. When compared to the other monotheistic religions of Judaism and Christianity, Islām is much less “misogynistic,” and grants women more rights and status. Yet, why are these other religions not scrutinized and labeled as oppressive to women to the same extent that Islām is? Evidently there is a great deal of confusion surrounding the image of Islām. The solution is that Islām be reexamined without prior biases and fallacies, in the proper framework of religion. Thus it is an obligation upon those who seek the truth to discover what Allāh and His Prophet (SAW) ordained versus what is practiced in the pretext of religion. Only when people recognize the difference, can the fitna cease, as there will be no audience to be afflicted by it.

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