

BEFORE one can speak meaningfully about women in the context of Islam or the Islamic tradition, it is necessary to clarify what is meant by “the Islamic tradition” since much confusion surrounds the use of this term. The Islamic tradition — like other major religious traditions — does not consist of, or derived from, a single source. Most Muslims, if questioned about its sources are likely to refer to more than one of the following: The Qur’an (the Book of Revelation), *Sunnah* (the practical traditions of the Prophet Muhammad), *Hadith* (the sayings attributed to the Prophet Muhammad), *Fiqh* (jurisprudence) or *Madahib* (schools of law), and the Shari’ah (the code of life which regulates all aspects of Muslim life). While all of these “sources” have con-

tributed to what is cumulatively referred to as “the Islamic tradition,” it is important to note that they do not form a coherent or consistent body of teachings or precepts from which a universally-agreed-upon set of Islamic “norms” can be derived. Many examples can be cited of inconsistency between various sources of the Islamic tradition as also of inner inconsistency within some, e. g., the Hadith literature. In view of this fact, it is inappropriate, particularly in a scholarly work, to speak of “the Islamic tradition” as if it were unitary or monolithic. Its various components need to be identified and examined separately before one can attempt to make any sort of generalization on behalf of the Islamic tradition as a whole.

Of the various “sources” of the Islamic tradition — at least in so far as it is understood theoretically or normatively — the two most important

are the (a) Qur’an and (b) *Sunnah* and *Hadith*. Of these two, undoubtedly, the Qur’an is the more important. In fact, the Qur’an is regarded by Muslims, in general, as the primary source of Islam, having absolute authority, since it is believed to be God’s unadulterated Word revealed through the agency of Archangel Gabriel to the

Prophet Muhammad who, then, transmitted it to others without any change or error. However, since the early days of Islam, the *Hadith* literature has been the lens through which the words of the Qur’an have been seen and interpreted. The Hadith literature reflects the Arab-Islamic culture of the seventh and eighth century Muslims which was influenced significantly by earlier religious and philosophical traditions. Incorporated into this culture are many of the Jewish, Christian,

Hellenistic, pre-Islamic Bedouin and other negative ideas and attitudes regarding women. These have been used throughout Muslim history to undermine the intent of the Qur’an to liberate women from the status of chattels or inferior creatures and make them free and equal to men.

It is difficult to overstate the significance of the *Hadith* literature in the Islamic tradition as pointed out by Alfred Guillaume in his book, *The Traditions of Islam*, “The Hadith literature provides us with apostolic precept and example covering the whole duty of man; it is the basis of that developed system of law, theology, and custom which is Islam.” Important as it is as major source of the Islamic tradition, it needs also to be stated that every aspect of the *Hadith* literature is surrounded by controversy. In particular, the question of the authenticity of individual “*ahadith*” (plural of

The Qur’an makes it mandatory upon all believers that they must respect the sanctity of life, that they must stand up for justice and that they must testify to the truth. It also makes it obligatory for the Muslim community to protect those who witness to the truth. Those Muslims who deny that “honour killings” are taking place, or that highlighting them is tantamount to “Islam-bashing”, need to be mindful of Qur’anic verses such as the following: “O you who have attained to faith! Be ever steadfast in upholding equity, bearing witness to the truth for the sake of God, even though it be against your own selves or your parents and kinsfolk” (Surah 4: Verse 135)

“*hadith*”), as well as of the Hadith literature as a whole, has occupied the attention of many scholars of Islam since the time of Ash-Shafi’i (who died in 809 A.D.).

Having underscored the importance of the Qur’an and the Hadith as primary sources of the Islamic tradition, it is necessary to point out that through the centuries of Muslim history, these sources have been interpreted only by Muslim men who have arrogated to themselves the task of defining the ontological, theological, sociological, and eschatological status of Muslim women. While it is encouraging to know that women such as Khadijah and A’ishah (wives of the Prophet Muhammad) and Rabi’a al-Basri (the outstanding woman Sufi) figure significantly in early Islam, the fact remains that until the present time the Islamic tradition has remained largely patriarchal, inhibiting the growth of scholarship among women particularly in the realm of religious thought.

Given this state of affairs, it is hardly surprising that until recently, the vast majority of Muslim women have remained wholly or largely unaware of their “Islamic” (in an ideal sense) rights. Male-centered and male-dominated Muslim societies have continued to assert, glibly and tirelessly, that Islam has given women more rights than any other religion, while keeping women in physical, mental and emotional confinement and depriving them of the opportunity to actualize their human potential. Here, it is pertinent to mention that while the rate of literacy is low in many Muslim countries, the rate of literacy of Muslim women who live in the rural areas (where most of the population lives) is amongst the lowest in the world.

Contemporary Muslim Women and “Islamization”

Since the nineteen-seventies, largely due to the pressure of anti-women laws which have been promulgated under the guise of “Islamization” in a number of Muslim countries, women with some degree of education and awareness have begun to realize that their religion is being used as an instrument of oppression rather than as a means of liberation from unjust social structures and systems of thought and conduct. This realization has stemmed from the fact that women have been the primary targets of the “Islamization” process. In order to understand this fact, it is necessary to know that of all the challenges confronting the contemporary Muslim world, the greatest appears to be that of modernity. The caretakers of Muslim

traditionalism are aware of the fact that the adoption of the scientific or rational outlook inevitably brings about major changes in modes of thinking and behavior. Women, both educated and uneducated, who are participating in the national workforce and contributing toward national development think and behave differently from women who have no sense of their individual identity or autonomy as active agents in a history-making process, and regard themselves merely as instruments designed to minister to, and reinforce, a patriarchal system which they believe to be divinely instituted.

Unable to come to grips with modernity as a whole, many contemporary Muslim societies make a sharp distinction between two aspects of it. The first — generally referred to as “modernization” and regarded positively — is identified with science, technology and a better standard of life. The second — generally referred to as “Westernization” and regarded negatively — is identified with emblems of “mass” Western culture such as promiscuity, breakup of family and community, latch-key kids, and drug and alcohol abuse. Many Muslims see “emancipated” women not as symbols of “modernization” but as symbols of “Westernization” which is linked not only with the colonization of Muslim people by Western powers in the not-too-distant past, but also with the continuing onslaught on “the integrity of the Islamic way of life” by Westerners and Westernized Muslims who uphold the West as a model for intellectual and social transformation of Muslim communities.

Many traditional societies — including Muslim — divide the world into “private” space (i. e., the home which is the domain of women) and “public” space (i. e., the rest of the world which is the domain of men). Muslims, in general, tend to believe that it is best to keep men and women segregated, i. e., in their separate, designated spaces, because the intrusion of women into men’s space is seen as leading to the disruption, if not the destruction, of the fundamental order of things. If some exigency makes it necessary for women to intrude into public space, their presence must be made “faceless”, or, at least, as inconspicuous as possible. This is achieved through “veiling” which is, thus, an extension of the idea of the segregation of the sexes).

Women-related issues pertaining to various aspects of the personal as well as social life, lie at the heart of much of the ferment or unrest which

characterizes the Muslim world in general. Many of the issues are not new issues but the manner in which they are being debated today is something new. Much of this on-going debate has been generated by the enactment of manifestly anti-women laws in a number of Muslim countries. For instance, since then “Islamization” process was initiated in Pakistan by General Muhammad Zia-ul-Haq in the nineteen-seventies, many Pakistani women have been jolted out of their “dogmatic slumber” by the enactment of laws such as the *Hudood Ordinance* (1979), the *Law of Evidence* (1984), and the *Qisas and Diyat Ordinance* (1990), which discriminate against women in a blatant manner. These laws which contain prescriptions pertaining to women’s testimony in cases of their own rape or in financial and other matter, and to “blood-money” for women’s murder, aimed at reducing the value and status of women systematically, virtually mathematically, to less than that of men. The emergence of women’s protest groups in Pakistan was very largely a response to the realization that forces of religious conservatism (aided by the power of the military government) were determined to cut women down to one-half less of men, and that this attitude stemmed from a deep-rooted desire to keep women in their place which is understood as being secondary, subordinate and inferior to that of men.

Though women’s groups have put up serious resistance to the erosion of women’s status and rights in Pakistan and other Muslim countries, it is still not clearly and fully understood by Muslim women activists that the negative ideas and attitudes pertaining to women which in Muslim societies, in general, are rooted in theology and that unless, or until, the theological foundations of the misogynistic and androcentric tendencies which have become in Muslim culture are demolished, Muslim women will continue to be brutalized and discriminated against despite improvement in statistics relating to women’s education, employment, social and political rights, and so on. No matter how many socio-political rights are granted to women by patriarchal Muslim societies, as long as these women are conditioned to accept the myths and arguments used by religious hierarchs to shackle their bodies, hearts, minds, and souls, they will never become fully developed or whole human beings, free of guilt and fear, able to stand equal to men in the sight of either God or humanity.

The importance of developing a theology of

women in the context of the Islamic tradition — as the West has developed “feminist theology” in the context of the Jewish and Christian traditions — is paramount today with a view of liberating not only Muslim women but also Muslim men from unjust social structures and laws which make a peer relationship between men and women impossible. While it is good to know that there have been some men scholars such as Qasim Amin in Egypt and Mumtaz Ali in India, who have been staunch supporters of women’s rights, it is disheartening to also know that even in the age characterized by an explosion of knowledge, all but a handful of Muslim women lack any knowledge of Islamic theology.

There is urgent need for Muslim women today to engage in a scholarly study of Islam’s primary sources in order to become effective voices in the on-going theological deliberations and discussions on women-related issues. Though political activism is necessary in order to combat the onslaught of anti-women laws and acts of brutality toward women in a number of present-day Muslim societies, it is not sufficient by itself to overturn what has been imposed in the name of Islam. Legislation which is legitimized by reference to a religious argument can be superseded or set aside, in most contemporary Muslim societies, only by reference to a better religious argument. A profound tragedy of Muslims, as pointed out by Fazlur Rahman, is that those who understand modernity do not know Islam and those who understand Islam do not know modernity. However, by engaging in a study of normative Islam as well as Muslim practice, it is possible to equip “modernist” Muslims — both women and men — to understand Islamic ideals as well as Muslim realities and be able to counter the retrogressive arguments being used to deny women their God-given rights by means of better theological arguments. This is essential if the Qur’anic vision of what a Muslim society should be is to become actualized in any Muslim society or community.

Women in Muslim Culture

Much of what has happened to Muslim women through the ages becomes comprehensible if one keeps one fact in mind: Muslims, in general, consider it a self-evident fact that women are not equal to men who are “above” women, or have a “degree of advantages over them”. There is hardly anything in a Muslim woman’s life which is not

affected by this belief; hence it is vitally important, not only for theological reasons but also for pragmatic ones, to subject it to rigorous scholarly scrutiny and attempt to identify its roots.

The roots of the belief that men are superior to women lie, in my judgment, in three theological assumptions:

(a) that God's primary creation is man, not woman, since woman is believed to have been created from man's rib and is, therefore, derivative and secondary ontologically;

(b) that woman, not man, was the primary agent of what is customarily described as man's "Fall" or expulsion from the Garden of Eden, and hence "all daughters of Eve" are to be regarded with hatred, suspicion, and contempt; and

(c) that woman was created not only from man but also for man, which makes her existence merely instrumental and not of fundamental importance. The three theological questions to which the above assumptions may appropriately be regarded as answers are: (1) How was woman created? (2) Was woman responsible for the "Fall" of man? and (3) Why was woman created?

While all three questions have had profound significance in the history of ideas and attitudes pertaining to women in the Islamic, Christian and Jewish traditions, I consider the first one which relates to the issue of woman's creation more basic and important, philosophically and theologically, than any other in the context of gender-equality. This is so because if man and woman have been created equal by God who is the ultimate arbiter of value, then they cannot become unequal essentially at a subsequent time. On the other hand, if man and woman have been created unequal by God, then they cannot become equal essentially at a subsequent time.

The myth that Eve was created from the rib of Adam has no basis whatever in the Qur'an which never mentions Eve, and in the context of human creation speaks always in completely egalitarian terms. In none of the thirty or so Qur'anic passages that describe the creation of humanity (designated by generic terms such as "*an-nas*", "*al-insan*" and "*al-bashar*") by God in a variety of ways, is there any statement which asserts or suggests that man was created prior to woman or that woman was created from man. If woman and man were created equal by God — and this is clearly and unambiguously the teaching of the Qur'an — then their subsequent inequality in almost all Muslim (and many other) societies can-

not be seen as having been willed by God, but must be seen as a perversion of God's intent in creation. All this notwithstanding, the ordinary Muslim continues to believe, with Jews and Christians, that Adam was God's primary creation and that Eve was made from Adam's rib hence can never be equal to him.

In the context of the "Fall" story, it needs to be pointed out that the Qur'an provides no basis whatever for asserting, implying or suggesting that *Hawwa* (Eve), having been tempted by "*ash-Shaitan*" (the Satan) in turn tempted and deceived Adam and led to his expulsion from "*al-Jannah*" (the Garden). Regardless of this, however, many Muslim commentators (e.g., al-Tabari) have ascribed the primary responsibility for man's "Fall" to woman and have regarded her as "the devil's gateway". In the Qur'anic narrative which describes the act of disobedience on the part of human beings, there is no reference to a "Fall" as this term is understood in the Christian tradition in which it has become linked with the doctrine of Original Sin. As pointed out by Muhammad Iqbal in his classic work, *The Reconstruction of Religious Thought in Islam*:

"(the) Qur'anic legend of the Fall has nothing to do with the first appearance of man on this planet. Its purpose is rather to indicate man's rise from a primitive state of instinctive appetite to the conscious possession of a free self, capable of doubt and disobedience. The Fall does not mean any moral depravity; it is man's transition from simple consciousness, a kind of waking from the dream of nature with a throb of personal causality in one's own being. Nor does the Qur'an regard the earth as a torture-hall where an elementally wicked humanity is imprisoned for an original act of sin. Man's first act of obedience was also his first act of free choice; and that is why according to Qur'anic narration. Adam's first transgression was forgiven..."

Iqbal's interpretation of the "Fall" episode, reflective as it is of his profound understanding of the Qur'an, has, however, had little impact on patriarchal Muslim culture which has continued to use the Biblical story to perpetuate the myth of feminine evil, particularly to control women's sexuality which it associates, like St. Augustine, with "fallenness".

The Qur'an, which does not discriminate against women in the context of creation or the "Fall" story, does not support the view, held by many Muslims, Christians, and Jews, that woman

was created not only from man, but also for man. That God's creation is "for just ends" and not "for idle sport" is one of the major themes of the Qur'an. Humanity, fashioned "in the best of moulds" has been created in order to serve God. According to the Qur'an, service to God cannot be separated from service to humanity, or — in Islamic terms — believers in God must honour both "*Haqq Allah*" (Rights of God) and "*Haqq al-'ibad*" (Rights of creatures). Fulfillment of one's duties to God and humanity constitutes the essence of righteousness. That men and women are equally called upon by God to be righteous and will be equally rewarded for their righteousness is stated unambiguously in a number of Qur'anic verses. Not only does the Qur'an make it clear that man and woman stand absolutely equal in the sight of God, but also that they are "members" and "protectors" of each other. In other words, the Qur'an does not create a hierarchy in which men are placed above women (as they are by many formulators of the Christian tradition), nor does it pit men against women in an adversary relationship. They are created as equal creatures of a universal, just and merciful God whose pleasure it is that they live together in harmony and righteousness.

The Qur'an's ethical framework and the rights of Muslim women

The Qur'an's vision of human destiny is embodied in the exalted proclamation: "Towards God is thy limit". In order to enable men and women to achieve this destiny and discharge the responsibility of being God's vicegerent ("*khalifah*") upon the earth, the Qur'an affirms fundamental rights which all human beings ought to have because they are so deeply rooted in our humanness that their denial or violation is tantamount to a negation or degradation of that which makes us human. From the perspective of the Qur'an, these rights came into existence when we did. They were created, as we were, by God, in order that our human potential could be actualized. Not only do they provide human beings with the opportunity to develop all their inner resources, they also uphold before them a vision of what God would like them to strive for. Rights given by God are eternal and immutable and cannot be abolished by any temporal ruler or human agency.

Since the Qur'an is concerned about all human beings and all aspects of life, it contains refer-

ences to a large number of human rights. Amongst these rights, the following are particularly noteworthy:

- A. Right of life.**
- B. Right to respect.**
- C. Right to justice.**
- D. Right to freedom.**
- E. Right to privacy.**
- F. Right to protection from slander, backbiting, and ridicule.**
- G. Right to acquire knowledge.**
- H. Right to sustenance.**
- I. Right to work.**
- J. Right to develop one's aesthetic responsibilities and enjoy the bounties created by God.**
- K. Right to leave one's homeland under oppressive conditions.**
- L. Right to "The Good Life".**

(These specific rights have been discussed of length in "Human rights in Islam" [Pp. 1-9 above])

Muslim women partake of all the rights which have been mentioned above. In addition, they are the subject of much particular concern in the Qur'an. However, a review of Muslim history and culture brings to light many areas in which — Qur'anic teachings notwithstanding — women continued to be subjected to diverse forms of oppression and injustice, often in the name of Islam. While the Qur'an, because of its protective attitude toward all downtrodden and oppressed classes of people, appears to be weighted in many ways in favour of women, many of its women-related teachings have been used in patriarchal Muslim societies against, rather than for, women. Muslim societies, in general, appear to be far more concerned with trying to control women's bodies and sexuality than with their human rights. Many Muslims when they speak of human rights, either do not speak of women's rights at all, or are mainly concerned with how a woman's chastity may be protected. (They are apparently not very worried about protecting men's chastity.)

Qur'anic ideals versus Muslim realities

In spite of the fact that the Qur'an is particularly solicitous about women's well-being and development, women have been the targets or the most serious violations of human rights which occur in Muslim societies in general. In particular attention needs to be drawn to the discrepancies which exist between Qur'anic

ideals and Muslim practice with regards to the following women and women-related issues.

(i) Attitude towards girl-children:

Muslim societies tend to discriminate against girl-children from the moment of birth. It is customary amongst Muslims to regard a son as a gift, and a daughter as a trial, from God. Therefore, the birth of a son is an occasion for celebration while the birth of a daughter calls for commiseration, if not lamentation. Here, it may be mentioned that though Muslims say with great pride that Islam abolished *fern ale* infanticide, one of the most common crimes in many Muslim countries is the murder of women by their male relatives. These so-called “honour-killings” are frequently used to camouflage other kinds of crime.

(ii) Marriage: There is much Qur’anic legislation which is aimed at protecting the rights of women in the context of marriage. However, many girls are married when they are still minors and do not understand that marriage in Islam is a contract and that women, as well as men, have the right to negotiate the terms of this contract. The Qur’anic description of man and woman in marriage: “They are your garments/And you are their garments” implies closeness, mutuality, and equality. However, Muslim societies in general have never regarded men and women as equal, particularly in the context of marriage. The husband, in fact, is regarded not only as the wife’s “*mijazi kbuda*” (virtual god in earthly form) but also as her gateway to heaven or hell and the arbiter of her final destiny. That such an idea can exist within the framework of Islam which — in theory — considers the deification of any human being as “*shirk*” regarded as the one unforgivable sin by the Qur’an, and rejects the idea that there can be any intermediary between a believer and God, represents both a profound irony and a great tragedy.

(iii) Marital problems and divorce: While the Qur’an provides for just arbitration in case a marriage runs into problems, it also makes provision for what we today call a “no-fault” divorce and does not make any adverse judgments about divorce. The Qur’anic prescription, “Either live together in kindness or separate in kindness” preserves the spirit of amity and justice in the context of both marriage and divorce. In Muslim societies, however, divorce has been made extremely difficult for women,

both legally and through social penalties.

(iv) Child-rearing and child custody: In the context of child-rearing, the Qur’an states clearly that the divorced parents of a minor child must decide by mutual consultation how the child is to be raised and that they must not use the child to exploit each other. However, divorced women in Muslim societies are often subjected to great exploitation on account of their children, losing the right to the custody of both boys (generally at age 7) and girls (generally at age 12). It is difficult to imagine an act of greater cruelty than depriving a mother of her children simply because she is divorced.

(v) Polygamy: Polygamy was intended by the Qur’an to be for the protection of orphans and widows. However, in practice it has been widely misused and has been made into the Sword of Damocles which keeps women under constant threat.

(vi) Inheritance: One of the most “revolutionary” steps taken by the Qur’an for the empowerment of women was to give women the right of inheritance. Few women in the world have had this right until the modern period. According to Qur’anic prescription not only could women inherit on the death of a close relative, they could also receive bequests or gifts during the lifetime of a benevolent caretaker. However, in general, Muslim societies have disapproved of the idea of giving wealth to a woman in preference to a man, even when she is economically disadvantaged or in need. The intent of the Qur’anic laws of inheritance was to give all members of a family — including women as daughters, mothers, sisters and wives a share in the inheritance so that the family-wealth was equitably distributed amongst all the “legal” heirs. The fact that women — to whom no financial responsibility was ascribed — were given a share, indicates the concern of the Qur’an to give women financial autonomy and security. However, Muslims have used the unequal share of men and women in some (not all) cases, e. g., in the case of a son whose share is twice that of a daughter — to argue that men are worth twice as much as women! A revised reading of the Qur’anic texts relating to inheritance based on a deeper understanding of their intent is very important for combatting the discriminatory attitude toward women in the context of inheritance which is widely prevalent in Muslim societies.

(vii) Segregation and “*pardah*” or veiling: Although the purpose of the Qur’anic legislation dealing with women’s dress and conducts was to make it safe for Women to go about their daily business — which included the right to engage in gainful activity as testified to by *An-Nisa*: Verse 32 — without fear of sexual molestation or harassment, Muslim societies have segregated women or put them behind shrouds or veils and locked doors on the pretext of protecting their chastity. Amongst the changes brought about in the Muslim world by the onset of modernity has been the appearance in “public” space of an increasing number of women. The crossing by many women of the traditional boundary between the home and the world has, in fact, been a critical factor in bringing about the “Islamization” of a number of contemporary Muslim societies. Massive efforts have been made by conservative Muslims to keep women segregated by insisting that a chaste Muslim woman ought to stay within the “*chardiwari*” (the four walls) of the home. They have also insisted that a woman’s Muslim identity is determined, largely if not solely, by whether she covers her hair or not. The debate between “veiled” and “unveiled” women rages throughout the Muslim communities of the world and has split Muslim women from Turkey to Indonesia, as well as in the Western world, into rival camps. Here, it is important to mention that according to the Qur’an confinement to the home was not the norm for chaste Muslim women but, rather, the punishment for unchaste women. Further, it needs to be noted that “veiling” has a history which predates Islam and is profoundly linked with discriminatory ideas regarding women found in the Jewish and Christian traditions. The historical context of the Qur’anic prescriptions relating to “*hijab*” (literally, “curtain”) which refers to both seclusion and “veiling” also needs to be understood.

Special focus needs to be put on the issue of segregation and “*pardah*” due to its multifaceted and vast sociological impact on the lives of millions of Muslim women.

(viii) Family planning: An overview of the sources of the Islamic tradition shows that there is much support for family planning within the religious and ethical framework, as well as the legal and philosophical literature, of

Islam. Despite this fact, in practice, family planning programmes continue to fare badly in most Muslim societies where the birth rate is amongst the highest in the world. This is due, in part, to the fact that masses of Muslim women do not have adequate access to reliable means of contraception. But it is also due, in significant measure, to the widespread influence of conservative Muslims who proclaim from public platforms, as well as preach from mosque pulpits, that family planning is against Islam. However, an examination of both the normative literature of Islam and the sociological factors which are relevant to the issue of family planning in contemporary Muslim societies provide, strong evidence why the right to use contraception should be regarded as a fundamental human right, especially in the case of disadvantaged Muslim women whose lives are scarred by grinding poverty and massive illiteracy.

(ix) Other theological issues: Other theological issues which are important in the context of gender-justice and equity in Islam relate to statements which are widely made in Muslim societies to foreclose any discussion on the subject of women’s equality with men. Amongst such statements are the following: (a) the evidence of one man is equal to that of two women; (b) a woman’s blood-fine is one-half of a man’s blood-fine; (c) a woman is deficient in reason whereas a man is not; (d) a woman is less than a man in prayer or worship (on account of menstruation, childbirth, etc); (e) righteous men will be rewarded by beautiful companions in the hereafter, but no such reward exists for righteous women; (f) a woman cannot be a prophet.

(x) Other issues relating to women’s health and well-being: The negative ideas and attitudes regarding women which have become incorporated in the Islamic tradition have had a profound impact on the physical, psychological and emotional health of Muslim women. There is, therefore, urgent need to investigate the relationship or linkage between the state of women’s health and the theological framework within which they live their lives.

In particular, it is important to examine the way in which masses of Muslim women perceive themselves or why many Muslim women have low self-esteem and put such little value on their life or its quality.