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## Islamic Feminism: a Critique

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### Abstract

Islamic Feminism has emerged around the 1920s as a concept and developed rapidly as a global phenomenon in the mid-1990s. While conservatives claim that gender asymmetries are divinely ordained, Islamic feminists hold the contrary and are working for complete equality between men and women. The purpose of this research is to investigate the status of women in Islam according to the Quran and the Sunnah to see whether Islamic feminism's claims are founded.

This study reveals that although there are commonalities between Islamic feminism and Islam itself, oftentimes Islamic feminism is fighting against practices that emanate directly from the Quran and the Sunnah, such as polygamy, hijab, the Islamic inheritance laws, the concept of male guardianship, etc. At the core of the differences that exist between Muslim scholars and Islamic feminists are the methodologies they use to investigate the sacred texts.

**Keywords:** Islamic feminism, gender equality, gender equity, *ijtihad*, social justice, gender asymmetries, science of hadeeth

### Résumé

Le féminisme islamique a vu le jour aux alentours des années 1920. Il a connu une avancée fulgurante au milieu des années 1990, et est devenu depuis lors un phénomène mondial. Alors que les conservateurs affirment que les inégalités qui existent entre les genres sont un commandement divin, les féministes islamiques soutiennent le contraire et revendiquent donc une égalité complète entre homme et femme. Le but de cette recherche est d'enquêter sur le statut de la femme en Islam en prenant appui sur le Coran et la Sunnah pour voir si les revendications du féminisme islamique sont fondées ou pas.

Cette étude révèle que bien qu'il existe des points communs entre le féminisme islamique et l'Islam en tant que tel, force est de constater que trop souvent le féminisme islamique se dresse contre des pratiques qui émanent directement du

Coran et de la Sunnah telles que la polygamie, le hijab, les lois qui régissent l'héritage en islam, la tutelle, etc. Au cœur des divergences qui existent entre les savants musulmans et les féministes islamiques se trouvent les méthodologies qu'ils utilisent pour analyser les textes sacrés.

**Mots-clés:** Féminisme islamique, égalité des genres, équité des genres, *ijtihad*, justice sociale, asymétrie du genre, science du hadith

### **Introduction**

In this era of war on terrorism, Muslim women's rights are an increasing concern for both the Muslim community and the non-Muslims. Islam is mostly criticised for allegedly being a misogynistic religion. The supposed patriarchal essence of Islam has been the source of contentions not only between Muslims and non-Muslims but even among Muslims themselves. While conservatives claim that gender asymmetries are divinely ordained, Islamic feminists challenge the traditional Muslim discourse on gender and the status of women.

The purpose of this research is to investigate the status of women in Islam according to its holy scriptures to see whether Islamic feminism's claims are founded. The research problems that have been investigated here are captured in these questions: What is Islamic Feminism? Who is producing it? Does Islam promote complete equality between men and women or is it instead aiming for equity? Are Islam and Islamic Feminism mutually exclusive?

This article analyses Islamic Feminism's main tenets and measures them against the Quran and the Sunnah, using the traditional deconstructive way of Muslim scholars to disentangle truth from falsehood. Thus, Islamic feminism is challenged through the unearthing and contextualisation of Hadiths and the use of verses of the Quran detailing the true essence of gender dynamics in Islam. First and foremost, an overview of Islamic feminism and its contention with traditional Islamic scholarship is given, then the scholarly way to derive proofs and rulings in Islam is explained. After that, the fallaciousness of the classic arguments provided by Islamic feminists is established. To finish,



Islam's call for equity instead of complete equality in the treatment of women is proven.

### **An Overview of Islamic Feminism and Its Contention with Traditional Islamic Scholarship**

Over the past decades, the study of early Islamic history and religion, and the place of the Quran and hadeeth as scriptures within it, has developed along two distinct paths. One, which will be called here the traditionalist approach, confines its field of enquiry to the Muslim literary sources, which it examines in ways consonant with the premises and traditions of Muslim scholarship. The other analyses this literature by "source-critical" methods, and includes as evidence some contemporary non-Islamic literature, and material remains such as the findings of archaeology, epigraphy and numismatics. This is the revisionist approach.

Whether they are called revisionists, reformists or modernists, these intellectuals who are seeking to challenge the traditional discourse about Islam have often met with considerable opposition. As the Harvard University former graduate and founder of Alasna Institute (<http://alasnainstitute.org>), Daniel Haqiqatjou posits in "Traditional Muslims vs. the Modernists", "being a "traditionalist Muslim" is a reactionary term. The term had to be coined in order to make the necessary distinction against "modernist" and "reformist Muslim". He further adds that "the defining feature of a traditionalist is respect for the intellect of past Muslims and a scepticism in the validity of modern exceptionalism. The modernist, in contrast, is sceptical of the intellect of past Muslims and a firm believer in modern exceptionalism."

This dichotomy between traditionalist Muslims and reformist Muslims finds expression in multiple areas of life, one of which is the place and role of Muslim women in society. While traditionalist Muslims hold gender asymmetries as being divinely ordained and being the best way to strive for equity between genders by taking into account their natural differences, Islamic feminists (reformists), on the opposite, contend that Islam is essentially for complete equality between men and women.

One may date back Islamic feminism to 1923, when Huda Sharawi, a central figure and pioneer of Arab feminism, a suffragette and nationalist, founded the Egyptian Feminist Union, which aim was to defend the rights of women and help them gain access to education and public office. However, it is only in the mid-1990s, when Iranian women started rebelling against the Iranian regime that academics begun conducting serious research on the concept of “Islamic feminism”.

Just like with feminism, there are different types of Islamic feminists. Some are more radical than the others.<sup>1</sup> However, they all strive for full equality between men and women. Common issues which are raised are women’s education, the concept of *qiwamah*, legal guardianship in matters of marriage and divorce, the age of marriage, domestic violence, child custody, political rights for women, etc. Islamic feminists have always tried, in their respective countries, to amend the laws that they deem ostracising to women and propose alternative ones.

For instance, in 1911 Malak Hifni Nasif presented to the Egyptian Legislative Assembly a ten-point program for the improvement of women. As Soha Kader has mentioned in *Egyptian women in a changing society, 1899–1987*, according to Malak, education “should have religious orientation; it should be required up to primary school; it should include hygiene, childrearing, first aid, and economics; it should include training for women in nursing and teaching professions; and it should be open to all women for higher studies” (67). She asked for legislation on all of these points. The other five points focused on issues such as marriage age and unveiling.

Another testimony of Islamic feminists’ political engagement is the fact that the Egyptian Revolution of 1919 which was advocating Egypt’s

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<sup>1</sup> Some Islamic feminists like Fatima Mernissi, Fadela Amara, Hedi Mhenni and Sihem Habchi fiercely oppose the wearing of the veil. Others like Asma Lamrabet are more lenient towards veiled women although they do not believe that the veil is obligatory in Islam. Another issue that is dealt with differently in the Islamic feminist community is polygamy and homosexuality. While some Islamic feminists are quite vocal about their wish for polygamy to be criminalised across the globe, others tolerate it. While some are fighting for homosexuals rights to be preserved, others prefers to stay silent on the issue. Yet, it must be pointed out that over the years, Islamic feminists are becoming more radicalised.

independence from Britain and the release of male nationalist leaders was a women-led protest. In “Women and Egypt’s National Struggles” Nermin Allam retraces these decisive moments of Egyptian history. Members of the female Egyptian elite, such as Huda Shaarawi, led the masses of protestors. As Shaarawi herself recounts in *Harem Years: The Memoirs of an Egyptian Feminist*, even before the revolution she was quite active in the fight for women’s rights. Indeed, in 1910, she opened a school for girls where she focused on teaching academic subjects rather than practical skills such as midwifery. She also helped to organise Mubarrat Muhammad Ali, a women’s social service organisation, in 1909 and the Intellectual Association of Egyptian Women in 1914.

Alongside Egypt, Morocco is among the African countries where Islamic feminism has seen its adepts arduously fight for equality between sexes. One of their major achievements is the revision operated on the family code in 2004. It allowed Moroccan women to free themselves from legal tutelage, particularly in matters of marriage and divorce. However, there is no practical application of these laws. In an interview with Sandrine Hochstrasser,<sup>2</sup> the famous Moroccan Islamic feminist, Asma Lambaret, observes that this is so because the patriarchal system is so engrain in people’s mind that they are reluctant to operate any change. She further adds that laws are important, but they are not enough.

She admits that most of Islamic feminism’s ideologies are not carried by the majority of Muslims. This justifies Daniel Haqiqatjou’s rent in “The Grave Implications of “Feminist Islam”” in which he states that Muslim feminists tend to “rail against things that have a strong basis in Islamic law and its scholarship, like gender separation, modesty, dress codes, limiting women’s visibility to and interaction with non-*mahram* men, etc.”<sup>3</sup> A testimony to this is when in the early 1900s, under the influence of westerners and westernised

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<sup>2</sup> Asma Lamrabet, “Combat d’une féministe dans l’islam,” Interview by Sandrine Hochstrasser, LA LIBERTÉ, 08 Sept. 2018, <https://www.laliberte.ch/news/combat-d-une-feministe-dans-l-islam-453995%20> (Accessed on 23/11/2020 at 7:32 pm)

<sup>3</sup> Daniel Haqiqatjou, “The Grave Implications of “Feminist Islam”,” THE MUSLIM SKEPTIC, 19 Sept.2017, <https://muslimskeptic.com/2017/09/19/grave-implications-feminist-islam/> (Accessed on 23/11/2020 at 7:44 pm)

intellectuals like Qasim Amin and Eugénie Le Brun, several Islamic feminists began to use unveiling as a symbol of their feminism.

The dominant feminist ideas at the time associated the advancement of women with westernization and movement towards a more European society. Writers like Qasim Amin who were influenced by the colonialists' negative perception of Muslims, advocated unveiling as a strategy for women to show their power and liberation. As Leila Ahmed relays in *Women and gender in Islam: historical roots of a modern debate*, as early as in 1899, Amin bluntly inferred in his book, *The Liberation of Women*, Westerners' superiority over Arabs:

Do Egyptians imagine that the men of Europe, who have attained such completeness of intellect and feeling that they were able to discover the force of steam and electricity...these souls that daily risk their lives in the pursuit of knowledge and honor above the pleasure of life, ... these intellects and these souls that we so admire, could possibly fail to know the means of safeguarding woman and preserving her purity? Do they think that such a people would have abandoned veiling after it had been in use among them if they had seen any good in it? (160)

With time, these ideas gained ground in the Muslim world, leading to the historical moment when, in 1923, after attending the International Woman Suffrage Alliance Congress in Rome, Huda Shaarawi along with other Islamic feminists like Saiza Nabarawi and Nabawiyya Musa, came back to Egypt and took off their veils and trampled it by their feet in public. Following on their footsteps, contemporary Islamic Feminist like Mona Eltahawy, Asma Lambaret and other Islamic feminists took off their veils and called it a pre-Islamic culture that has no basis in the sharia.

Some Islamic feminists went as far as even advocating the ban of the veil in public spheres. This is the case of Sihem Habchi, Fadela Amara and Hedi Mhenni. As relayed by Rose George in *The Guardian*,<sup>4</sup> Amara does not shy away from expressing her discontent with women who wear the veil in France: "The veil is the visible symbol of the subjugation of women, and

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<sup>4</sup> Rose George (July 17, 2006). "[Ghetto warrior](#)". *The Guardian*. London. (Accessed on 09/01/2021 at 12:46 pm).

therefore has no place in the mixed, secular spaces of France's public school system. [...] It's not tradition, it's archaic!"

However, their issue is not just with the veil. Indeed, these Islamic feminists are also questioning the prohibition of Muslim women to marry non-Muslims, the permissibility of polygamy, the fact that men and women do not have the same share in heritage, etc. In her three latest works, *Women in the Qur'an: An Emancipatory Reading*, *Croyantes et féministe : un autre regard sur les religions* and *Islam et femmes: les questions qui fâchent*, Asma Lamrabet is quite vocal about these issues.

As Shehnaz Haqqani<sup>5</sup> expresses in her analysis of *Women in the Qur'an: An Emancipatory Reading*, Lamrabet claims that "the Qur'an discourages polygamy by requiring equal treatment of all wives while simultaneously reminding men that they can never be just to multiple wives" (68). However, the Quranic verse she refers to is actually a proof against her claim. For indeed, in it polygamy is encouraged:

And if you fear that you will not deal justly with the orphan girls, then marry those that please you of [other] women, two or three or four. But if you fear that you will not be just, then [marry only] one or those your right hand possesses. That is more suitable that you may not incline [to injustice]. (The Qur'an, 4:3)

In this verse, Muslim men are enjoined to have multiple wives and are advised to be monogamous only if they fear that they may not be able to be just towards all their wives. Ineffectively, to show that the prophetic model discourages polygamy, Lamrabet asks, "did the Prophet not express his strong disapproval of polygamy when he learned that 'Ali, husband to his daughter Fatima Zahra, wished to marry a second wife?" (*Women in the Qur'an: An Emancipatory Reading*, 144). This argument is not convincing all the more so given the fact that the Prophet himself had even more than the number of wives the Qur'an "limits" other Muslim men to.

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<sup>5</sup> Shehnaz Haqqani, "172 Pages", *American Journal of Islam and Society*, vol. 35, no. 4, Oct. 2018, pp. 68-71, <https://doi.org/10.35632/ajis.v35i4.476>.

Lamrabet has been compared to the American Islamic feminists, Amina Wadud and Margot Badran, due to their shared belief that the interpretations that underlie Islamic law from the 9th century were excessively patriarchal and ought to be reinterpreted. They are all part of Musawah and have been heavily influenced by the Moroccan feminist writer and sociologist Fatima Mernissi who was well-known for her radical feminist views on Islam and Islamic scholarship. Her inflammatory work, *The Veil and the Male Elite: A Feminist Interpretation of Islam*, is banned in Morocco, Iran, and Arab states of the Persian Gulf.

Notwithstanding the constant rebuttal of Islamic feminism, its proponents are still adamant that the ideas that they are promulgating are truly reflective of the spirit of the Islamic faith. For this reason, it is necessary to investigate the way proofs and rulings are derived in Islam before even assessing the validity of Islamic feminism's fight.

### **The Scholarly Way to Derive Proofs and Rulings in Islam**

In Islam, sound knowledge is based on the Qur'an, the Sunnah, ijmaa' (scholarly consensus) and qiyaas (analogy). As the well-known Islamic scholar Imam Al-Shafi'i said: "No one has any right whatsoever to say that something is halaal or haraam except on the basis of knowledge, and the basis of knowledge is a text in the Qur'aan or Sunnah, or ijmaa' or qiyaas" (*Al-Shafi'i's Risala: Treatise on the Foundations of Islamic Jurisprudence*, 39).

Muslims hold that the Qur'an is the word of Allah and as such they give it precedence over any other source of knowledge in Islam. However, contrary to what has often been conveyed by some orientalist, the Sunnah (the hadeeths) is also part of the wahi (revelation) for as it is stated in the Qur'an, whenever the prophet Muhammad spoke about the religion, it was a command from Allah: "Nor does he speak from [his own] inclination. It is not but a revelation revealed" (The Qur'an, 53:3-4). The imminent Maliki scholar from Andalusia, imam Al-Shatibi explains:

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The hadiths are either pure revelation from Allah or something that the Messenger (ﷺ) said or did on the basis of his own opinion, on the basis of sound revelation from the Qur'an or Sunnah.

In either case, it is not possible for there to be any contradiction with the Book of Allah, for he (ﷺ) did not speak from his own inclination; it was but a revelation revealed. If we say that it was possible for the Prophet (ﷺ) to make a mistake, then we must affirm that any mistake would inevitably be corrected. It is more appropriate to say that the Prophet (ﷺ) could not make a mistake and could not issue any ruling that contradicted what is in the Book of Allah. (Al-Muwaafaqaat, 4/335)

Since hadeeths are narrations of the final messenger of Islam and thus date back from centuries ago, some people are sceptical about their truthfulness. None the less, if one was to know the process through which hadeeths are put under scrutiny by scholars of Islam before being labelled sound or not, much of people's doubts about them would fade away. Indeed, determining whether a hadeeth is saheeh (authentic) or da'eef (inauthentic) comes after a great amount of study. The two main stages of this process are:

First: Researching all the places where the hadeeth appears in all the books of the Sunnah, to the best of one's ability; compiling the isnaads (chains of narrators) through which it was narrated; determining the points at which these chains of narration meet and diverge; defining the chain of narration that the hadeeth is based on and noting it, in order to move on to the second stage.

Second: Studying the isnaad (chains of narrators) or various isnaads of the hadeeth. This is a detailed study of all the factors that may impact the ruling on the hadeeth. This second stage can be broken down into approximatively five steps:

1. Researching the calibre of the narrators and the extent of their religious commitment and honesty.
2. Finding out how good the memory of each of the narrators in the chain was and the extent of their precision in narrating hadeeth.

3. Examining the connections in the chain of narrators to establish whether each narrator took it from the person who supposedly narrated it to him, and that there is no interruption, tadlees or irsaal. Tadlees is when a narrator shares a hadeeth that he did not hear directly from the person he said it came from, without mentioning the name of the third party from whom he heard it. Irsaal refers to when a hadeeth is narrated from a Taabi'i and attributed directly to the prophet Muhammad without mentioning the name of the Sahaabi who narrated it. While a Sahaabi is a companion of the prophet, a Taabi'i is someone from the generation of Muslims who followed the companions of the prophet. Thus, contrary to the sahaaba, they received the teachings of the prophet second-hand.

4. Checking whether the isnaad and matn (text) of the hadeeth are in accordance with other hadeeths and do not differ from them or contradict them.

5. Establishing that the hadeeth is free of hidden faults that no one can detect except highly competent scholars.

It becomes clear that the study of hadeeths and their authentication process is a science of its own. Yet, there is this quite recent tendency adopted by some Islamic feminists like Fatima Mernissi, Asma Lamrabet and others to disregard hadeeths altogether. This new Qur'anist heretics claims that the Sunnah should not be used as a trustworthy source to derive Islamic rulings from because it is, according to them, "manmade" and subject to corruption, even though their entire interpretation itself is manmade. Some of them would cite Heidegger and Gadamer to justify their stands. Thus, it is necessary to briefly explain the point these philosophers made about objectivity. In a quite interesting article untitled "Pre-understanding and openness – a relationship without hope?" Maria Nyström and Karin Dahlberg state:

Gadamer, in his efforts to clarify the importance of openness, finds satisfactory a certain way to withhold pre-understanding in order to acquire an open attitude in the process of research. He says that when it comes to the hermeneutic duty to separate false judgements from true ones, we have to suspend our prejudices. 'Understanding begins when something addresses us. This is the first condition of hermeneutics. We know now what this requires, namely the



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fundamental suspension of our own prejudices.' (3, p. 299). And here, Gadamer says, questioning is crucial. The essence of the question, he says, 'is to open up possibilities and keep them open.' And most of all these questions should be put to tradition. (340-341)

Gadamer's method may be sound for sciences like philosophy or other such social sciences. However, when it comes to faith it becomes another issue. Muslims, for instance, believe in a transcendent power they call Allah. They hold that He created all human beings. Consequently, they firmly believe their mind cannot fully encompass their Creator's "reasoning". They may at times understand the wisdom behind certain commandments from their Lord and at others they may not.

Therefore, to them, even if reason were to establish the idea of complete equality between men and women (and it does not) if the Qur'an does otherwise, Muslims would be obliged to reject the conclusion they came to with their reason and would rely exclusively on the Qur'an which all Muslim hold to be the word of their Creator. In fact, Muslims are commended to believe in the Qur'an in its totality, while acknowledging that there are issues about it that they may not fully comprehend. This does not mean that those issues are not sound. It just means that the person's intellect is not entirely equipped to comprehend it for the creation is not as perfect as the Creator: "This is the Book! There is no doubt about it—a guide for those mindful of Allah, who believe in the unseen, establish prayer, and donate from what We have provided for them" (Quran 2:2 and 2:3).

There will always be people who would reject hadeeth, even though the true scholars of Islam have agreed that hadeeth are a valid source of Islamic law. Even the Sahih Bukhari book, which the ulama' have unanimously agreed to be the most authentic book after the Quran, has received unwarranted criticism from an orientalist named Ignaz Goldziher. He argues that not all hadith listed in it are authentic. In addition, he criticizes the method used by Imam al Bukhari in researching hadith. According to him, Imam al Bukhari only focused on sanad and forgot the matan. Goldziher also contends that the traditions narrated in Bukhari were the result of fabrications by the generations after the Prophet. To him, people started writing hadeeth long

after the Prophet's time. However, several Muslim scholars have proven that Goldziher's criticisms are baseless and cannot be validly established as truth.

In an article untitled "Criticism of Orientalist Critical Views toward Hadith Studies" Abd. Qohin and Siti Kasiyati have shared some of the Islamic scholarship's arguments against orientalist like Ignaz Goldziher, Josep Schacht and others who doubt the truthfulness of hadeeths. They explain:

Ignaz Goldziher released the results of research with the title *Mohammadanische Studien* who doubted the authenticity of the Prophet's traditions. While Josep Schacht published the book *The Origin of Muhammadan Jurisprudence*. These two orientalist criticized the Prophet's traditions in general through their works, especially the two books. These two books were then responded to steadily by Azami in his book *Studies in Early Hadith Literature* (1967). Before Azami, there were two ulama figures who also responded to the Orientalist criticism, namely Musthafa al-Siba'i in his book *al-Sunnah wa Makanatuha fi Tasyri'al-Islami* (1949) and Muhammad' Ajjaj al-Khathib in his *al-Sunnah Qabla al-Tadwin* (1964) (Ali Musthafa Yaqub, 1996, pp. 8–9). This book of *Mohammadanische Studien* is not only limited to doubt but also has concluded that the traditions especially the legal traditions are not authentic, the argument is that the hadith is the work of 2nd century scholars, including here are the traditions contained in the book of Imam Bukhari. (2)

Indeed, scholars like Musthafa al-Siba'i, Muhammad' Ajjaj al-Khathib and Musthofa al Azami have completely disproven such claims. Furthermore, as Ibn Taymiyah has explained, the Qur'an, the Sunnah and ijmaa' are all made from the same fabric:

If we say Qur'aan, Sunnah and ijmaa', they all stem from the same source, because the Messenger agrees with everything that is in the Qur'aan, and the ummah unanimously agrees upon it in general. There is no one among the believers who does not believe it is obligatory to follow the Book. And everything that the Prophet enjoined in his Sunnah, the Qur'aan obliged us to follow it. So the believers unanimously agree upon that, and everything on which the Muslims unanimously agree can only be true and in accordance with what is in the Qur'aan and Sunnah. (*Majmoo' al-Fataawa*, 7/40)

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His statement “And everything that the Prophet enjoined in his Sunnah, the Qur’aan obliged us to follow it” is validated by this Qur’anic verse: “[...] And whatever the Messenger gives you, take it, and whatever he forbids you, abstain. And have Taqwa of Allah. Verily Allah is severe in punishment” (The Qur’an, 59:7).

As for his claim that “everything on which the Muslims unanimously agree can only be true and in accordance with what is in the Qur’aan and Sunnah”, he bases it on Hadeeths such as the one narrated by Ahmad in his Musnad (27224) from Abu Basrah al-Ghifaari, the companion of the prophet Muhammad who said that the Messenger of Allah said: “I asked my Lord, may He be glorified and exalted, for four things, and He granted me three of them and withheld one from me. I asked Allah, may He be glorified and exalted, not to cause my ummah to agree on misguidance, and He granted me that”.

This is called *ijma’a*. It is one of the core sources of legislation for Muslims. Az-Zarkashi defines it as follows: “It is the unanimous agreement of the mujtahid scholars of the ummah of Muhammad (ﷺ) after his death concerning some issue at any particular time” (al-Bahr al-Muheet by az-Zarkashi, 6/379). Some Qur’anic texts support this principle too. One of them is the following verse: “And whoever opposes the Messenger after guidance has become clear to him and follows other than the way of the believers - We will give him what he has taken and drive him into Hell, and evil it is as a destination” (The Qur’an, 4:115). Ibn Hazm clarifies: “Whoever goes against it – that is, consensus – after coming to know of it, or after proof has been established on the basis of consensus, is deserving of the warning mentioned in the verse” (Maraatib al-Ijmaa’ by Ibn Hazm, 7).

Just like Ibn Taymiyah and others, Al-Qaadi Abu Ya’la said: “Consensus constitutes binding proof with which one should comply and it is haraam to go against it; it is not possible for the ummah to agree on error” al-‘Uddah fi Usool al-Fiqh (4/1058). He bases his view among several other proofs on the Hadeeth narrated in At-Tirmidhi (2167) from Ibn ‘Umar who said that the prophet Muhammad said: “Allah will not cause my ummah – or the ummah

of Muhammad (ﷺ) – to agree on misguidance” (Classed as saheeh by al-Albaani in Saheeh al-Jaami’ as-Sagheer, no. 1848).

On page 64 of *Al-Usool min ‘Ilm al-Usool* Shaykh Ibn ‘Uthaymeen cited two main conditions of *ijmaa’*: Firstly, it should be soundly proven in the sense that it is either well known among the scholars or transmitted by a trustworthy narrator who has a sound reading background. Secondly, it should not have been preceded by a well-known difference of opinion. If that was the case, then there is no *ijmaa’*, because scholarly opinions are not invalidated by the death of their authors. *Ijmaa’* does not cancel out a previous difference of opinion; rather it prevents differences of opinion from arising.

Shar‘i rulings can also be based on *qiyaas* (analogy). Ibn Qudamah defines it as follows:

Giving a ruling concerning a novel issue (i.e., one that is not directly mentioned in shar‘i texts) that is the same as the ruling on a basic issue (i.e., one that is directly mentioned in shar‘i texts), on the basis of some common factor between the two issues (*Rawdat an-Naazir wa Jannat al-Manaazir*, 2/141).

With regard to sources other than these four, such as the opinions of the Sahaabah, *istihsaan*,<sup>6</sup> *sadd al-dharaa’i*,<sup>7</sup> *istishaab*, *urf*,<sup>8</sup> the laws that the believers who came before the ummah of the prophet Muhammad used to follow, *al-masaalih al-mursalah*<sup>9</sup> and so on, the scholars differed as to how valid it is to use them as evidence. According to the view that they are acceptable – all or some of them – they are secondary to the Qur’an and the Sunnah and should be in accordance with them.

For centuries and up to nowadays, this is the scholastic way followed by Muslims to interpret Islamic texts. With the rise of Orientalism and multiple hermeneutical ways of apprehending Islamic texts, the questions that arises are: Why do Orientalists (in this specific case, Islamic feminists) feel the need to create other models for decoding Islamic texts? What is their contention

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<sup>6</sup> Discretion

<sup>7</sup> Blocking the ways to evil

<sup>8</sup> Custom

<sup>9</sup> Things that serve the general interests of the Muslims

with the traditional way of apprehending Islamic texts and deriving rulings from them? Are orientalist's methods more consistent with the principles of Islam or are they perverting the message of this religion?

### **The Fallaciousness of the Classic Arguments Provided by Islamic Feminists**

In 2002, one of the famous proponents of Islamic feminism, Margot Badran, expressed in an article untitled "Islamic Feminism: What's in a Name?" that the concept of Islamic feminism refers to a "feminist discourse and practice articulated within an Islamic paradigm" (1). In *We should All be Feminists*, Chimamanda Ngozi Adichie defines a feminist as "a person who believes in the social, political and economic equality of the sexes" (17). If this definition is accurate, it becomes legitimate to ask whether such a thing can exist within the bounds of sharia law. Islamic feminists are adamant that men and women are fully equal in Islam and that it is male scholars who have distorted the meaning of some verses of the Quran to suit their own patriarchal agenda.

Omaima Abou-Bakr, a professor at Cairo university and a founding member of the Women and Memory Forum, writes that the Islamic feminist project is a "continuous attempt to un-interpret past gender biased readings done by male jurists and to offer alternative new perspectives toward justice and equality within Islam itself" (1). On hearing Islamic feminists one may think that up to the emergence of this phenomenon in the 1990s, Islamic scholarship has always been the monopoly of ill-intended male chauvinistic scholars and that there has never been women exegetes in Islam.

In a sense, Islamic feminists are betraying the legacy of all women scholars who came before the 1990s. Indeed, by saying that the traditionalist exegeses of the Qur'an were done solely by male chauvinists, they negate that there was a plethora of women scholars of calibre who taught several people (both women and men). To legitimise themselves as scholars, Islamic feminists make a tabula rasa of the great women scholarship that has marked the history of Islam forever. The Prophet Muhammad's wife Aisha bint Abu Bakr was among the one who transmitted the most hadeeths. She was a great jurist and

scholar. One can also cite other female companions of the Prophet such as Umm Ayman and Umm Habiba who were also quite knowledgeable.

Throughout the history of Islam there were great female scholars such as Fatima bint al-Hasan ibn Ali Ad-Daqqaq al-Qushayri, Karimah al-Marwaziyyah, Umm al-Darda of Damascus, Aisha bint Sa'ad bin Abi Waqqas, Sayyida Nafisa, Amra bint Abdurrahman, Aisha bint Muhammad ibn Abdul Hadi and Fatima al-Fihriyya. The four primary Sunni schools of thoughts (Hanafi, Shafi'i, Maliki and Hanbali) have been undeniably marked by these brilliant female scholars.

There is for instance Aisha bint Sa'ad bin Abi Waqqas who was a jurist scholar and also the teacher of Imam Malik, the founder of the Maliki School of *Fiqh*. As for the founder of the Shafi'i School of *Fiqh*, Imam Shafi'i, one of his teachers was the great granddaughter of the Prophet Muhammad, and daughter of Hassan bin Ali bin Abu Talib: Sayyida Nafisa. Not only did she teach him but she also financially sponsored his education.

Renowned scholars like Al-Khatib al-Baghdadi and Al-Humaydi have had a woman as a teacher: Karimah al-Marwaziyyah who was considered the best authority on the *Sahih* of Al-Bukhari in her own time. Abu Bakr ibn Hazim, the celebrated judge of Madina was taught by a woman jurist, mufti and scholar of hadeeths Amra bint Abdurrahman. Aisha bint Muhammad ibn Abdul Hadi in Damascus also taught several prominent Muslim male scholars and also possessed the shortest chain of narrators back to the Prophet Muhammad. She was among the teachers of Ibn Hajar al-Asqalani who actually studied from fifty-three women in total.

As for the great scholar As-Sakhawi, he had *ijazas* (diplomas) from sixty-eight women while As-Suyuti studied from thirty-three women, i.e. a quarter of his teachers. Even political leaders like the then Caliph of Islam, Abdul Malik ibn Marwan studied under a female hadith scholar, Fatima bint al-Hasan ibn Ali Ad-Daqqaq al-Qushayri. Thus, there is no wonder why the oldest and possibly the first university in the world was created by a female scholar of the ninth century, Fatima al-Fihriyya. She founded the al-Qarawwiyyin mosque in Fez (Morocco) which became later a renowned

university through which Arabic numbers became known and used in Europe. The university still exists today and students travel from all over the world to learn Islamic studies there.

In West Africa alone, there was a myriad of female Islamic figures such as Nana Asma'u Dan Fodio, Khadija bint Muhammad al-Daymaniya, Tut bint al-Tah and Khadijah al-Shinqitiya in ancient Mali, Mauritania, and northern Nigeria and none of them felt the need to strive for complete equality between men and women. They were all well-learned and knew the position of women in Islam and yet, they did not call for reform in that area. It becomes clear that the first postulate of Islamic feminists, holding that Islamic scholarship was solely produced by men, who have misinterpreted the texts, is questionable.

Islamic feminists' second claim is that everyone should indulge in ijtihad and since back in 1989 when Peter Heath said that "the modern study of Islamic hermeneutics is in its infancy" (173) a number of orientalists have come up with their own hermeneutical models. Among them is the Islamic feminist Amina Wadud. She departs from the traditional way of making qur'anic exegesis by choosing to primarily focus on the grammatical composition of the Qur'anic text instead of referring back to hadeeths. In *Qur'an and woman: rereading the sacred text from a woman's perspective* she argues:

A hermeneutical model is concerned with three aspects of the text, in order to support its conclusions: 1. the context in which the text was written (in the case of the Qur'an, in which it was revealed); 2. the grammatical composition of the text (how it says what it says); and 3. the whole text, its Weltanschauung or world-view. Often, differences of opinion can be traced to variations in emphasis between these three aspects. (3)

To justify the fact that she does not base most of her exegesis on hadeeths, she writes: "no method of Qur'anic exegesis is fully objective. Each exegete makes some subjective choices" (1). She thinks that by not using hadeeths she will be less influenced by traditionalist exegetes whom she perceives as bigots and harshly rebukes:

A significant part of the motivation behind my consideration of this subject was to challenge some of the attitudes and the resulting interpretations given with regard to the subject of woman and the

Qur'an. I explicitly challenge the arrogance of those men who require a level of human dignity and respect for themselves while denying that level to another human, for whatever reason— including simply because she is a woman. In particular, I reject the false justification of such arrogance through narrow interpretations or misinterpretations of the Qur'anic text, namely interpretations which ignore the basic social principles of justice, equality, and common humanity. (96)

By not taking into account hadeeths, she unwittingly rejects the work of prominent female scholars, for the contribution of women in the study of hadeeth has been quite significant. A survey of the texts reveals that most of the important compilers of hadeeths from the earliest period of Islam till now were either women or were taught by women.

The “let’s start from scratch” approach to interpretation that is so common amongst Islamic feminists is at odds with the Qur’an which clearly stipulates that it is the prophet Muhammad’s interpretation of the Qur’an the right one: “[We sent them] with clear proofs and written ordinances. And We revealed to you the message that you may make clear to the people what was sent down to them and that they might give thought” (The Qur’an, 16:44). Therefore, interpreting the Qur’an without using hadeeth to clarify the meaning of the verses is not in accordance with the teachings of Islam.

Thus, it is not surprising that those who use such methods come up with new ideas such as complete equality between men and women that are contradictory to the Islamic tradition. Although there is a huge feminist propaganda these days, Islam hold that although men and women are similar in some aspects, they are not fully the same and are thus treated differently in Islam. This does not mean that Islam is a misogynistic religion. It is just that it takes into account gender asymmetries in his treatment of both sexes to ensure equity.

Islamic feminists believe otherwise and therefore they are seen by the majority of Muslims as controversial figures and are often critiqued. A patent example is that of the African American Islamic feminists, Amina Wadud. In 2005, she made international headlines when she led a Friday prayer in New York City, provoking a firestorm of charges of blasphemy among Muslims



worldwide. She insisted that her detractors have no sound understanding of gender in Islam yet could not bring any instance in the history of Islam when a woman led in prayer a mixed gathering on Friday.

Furthermore, based on the following saheeh hadeeth and others, if a woman prays in her house, she is doing that which is better for her than praying in the mosque: “It was narrated from Ibn ‘Umar that the Prophet (peace and blessings of Allaah be upon him) said: “Do not prevent your women from coming to the mosques, although their houses are better for them”” (Narrated by Abu Dawood, 567; Ahmad, 5445 – this version narrated by Ahmad). ‘Abd al-‘Azeem Abaadi said:

“Their houses are better for them” means that their praying in their houses is better for them than praying in the mosques, if only they knew that, but they do not know that, so they ask to go out to the mosques and think that the reward for going to the mosque is greater. The reason why their praying in their houses is better is because they are safer from fitnah (temptation). This ruling is even more necessary because of the tabarruj (wanton display) and adornment that have become prevalent among women. (‘Awn al-Ma’bood, 2/193)

It becomes clear that if the one who are indulging in ijtihad are not well equipped to do so, they create controversies, confusion and disputes among Muslims. The one who is able to engage in ijtihad can find out the truth for himself, but he must have a vast knowledge of the shar’i texts. More importantly, he has to understand the guidelines on deriving rulings in Islam. He should be aware of the views of the scholars, lest he fall into that which is contrary to Islam. Some people are taalib al-‘ilm <sup>10</sup> who have only a little knowledge, but they set themselves up as mujtahids. <sup>11</sup> This pushes them to misuse some hadeeths by placing them outside of their contexts. At times, they would even act on the basis of abrogated hadeeths because they are unaware of the texts that made them obsolete.

It is not for anyone to become a mujtahid. First, one must have knowledge of the shar’i evidences and knowledge of the basic principles (usool) and

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<sup>10</sup> Beginner Students

<sup>11</sup> Scholars who can pass rulings in Islam

scholarly views. In *The Foundations of the knowledge of the Usul*, when discussing the pre-requisites for someone to be a mujtahid Shaykh Muhammad ibn ‘Uthaymeen mentioned six conditions:

- 1- The mujtahid should have knowledge of the shar’i evidence that he needs for the purpose of ijtihaad, such as verses of the Qur’an and hadeeths that speak of rulings.
- 2- He should have knowledge of the matters pertaining to the soundness or weakness of hadeeths, such as the isnaad, the men in the isnaad and so on.
- 3- He should be aware of what abrogates and what is abrogated (al-naasikh wa’l-mansookh) and issues on which there is consensus (ijmaa’), so that he will not issue a ruling on the basis of something that has been abrogated or that is contrary to scholarly consensus.
- 4- He should have knowledge of various matters affecting the ruling, such as reports of specific meanings, reports that set limits, and so on, so that he will not issue a ruling that is contrary to that.
- 5- He should have knowledge of the Arabic language and usool al-fiqh that has to do with verbal evidence, such as what is general and what is specific, what is absolute and what is restricted, what is mentioned in brief and what is mentioned in detail, and so on, so that his rulings will be in accordance with what is indicated by that evidence.
- 6- He should have the ability to derive rulings from the evidence.

The one who fulfils these conditions is a scholar (‘aalim) who can derive shar‘i rulings from the evidences in the Quran and the Sunnah. Anyone who does not fit this description cannot be described as a ‘aalim, faqeeh or mujtahid. It should also be noted that these words (‘aalim, mujtahid and faqeeh) have specific meanings and pre-requisites. Therefore, scholars of Islam contend that it is not permissible to use them readily about anyone who speaks about Islamic rulings or teaches Islamic material in schools and universities, or works in the field of da‘wah (calling people to Allah). Indeed,

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someone may be calling people to Allah and putting a great deal of effort into that, without having reached the level of being a scholar ('aalim) in Islam.

Since Islamic feminism is a contentious issue in the Muslim community and that Muslims are commanded to refer disputed matters to the Qur'an and the Sunnah, it would be interesting to analyse the phenomenon of Islamic feminism through this prism: "(And) if you differ in anything amongst yourselves, refer it to Allah and His Messenger, if you believe in Allah and in the Last Day. That is better and more suitable for final determination" (The Qur'an, 4:59). So what does the Qur'an say about gender relations? Are Men and women equal?

### **Islam's call for equity instead of equality in the treatment of women**

In Islam, women are equal to men in rulings and rewards, except those where an exception is stated in the texts:

Whoever works righteousness, whether male or female, while he is a true believer verily, to him We will give a good life (in this world with respect, contentment and lawful provision), and We shall pay them certainly a reward in proportion to the best of what they used to do (i.e., Paradise in the Hereafter)" (The Qur'an, 16:97).

Although Islam is pro-social justice, contrary to feminism, it does not promote full-equality between men and women. In Islam, more than equality, equity is the aim for it is believed that men and women are not the same: "But when she delivered her, she said, "My Lord, I have delivered a female." And Allah was most knowing of what she delivered, and the male is not like the female" (The Qur'an, 3:36). The prophet Muhammad has reinforced this idea in a saheeh hadeeth narrated by Ibn 'Abbas: "The Messenger of Allah (ﷺ) cursed the women who imitate men and the men who imitate women" (Jami' at-Tirmidhi, Vol. 5, Book of Manners (book 41), Hadeeth 2784).

While Islam enjoins both men and women to lower their gazes, it however requires from them two different dress codes. While women are asked to cover, men are asked to wear garments that do not go below their ankles and

are forbidden to wear pure silk. They are asked to trim their moustaches and grow their beards. Polygamy and marriages with Christians and Jews are allowed for men, it is not so for women. It is prohibited for Muslim women to travel alone or enter a marriage without the consent of her wali (male guardian) while it is not the case for men.

While Islamic feminists often protest against these rulings that they find oppressive, traditionalists argue that Islam did not take away women's rights but actually gives everyone his or her rightful status. To them, since there is a myriad of Islamic texts that prove these rulings, it is not befitting for a Muslim to go against them or worse, to urge people to leave these practices.

To traditionalists, Islam honours women as wives, mothers and daughters. It urges husbands to treat their wives in a good and kindly manner. Indeed, wives have rights over their husbands just like husbands have rights over their wives. However, wives are commanded to obey their husbands because of the fact that in Islam, it is the man who is responsible for the financial wellbeing of the family and its security: "And they (women) have rights (over their husbands as regards living expenses) similar (to those of their husbands) over them (as regards obedience and respect) to what is reasonable, but men have a degree (of responsibility) over them. And Allaah is All-Mighty, All-Wise" (The Qur'an, 2:228). The reason for this difference is stipulated in this verse: "Men are the protectors and maintainers of women, because Allaah has made one of them to excel the other, and because they spend (to support them) from their means [...]" (The Qur'an, 4:34). Furthermore, the Prophet Muhammad is reported to have said:

If I were to command anyone to prostrate to anyone other than Allaah, I would have commanded women to prostrate to their husbands. By the One in Whose hand is the soul of Muhammad, no woman can fulfil her duty towards Allaah until she fulfils her duty towards her husband. If he asks her (for intimacy) even if she is on her camel saddle, she should not refuse. (Narrated by Ibn Maajah, 1853; classed as saheeh by al-Albaani in Saheeh Ibn Maajah)

However, this does not mean that in Islam men are allowed to be tyrannical towards their wives. On the contrary, the prophet Muhammad and his companions were quite lenient towards their wives. It is narrated that the

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women of the Sahaabah used to argue and debate with them, and indeed this is the way in which the Prophet Muhammad's wives used to act with him, as 'Umar ibn al-Khattaab explains:

We Quraysh used to control our women, but when we came to the Ansaar we found that they were a people who were controlled by their women. So our women started to adopt the ways of the Ansaari women. I got angry with my wife and she argued with me and I did not like her arguing with me. She said, 'Why do you object to me arguing with you? By Allaah, the wives of the Prophet (ﷺ) argue with him...'. (Narrated by al-Bukhaari, 4895; Muslim, 1479)

When discussing the lessons to be learned from this hadeeth, Al-Haafiz ibn Hajar clarifies: "This indicates that being harsh with women is something blameworthy, because the Prophet (ﷺ) adopted the way of the Ansaar with their women and forsook the way of his people" (Fath al-Baari, 9/291).

Furthermore, men are specifically ordered in the Qur'an to treat well their womenfolk: "and live with them honourably" (The Qur'an, 4:19). The Prophet reinforces this injunction by saying: "I urge you to treat women well" (Narrated by al-Bukhaari, 331; Muslim, 1468). He has also declared: "The best of you is the one who is best to his wife, and I am the best of you to my wives" (Narrated by al-Tirmidhi, 3895; Ibn Maajah, 1977; classed as saheeh by al-Albaani in Saheeh al-Tirmidhi).

Islam has enjoined upon the husband duties towards his wife, and vice versa, and among these duties are some which are shared by both husband and wife and some which are not. Among the rights that are directed only towards the wife is that she has financial rights over her husband, which are the mahr (dowry), spending and accommodation. She also has non-financial rights, such as fair division between co-wives, being treated in a decent and gentle manner by her husband. It was narrated that Abu Hurayrah (may Allaah be pleased with him) said: "The Messenger of Allaah (ﷺ) said: 'Be kind to women'" (Narrated by al-Bukhaari, 3153; Muslim, 1468).

In Islam it is haram (unlawful) to harm another for it was narrated from 'Ubaadah ibn al-Saamit that the prophet Muhammad ruled, "There should be no harming nor reciprocating harm" (Narrated by Ibn Maajah, 2340). This

hadeeth was classed as saheeh by Imaam Ahmad, al-Haakim, Ibn al-Salaah and others. Among the things to which the Lawgiver drew attention in this issue is the prohibition of being rude to one's wife or any other women for that matter.

Islam has given women pre-eminence and has favoured them over men in several aspects. For instance, men are forbidden to take their wives' money without their consent when women are entitled to their husband's wealth. If he does not fulfil his financial duty towards her even though he has the means, the wife has the right to take some of his money regardless of whether he consents to it or not.

With regards to inheritance in Islam men generally receive a bigger share because they are responsible for the financial wellbeing of their womenfolk. Although Islamic feminists often criticise this practice, traditionalists find it quite equitable for in Islam the money a woman earns is solely for her and if she does not wish to share it with her husband, she has the right to do so while men do not have the choice but to share their earnings with their families.

Another area where women and men are not treated equally in Islam is child custody. Generally, women are more able to show patience, love and compassion towards children. Hence in sharee'ah law when divorce occurs in a couple custody is by default given to the mother. She is highly respected for she is considered to be the first school from which future leaders and scholars will graduate. Children are enjoined to honour their mothers, treat them kindly and give them preferential treatment above their fathers. Al-Bukhaari (5971) and Muslim (2548) narrated that Abu Hurayrah said:

A man came to the Messenger of Allaah (ﷺ) and said: "O Messenger of Allaah, who is most deserving of my good company?" He said: "Your mother." He said: "Then who?" He said: "Your mother." He said: "Then who?" He said: "Your mother." He said: "Then who?" He said: "Then your father."

One of the rights that Islam gives to mothers is that their sons should spend on them if they need that support, so long as the sons are able and can afford it, they should do so. Hence for many centuries it is unheard of among the people of Islam for a mother to be left in an old-people's home or for her sons

to refuse to spend on her, or for her to need to work to fend for herself if her sons are alive.

Islam also honours women as daughters, and encourages its followers to raise them well and educate them. On multiple occasions the Prophet Muhammad emphasised the great reward attached to raising daughters: “Whoever takes care of two girls until they reach adulthood, he and I will come like this on the Day of Resurrection,” and he held his fingers together (Narrated by Muslim, 2631). All of these qualities may co-exist in a single woman: she may be a wife, a daughter, a mother. So she is honoured in all these ways. Therefore, Muslim women do not need any saving from feminists or any other groups. Their rights are completely met in sharia laws. Thus, if they are being mistreated, they should reclaim their rights using the sharia evidences already existing rather than seeking to reform the shari’ laws and reinterpret Islamic texts in a way never done before.

## **Conclusion**

Alongside colonisation and slavery, Islam is one of the major topics that have always interested researchers, especially Africans. With the rise of both islamophobia and Islamic feminism it is important to try to refocus the debates and learn the tenets of Islam from its main sources and scholars. From this study, it has become obvious that although there are commonalities between Islamic Feminism and Islam itself, often times Islamic Feminism was found to be fighting against core principles of the Islamic faith such as polygyny, *Hijab*, the Islamic inheritance laws, etc.

At the core of the differences between Islam and Islamic Feminism are the methodologies they use to investigate the sacred texts. The overwhelming majority of Islamic feminists are not well-versed in the fundamentals of Islamic sciences. As a point of fact, the way they apprehend Islamic texts is often problematic. There is a quite extensive background knowledge needed for somebody to do an exegesis of the Qur’an. It is not just about knowing the Arabic language or possessing a translated version of the Qur’an. In Islam,

*ijtihad* (independent investigation of religious sources) and *tafsir* (interpretation of the Qur'an) are not to be done by layman.

This study is an attempt to answer the question regarding the points of contention between Islam and Islamic Feminism. It showed that Muslim women do not need to be “saved” for Islam honours them in all the roles they fulfil in society. Islam has made them such an integral part of their husbands’ faith that without honouring their wives, their faith remains incomplete. Islam has placed paradise under the feet of women when they become mothers. As daughters, they are a reason for their fathers to enter paradise if they take good care of them. Women have the right to own property, to buy and sell, to inherit, etc. It is not permissible for anyone to take a woman’s wealth without her consent. Women have the right to be educated; in fact it is obligatory to teach them what they need to know about their religion.

However, Islamic Feminists have chosen to ignore these basic facts about Islam and are seeking reforms after reforms. Their progressive agenda attracts little Muslims. On the contrary, the Muslim women they try to liberate often times resent them because of the adamancy of the overwhelming majority of them to propagate the idea that the veil is a pre-Islamic custom and therefore giving *carte blanche* to those who want to ban it in public space.

### **Bibliography**

- Ahmed, Leila. *Women and gender in Islam: historical roots of a modern debate*. New Haven: Yale University Press, 1992.
- Allam, Nermin. “Women and Egypt's National Struggles.” *Women and the Egyptian Revolution: Engagement in Activism During the 2011 Arab Uprisings*. Cambridge: Cambridge UP, 2017: pp. 26–47.
- Amin, Qasim. *The Liberation of Women: And, The New Woman: Two Documents in the History of Egyptian Feminism*. Trans. Samiha Sidhom Peterson. Cairo: American University in Cairo Press, 2000.



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- Assami, Emily et al. *The Quran. Saheeh international*. Riyadh: Al-Muntada Al-Islami, 2010.
- Abou-Bakr, Omaima. "What's Done Can be Un-Done: Un-Interpreting Gender-Hierarchy in Quranic Exegesis". Paper presented at the 12th Mediterranean research Meeting, Florence, Italy, 2011.
- Adichie, Chimamanda Ngozi. *We should All be Feminists*. London: Fourth Estate, 2014.
- Al-Asqalani, Ibn Hajar. *Fath Al-Bari: Victory of the Creator*. Trans. Khalid Williams. Ed. Dr. Muhamamd Isa Waley. United Kingdom: Visions of Reality Books, 2017.
- Albani, Muḥammad Nasir al-Din. *Faharis sahih wa-da'if Sunan Ibn Maajah*. Bayrut: al-Maktab al-Islami, 1988.
- ----- . *Sahih al-jami` al-saghir wa-ziyadatah (al-Fath al-kabir)*. Bayrut: al-Maktab al-Islami, 1969.
- ----- . *Sahih wa Da'if Sunan at-Tirmidhi*. Bayrut: al-Maktab al-Islami, 1986.
- Al-Fawzaan, Saalih. *Majmu' Al-Fatawa Ibn Taymiyah Regarding Life After Death*. Philidelphia: Authentic Statements Publications, 2019.
- Ali, Kecia (2017). "Destabilizing Gender, Reproducing Maternity: Mary in the Qur'ān." *Journal of the International Qur'anic Studies Association*. 2: 89–109. doi:10.5913/jiqsa.2.2017.a005 (Accessed on 08/11/2020 at 9:14 pm)
- Al-Shafi'i, Muhammad ibn Idris. *Al-Shafi'i's Risala: Treatise on the Foundations of Islamic Jurisprudence*. Trans. Majid Khadduri. Cambridge: The Islamic Texts Society, 1997.
- Al-Shatibi, Ibrahim Bin Musa. *The Reconciliation of the Fundamentals of Islamic Law [Al Muwafaqat fi Usul al Sharia]*. Trans. Professor Imran

Ahsan Khan Nyazee. Rev. Professor Raji M. Rammuny. Doha: Dar Al-Thaqafah, 2012.

- Al-'Uthaymin, Shaykh Muhammad bin Salih. *The Foundations of the knowledge of the Usul*. Trans. S. Nawaz. London: 5Pillars Publishing. [https://www.muslim-library.com/dl/books/English The Foundations of the Knowledge of the Usul .pdf](https://www.muslim-library.com/dl/books/English%20The%20Foundations%20of%20the%20Knowledge%20of%20the%20Usul.pdf) (Accessed on 16/11/2020 at 2:54 pm)
- At-Tirmidhi, Muhammad. *Jami' at-Tirmidhi*. Trans. Abu Khaliyl. Ed. Hafiz Abu Tahir Zubair 'Ali Za'i. Riyadh: Darussalam Pub. & Distr., 2007.
- Badran, Margot. (2002) "Islamic Feminism: What's in a Name?" *Al-Ahram Weekly Online*, no.569, 17-23, January, <http://weekly.ahram.org.eg/2002/569/cu1.htm> (Accessed on 19/11/2020 at 2:46 pm)
- Bin Ash'ath, Sulaiman. *Sunan Abu Dawud*. Riyadh: Darussalam Pub. & Distr., 2008.
- Bin Hanbal, Ahmad bin Muhammad. *Musnad Imam Ahmad Bin Hanbal*. Riyadh: Darussalam Pub. & Distr., 2012.
- Bukhari, Muhammad ibn Ismail. *Sahih Bukhari*. Trans. Muhammad Muhsin Khan. Riyadh: Darussalam Pub. & Distr., 1997.
- George, Rose (July 17, 2006). "Ghetto warrior". *The Guardian*. London. (Accessed on 09/01/2021 at 12:46 pm).
- Haqiqatjou, Daniel. "The Grave Implications of "Feminist Islam"." THE MUSLIM SKEPTIC, 19 Sept.2017, <https://muslimskeptic.com/2017/09/19/grave-implications-feminist-islam/> (Accessed on 23/11/2020 at 7:44 pm)
- ----- . ""Traditional" Muslims vs. the Modernists." THE MUSLIM SKEPTIC, 17 Sept.2016,

- Khardiata Ba -

<https://muslimskeptic.com/2016/09/17/traditional-muslims-vs-the-modernists/> (Accessed on 23/11/2020 at 7:40 pm)

- Haqqani, Shehnaz. “172 Pages”. *American Journal of Islam and Society*, vol. 35, no. 4, Oct. 2018, pp. 68-71, <https://doi.org/10.35632/ajis.v35i4.476>.
- Heath, Peter. “Creative Hermeneutics: A Comparative Analysis of Three Islamic Approaches.” *Arabica*, vol. 36, no. 2, 1989, pp. 173–210.
- Ibn al-Hajjaj, Muslim. *Sahih Muslim*. Trans. Abdul Hamid Siddiqui. Vol. 4. Ontario: Kitab Bhavan, 2000.
- Ibn Majah, Muhammad Bin Yazeed. *Sunan Ibn Mâjah*. Trans. Nasiruddin al-Khattab. Riyadh: Darussalam Pub. & Distr., 2007.
- Ibn Qudamah, ‘Abd Allah ibn Ahmad. *Rawdat al-nazir wa-jannat al-manazir*. London: Turath For Solutions, 2013.
- Kader, Soha. *Egyptian women in a changing society, 1899–1987*. Boulder: Lynne Rienner Publishers, 1987.
- Kugle, Scott Alan. *Homosexuality in Islam: Critical Reflection on Gay, Lesbian, and Transgender Muslims*. Oxford: Oneworld, 2010.
- Lambaret, Asma. “Combat d’une féministe dans l’islam.” Interview by Sandrine Hochstrasser. LA LIBERTÉ, 08 Sept. 2018, <https://www.laliberte.ch/news/combat-d-une-feministe-dans-l-islam-453995%20> (Accessed on 23/11/2020 at 7:32 pm)
- ----- . *Croyantes et féministe : un autre regard sur les religions*. Casablanca : La Croisée des chemins, 2017.
- ----- . *Islam et femmes, les questions qui fâchent*. Casablanca : En toutes lettres, 2017.
- ----- . *Women in the Qur’an: An Emancipatory Reading*. Trans. Myriam Francois-Cerrah. Leister: Square View, 2016.

- Mernissi, Fatima. *The Veil and the Male Elite: A Feminist Interpretation of Islam*. Trans. Mary Jo Lakeland. New York: Basic Books, 1992.
- Nyström, Maria, et al. "Pre-understanding and openness – a relationship without hope?." *Scandinavian Journal of Caring Sciences*. 15 (2001): 339-346. <https://onlinelibrary.wiley.com/doi/epdf/10.1046/j.1471-6712.2001.00043.x> (Accessed on 24/11/2020 at 5:38 pm)
- Qohin, Abd, et al. "Criticism of Orientalist Critical Views toward Hadith Studies" *Journal of Hadith Studies* 3.1. Bandung: ASILHA – ISLAMICATE INSTITUTE Publishing, 2020. <http://www.journal.islamicateinstitute.co.id/index.php/johs/article/view/543/36> (Accessed on 24/11/2020 at 5:44 pm)
- Shaarawi, Huda. *Harem Years: The Memoirs of an Egyptian Feminist*. New York: The Feminist Press at The City University of New York, 1986.
- Wadud, Amina. *Qur'an and woman: rereading the sacred text from a woman's perspective*. New York: Oxford University Press, 1999.