

**WOMEN AND POLITICAL PARTICIPATION: A PARTIAL TRANSLATION OF ‘ABD
AL-ḤALĪM MUḤAMMAD ABŪ SHAQQAH’S *TAḤRĪR AL-MAR’AH FĪ ‘AṢR AL-
RISĀLAH* (THE LIBERATION OF WOMEN IN THE PROPHETIC PERIOD), WITH A
CONTEXTUAL INTRODUCTION TO THE AUTHOR AND HIS WORK**

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DECLARATION

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I declare that **WOMEN AND POLITICAL PARTICIPATION: A PARTIAL TRANSLATION OF ‘ABD AL-HALĪM MUḤAMMAD ABŪ SHAQQAH’S *TAḤRĪR AL-MAR’AH FĪ ‘AṢR AL-RISĀLAH* (THE LIBERATION OF WOMEN IN THE PROPHETIC PERIOD), WITH A CONTEXTUAL INTRODUCTION TO THE AUTHOR AND HIS WORK** is my own work and that all the sources that I have used or quoted have been indicated and acknowledged by means of complete references.

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SIGNATURE

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DATE

Abstract

This thesis is a translation of a chapter that examines the role of Muslim women in politics during the early Islamic period and their engagement with religious and political discourses. This subject raises a combination of provocative challenges for Islamic discourse as Muslim women have had a complex relationship with their religious tradition dating back to the very inception of Islam. Despite Qur'ānic injunctions and Prophetic affirmations of the egalitarian status of Muslim women, social inequality and injustice directed at women remains a persistent problem in Muslim society. In the translated text Abū Shaqqah goes about re-invoking the normative tradition in order to affirm the role of Muslim women in politics. Furthermore the translation is prefaced by a critical introduction outlining the contours of the 20th century landscape, which attempts to describe the struggle of Muslim women in Abū Shaqqah's time.

Key Terms

Islamic Modernity; Feminism; Islamic Feminism; Gender Studies; Political Islam; Political Activism; *Qur'ān*; *Sunnah* (Prophetic Practice); *Ḥadith* (Prophetic Tradition); *Sharī'ah* (Islamic Law).

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Transliteration Key

<i>VOWELS</i>		
<i>Vowel Sign</i>	<i>Latin Equivalent</i>	<i>Pronunciation Guide</i>
◌َ	A	
◌ِ	I	
◌ُ	U	
اَ	Ā	Long vowel, pronounced as “aa”
يَ	Ī	Long vowel, pronounced as “ee”
وَ	Ū	Long vowel, pronounced as “oo”

<i>CONSONANTS</i>		
<i>Arabic Letter</i>	<i>Latin Equivalent</i>	<i>Pronunciation Guide</i>
أ	A	
ب	B	
ت	T	
ة	Ah	
ث	Th	Pronounced like the <i>th</i> in think

ج	J	
ح	H	Hard <i>h</i> sound made at the Adam's apple in the middle of the throat
خ	Kh	Pronounced like the <i>ch</i> in the Scottish loch
د	D	
ذ	Dh	Pronounced like the <i>th</i> in this
ر	R	
ز	Z	
س	S	
ش	Sh	
ص	Ṣ	An emphatic <i>s</i> sound pronounced behind the upper front teeth
ض	Ḍ	An emphatic <i>d</i> -like sound made by pressing the entire tongue against the upper palate
ط	ṭ	An emphatic <i>t</i> sound produced behind the teeth
ظ	Ẓ	An emphatic <i>th</i> sound, like the <i>th</i> in this, made behind the front teeth
ع	‘	A distinctive <i>ay</i> sound made in the middle throat
غ	Gh	A guttural <i>gh</i> sound made at the top of the throat
ف	F	

ق	Q	A hard <i>k</i> sound produced at the back of the palate
ك	K	
ل	L	
م	M	
ن	N	
ه	H	Pronounced like the English <i>h</i> but with more body
و	W	
ي	Y	

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Introduction

This thesis is a translation of a section of ‘Abd al-Ḥalīm Abū Shaqqah’s multi-volume work *Tahrīr al-Mar’ah fī ‘Aṣr al-Risālah (The Liberation of Women in the Prophetic Period)*.¹ It deals specifically with the chapter entitled *Muslim Women’s Participation in Political Activism and the Characteristics of the Legitimacy of Participation*.² This chapter examines the role of Muslim women in politics during the early Islamic period and its engagement with religious and political discourses. The subject of Muslim women, religion and politics together offers a combination of challenging and provocative issues for Islamic discourse as Muslim women have had a complex relationship with their religion that dates back to the very inception of Islam. Despite Qur’ānic injunctions and Prophetic affirmations of the egalitarian status of Muslim women within the Islamic canonical discourse, social inequality and injustice remains a persistent feature of Muslim society. These issues reflect innate problems of ambiguity and limitations of the canonical texts as well as their pliability as they relate to women. Thus the text and the interpretation and re-interpretation thereof from a gender sensitive perspective pose a challenge to the Islamic tradition.³

The realization of the interpretation of the text is not more clearly felt than through the actualization of the text in the form of *Sharī‘ah* (Islamic law). It is through the *Sharī‘ah* that the position of Muslim women is mediated whether in politics, education, economics or various other spheres. Most clearly challenging has been Muslim women’s marginalized role in politics. The constraints placed upon her by virtue of being a woman has called into question issues of

¹ ‘Abd al-Ḥalīm Muḥammad Abū Shaqqah (2010), *Tahrīr al-Mar’ah fī ‘Aṣr al-Risālah: Dirāsah ‘an al-Mar’ah Jāmi‘atan li Nuṣūṣ al-Qur’ān al-Karīm wa Ṣaḥīḥ al-Bukhārī wa Muslim* 10th edition (6 vols.) (Kuwait: Dār al-Qalam).

² Abū Shaqqah (2010), *Tahrīr al-Mar’ah fī ‘Aṣr al-Risālah*, vol. 2, pp. 411 – 461.

³ Kecia Ali (2003), “Progressive Muslims and Islamic Jurisprudence” in *Progressive Muslims*, edited by Omid Safi (United Kingdom: One World), p.182-183.

modesty, chastity, fidelity, bringing the question of ‘being women’ to the forefront of politics. Modern and postmodern interpretations of the text are able to circumvent these issues and relocate Muslim women within a religious and political paradigm that is sensitive to gender justice and equality.

Importance of the Study

Abū Shaqqah’s work is an important contribution to Islamic Feminist Studies as it charts the role, function and impact of Muslim women in Islamic discourse during the early Islamic period. It firstly examines the canonical texts concerning Muslim women and thereafter relates them to modern day Islamic discourse.

The study is significant in that it illuminates two very clear genres of thought with regards to women in Islamic discourse. The first, and most apparent, is the *correction genre* which aims to redress biased interpretations of the canonical Islamic sources. Abū Shaqqah favors this particular genre because it exposes the patriarchal readings of male Muslim scholars and highlights their interpretive inadequacies and biases as well as their marginalization of transmissions within the normative tradition that underpin the general practice of the *Sharī’ah* (Islamic law). The second genre, highlighted by this study, is the *liberation theology genre*, which recognizes human rights and social justice for all, including women’s rights to political engagement. Thus both the corrective and liberation genres support and advocate a women’s liberation reading of Islam, which is affirmed by Abū Shaqqah.

Abū Shaqqah's study is also important from a methodological point of view. The emphasis that his work placed on the canonical texts and interpretive canon is of ultimate importance as it forms the methodological basis for his conceptualization of Muslim women in the Islamic tradition. In considering the Islamic tradition, the canonical texts are seen as the primary source of Islamic law evident in the form of Qur'an and Sunnah, while the interpretative canon is constituted by broader interpretive constructs drawn from the discipline of Islamic source methodology *Uṣūl al-Fiqh* (Principles of Jurisprudence) such as *Ijmā'* (Consensus), *Qiyās* (Analogy), *Istiḥsān* (Juristic Preference), *Maṣlaḥah* (Public Welfare), *'Urf* (Customary Practice), *Istiṣlāh* (Presumption of Continuity), *Ijtihād* (Creative Intellectual Exertion) and so forth. Moreover the challenges of modernity placed substantial pressure on Muslim jurists to negotiate the *Sharī'ah* in such a way that would satisfy the needs of the *'Ummah* (Muslim Community).⁴ According to Basheer Nafi, "It follows that ijithad was not only desired, recommended, but also required and imperative for Muslims in every age and place, through which the position of the 'ummā in the world is continuously redefined."⁵

Abū Shaqqah's study is indicative of this hierarchy in that the canonical texts and the interpretative canon represented the jurisprudential tools that support the juristic process, informing that which constitutes the Islamic legal tradition and *Sharī'ah*. It is this methodological position that Abū Shaqqah accedes to with regard to the Islamic legal tradition.

In addition to this methodological position, Abū Shaqqah was acutely conscious of the influence that personal bias had in his reading of the canonical texts and therefore gave precedence to his methodology of letting the primary sources speak from themselves, thereby setting aside his own

⁴ Mohammad Hashim Kamali (1991), *Principles of Islamic Jurisprudence* (Cambridge: Islamic Text Society), p.xii-xx.

⁵ Basheer M. Nafi (2004), "The Rise of Islamist Reformist Thought and its Challenges to Traditional Islam" In *Islamic Thought and the Twentieth Century* edited by Suha Taji-Farouki and Basheer M. Nafi (London: I.B. Taurus), p. 43.

personal views on the status of women in Islam. His methodology is therefore tempered by a moral duty to his findings and not to his personal preferences. This is clearly reflected in the way in which Abū Shaqqah's approach to women changed from one that asserted traditional patriarchal norms to one that ended up challenging them.⁶ This method of approaching the text is referred to as a 'consequentialist' reading.⁷ This approach is not unprecedented and historian Marshall G. S. Hodgson also asserted that an unbiased reading is possible, maintaining that we cannot divest ourselves of all commitments, but we have to "learn from the insights they permit, while avoiding their pitfalls".⁸ Thus, in exploring these methodological postures, it is significant to note that Abū Shaqqah's methodology is important because it successfully embodies this approach and thereby asserts the normative tradition over the subjective reading of the canonical text.

The Text

Abū Shaqqah's book was intended to investigate the pervasive discrimination of Muslim women in both the private and public spheres. He initially began with the aim of justifying the representation of the '*ulamā* (scholars of religion) regarding women as a true reflection of the teachings of the Qur'ān and that of the Prophet (S.A.W) and his companions.⁹ This invariably led him to consider the nature of women's agency in the normative Islamic tradition.

⁶Abū Shaqqah (2010), *Tahrīr al-Mar'ah fī 'Aṣr al-Risālah*, vol. 1, p. 28.

⁷Thomas Mautner (ed.). (2000), *The Penguin Dictionary of Philosophy* (London: Penguin Books), p. 107.

⁸ Marshall G. S. Hodgson (1974), *The Venture of Islam: Conscience and History in a World Civilisation (vol 1)* (Chicago and London: The University of Chicago Press), p. 27.

⁹Abū Shaqqah (2010), *Tahrīr al-Mar'ah fī 'Aṣr al-Risālah* (vol.1), p. 28.

Abū Shaqqah discovered through his research that women had in fact asserted agency within the normative Islamic tradition thereby playing an inclusive and seminal role in Islamic history. He asserted that they were present in all strata of society regardless of their status, be it slave woman, free woman, the Prophet's wives or disbelieving woman; all of them were mentioned frequently in the canonical *ḥadīth* (prophetic tradition) works of Bukhārī and Muslim, just like their male counterparts, in all spheres of life. Furthermore, the authenticity and authority of the Prophetic transmissions (*aḥādīth*) were not based on gender distinctions and it was therefore evident that women were also recognized as having the same level of agency relative to that of men. As Abū Shaqqah discovered, the Prophetic Period clearly reintroduced women into society, without placing any limitations or boundaries on their visibility, public interaction and mobility.

Thus through his research, Abū Shaqqah experienced a complete paradigm shift and began to reframe the position of women – in his thought and in his writing – moving them from the periphery to the centre. He began to re-interpret the Qur'ān and Prophetic utterances (*aḥādīth*) from a truly normative perspective without the biases of the male scholarship elite. The *ḥadīth* (prophetic transmission) on Umm Salamah is one of the many examples that Abū Shaqqah cites in his book: Umm Salamah was one of the Prophet (S.A.W)'s most outspoken wives and was often asked to give her opinion on various issues. In this particular incident, Umm Salamah was brushing her hair when she heard the Prophet (S.A.W) addressing people in the Mosque, to which her apartment was attached. As he spoke, he addressed only the men concerning an issue. When Umm Salamah heard this she stopped brushing her hair and immediately entered the Mosque to ask the Prophet (S.A.W) why the women were also not called forth as they are certainly part of the people.¹⁰ This *ḥadīth* clearly indicates that Muslim women were vocal and were able to assert themselves without restriction even when it came to challenging the Prophet (S.A.W) himself. The Prophet (S.A.W) gave women the voice to interpret his *ḥadīth* in his own

¹⁰Ibid., p. 429.

life time, from their point of view and included them as equals alongside men. These types of *aḥādīth* are however all too often overlooked by male Muslim scholars.

Ḥadīth recordings of these kinds indicate that the authentic primary sources clearly wrote women into history from the very inception of Islam. Fātimah Mernissi, Nawāl al-Sa‘dāwi, Assia Gjebar and Zaynab al-Ghazālī are all important scholars and activists that have in some way used this method of re-interpreting the text as it occurred in history.¹¹ Attempts such as these by Islamic feminists have thus created a platform for re-writing women into Islamic history and herein lays the value of Abū Shaqqah’s study. On the basis of documented sources, he allows the text to speak and in so doing recognizes and supports the role that women have played in reoccupying their rightful place in Islamic history. It must however be noted that while his reading may concur with contemporary Islamic feminist interpretations, he is more concerned with returning to the authentic sources.

In the text we find that Abū Shaqqah challenges the subaltern position enforced upon Muslim women through revisiting the authentic sources to reveal the normative position of women in the formative Islamic period. This reading not only supports contemporary Islamic feminist interpretations, but also emphasizes the importance of returning to the authentic sources of the Islamic tradition in making such judgments. Such readings influence the debates in Islamic Jurisprudence dealing with the rights of women to vote and to hold political and leadership positions and are very pertinent to contemporary Muslim women, especially with the ongoing attempts by the conservative patriarchal clerical establishment to exclude women from such forms of participation.

¹¹ Miriam Cooke (2000), *Women Claim Islam: Creating Islamic Feminism through Literature* (New York and London: Routledge), p.62.

Abū Shaqqah challenges patriarchy from within the normative Islamic tradition. In so doing, he affirms the rights of Muslim women to social justice from within the Islamic framework. His study also supports the view that modernity and religion are indeed compatible¹² and is therefore able to relate the classical corpus to the modern day challenges faced by Muslim women in the spheres of religion and politics.

Literature Review

In order to gain a holistic view of the study under discussion a review of the relevant books, journal articles and general literature that have already been published on the topic is essential. Furthermore, not only sources on Abū Shaqqah have to be considered, but also relevant literature on Islamic feminism and women in politics, which pertains directly to the focus of this thesis.

Firstly, not much has been written about Abū Shaqqah and it has been very difficult to provide a comprehensive literature review on him personally. Abū Shaqqah's intellectual output was relatively modest and apart from a few books and articles it was his six-volume *The Liberation of Women in the Prophetic Period*¹³ that was the *magnum opus* that established his legacy and remains his definitive work.

Secondly, I have managed to find some material in which Abū Shaqqah is mentioned and referred to in relation to various issues of discussion. However they have been scant and widely dispersed in various texts in English and Arabic.

¹² Susanne Dahlgren (1999), "The chaste woman takes her chastity wherever she goes - Discourse on gender, marriage and work in Pre- and Post-Unification Aden", In *Chroniques Yemenite (vol.6-7)*, pp. 80.

¹³ Abū Shaqqah (2010), *Tahrīr al-Mar'ah fī 'Aṣr al-Risālah*.

Thirdly, because the study deals with Muslim women in politics I have focused on women, politics and religion; this constitutes the bulk of my literature review due to the proliferation of works in this specific area of study. I will begin the review of the literature by considering the work on Abū Shaqqah by two of his close friends, Shaykh Muḥammad al-Ghazālī and Dr Yūsuf al-Qaraḏāwī.

Dr Yūsuf al-Qaraḏāwī and Shaykh Muḥammad al-Ghazālī wrote separate introductions to Abū Shaqqah's *Tahrīr al-Mar'ah*.¹⁴ They both provide important insights into the rights of women in the Islamic tradition and assert views similar to that of Abū Shaqqah's regarding women, in addition to providing some insight into Abū Shaqqah himself. However, al-Qaraḏāwī's book on contemporary Islamic personalities¹⁵ and an online encyclopedia entry entitled 'Abū Shaqqah'¹⁶ provided the basis for the biographical aspects of the study. Al-Qaraḏāwī also provides further elaboration on Abū Shaqqah in his own biography, which appeared after his work on contemporary Islamic personalities.¹⁷ Together, these sources relate aspects of Abū Shaqqah's biography and map out a narrative of his life including the people that influenced his religious and political thought. These works are significant to this study in that they have captured important details of his life that are not mentioned in other sources.

¹⁴ For al-Ghazālī's introduction see: Abū Shaqqah, *Tahrīr al-Mar'ah fī 'Aṣr al-Risālah*, vol. 1, pp. 5 – 6; for al-Qaraḏāwī's introduction see: Abū Shaqqah, *Tahrīr al-Mar'ah fī 'Aṣr al-Risālah*, vol. 1, pp. 7– 25.

¹⁵ Yūsuf al-Qaraḏāwī (2005), *Fī Wadā al-'Alām* 2nd edition (Beirut: Dār al-Fikr al-Mu'āṣar), pp. 53 – 64.

¹⁶ See: http://ar.wikipedia.org/wiki/%D8%B9%D8%A8%D8%AF_%D8%A7%D9%84%D8%AD%D9%84%D9%8A%D9%85_%D8%A3%D8%A8%D9%88_%D8%B4%D9%82%D8%A9

¹⁷ Yūsuf al-Qaraḏāwī (2011), *Ibn al-Qaryah wa al-Kuttāb: Malāmiḥ as-Sīrah wa al-Masīrah* (vol 4).(Cairo: Dār ash-Shurūq), p. 687 – 695.

Several works on women and Islam are also relevant to this study and worthy of review. Saba Mahmood, the author of *Politics of Piety: The Islamic Revival and the Feminist Subject*,¹⁸ is an assistant professor at the University of California, Berkeley. Mahmood, a secular liberal feminist, says that “women’s active support for socioreligious movements that sustain principles of female subordination poses a dilemma for feminist analysts.”¹⁹ This dilemma is a consequence of the manner in which women have asserted agency within patriarchal domains. Though women have attempted to assert a certain degree of agency within patriarchal dominated domains, they have also become complicit in their subordination to patriarchal authority²⁰. She adds that this conceptualization of Islamist women of themselves is a clear indication of their socio-cultural reality. This view is contrary to that of Professor Leila Ahmed, a scholar in the field of women studies in religion, an American Egyptian Islamic feminist and author of many books including *Women and Gender in Islam*.²¹ In her book, Ahmed asserts that patriarchal interpretations of Islam are the aggravating cause for the subjugation of women in the Middle East. Furthermore, she disagrees with Mahmood and maintains that these interpretations do not reflect the social reality of Islam.²² This view has been corroborated by Fatima Mernissi, a Moroccan feminist, writer and university professor who has written numerous books on women and Islam, including *The Veil and the Male Elite: A Feminist Interpretation of Women’s Rights in Islam*.²³ Mernissi argues that “If women’s rights are a problem for some modern Muslim men, it is neither because of the Koran nor the Prophet, nor the Islamic tradition, but because those rights conflict with the male elite.”²⁴ Mernissi also takes a look at women and politics, arguing that “progressive persons of both sexes in the Muslim world know that the only weapon they can use to fight human rights

¹⁸ Saba Mahmood (2005), *Politics of Piety: The Islamic Revival and the feminist subject* (Princeton: Princeton University Press).

¹⁹ Ibid., p. 5.

²⁰ Ibid., p. 5-6.

²¹ Leila Ahmed (1992), *Women and Gender in Islam: Historical Roots of a Modern Debate* (New Haven: Yale University Press).

²² Ahmed (1992), *Women and Gender in Islam*, p. 41 – 63.

²³ Fatima Mernissi (1991), *The Veil and the Male Elite: A Feminist Interpretation of Women's Rights in Islam*, translated by Mary Jo Lakeland (New York: Basic).

²⁴ Ibid., p. ix.

in general and women's rights in particular, in those countries where religion is not separate from the state is to base political claims on religious history."²⁵ In this manner she suggests that religious history needs to be re-examined in order to challenge the discriminatory subtext directed towards women that permeates these texts in order for a more 'egalitarian'²⁶ interpretation of religious history to become more evident.

Saba Mahmood challenges the narrative of subjugation within religious history arguing that "one of the most common reactions is the supposition that women Islamist supporters are pawns in the grand patriarchal plan, who, if freed from their bondage would naturally express their instinctual abhorrence for the traditional Islamic mores used to chain them."²⁷ Instead she offers an alternate narrative and she says that "If we recognize that the desire for freedom from, or subversion of, norms is not an innate desire that motivates all beings at all times, but is profoundly mediated by cultural and historical conditions, then the question arises, how do we analyze operations of power ... (that) do not follow the entelechy of liberatory politics?"²⁸

This debate is evident in Mahmood's socio-political study of contemporary Islamist movements in Cairo. She discusses two clear trends within Islamic discourse, namely traditional Islamism and modern Islamism. These trends are pre-empted and emphasized due to the paradigmatic structure of her study, which directs the conclusive results. Both Abū Shaqqah and Mahmood emphasized these competing narratives of Islamist thought as they represented trends that generated wide-scale interest and gained currency in the course of the late 20th and early 21st centuries in Egypt. Thus it also represents the two sides to the corrective theory genre that need to be highlighted in order to appreciate the complexity of the discourse.

²⁵Ibid., p. 92.

²⁶ Ahmed (1992), *Women and Gender in Islam*, pp. 63.

²⁷ Mahmood (2005), *Politics of Piety*, p.1-2.

²⁸ Ibid., p.14.

Moreover Mahmood asserts that: “The normative political subject of poststructuralist feminist theory often remains a liberatory one, what may appear to be the case of deplorable passivity and docility from a progressivist point of view, may actually be a form of agency - but one that can be understood only from within the discourses and structures of subordination that create the conditions of its enactment. In this sense, agentival capacity is entailed not only in those acts that resist norms but also in the multiple ways in which one inhabits norms.”²⁹ This approach to agency is an open provocation to the progressive liberal feminist discourse as it reframes conceptualizations of agency and social justice within the purview of the Islamist tradition. Thus the corrective and liberation genres strongly support a feminist reading of the Islamic tradition.

Mahmood asserts that contemporary Islamism has emerged as a revival movement in response to modernization and westernization. It is these very influences that contemporary Islamists attempt to create distance from, thereby favoring conservatism as a form of discourse within the Islamic tradition. This form of conservatism does not include the discourse of modernity in that Abū Shaqqah asserts that modernity and religion are compatible. However, even though Mahmood disagrees with this view she does imply that religion has a vital role to play in politics. Thus, in looking at contemporary Islamists, one can appreciate their openness to the discourse of modernity and furthermore the re-interpretation of the text within the modern context.

Jonathan A.C. Brown – a professor of Islamic studies and Arabic – is the author of *Ḥadīth: Muḥammad’s Legacy in the Medieval and Modern World*.³⁰ The book is an introduction to *Ḥadīth* (Prophetic Transmission) Studies and discusses the nature, function and impact of *ḥadīth*

²⁹ Ibid., p. 15.

³⁰Jonathan A.C. Brown (2009), *Ḥadīth: Muḥammad’s Legacy in the Medieval and Modern World* (London: Oneworld Publications).

on the modern and medieval world. Brown also asserts that the text is of ultimate importance and that it cannot be considered without taking into consideration numerous factors including the text, transmitters of the text and the context.³¹ Thus he opens up the *ḥadīth* text to re-interpretation based on specific mediated factors.

Margot Badran goes further and says that “women through their own reinterpretation of religion, culture and modernity informed by experience and referenced by sacred scripture have constituted their own subjectivity.”³² Thus she says that women have their own historical narrative to write, that is subjective and relative to their own experiences as women. Badran – an historian and specialist in gender studies in the Middle East – in her book *Feminists, Islam and Nation*³³ details the rise of Egyptian feminism and documents the manner in which Egyptian feminists promoted nationalism and participated in the development of the modern state.³⁴

Many other scholars have also dealt with the rise of feminism within specific contexts. Denize Kandiyoti – a specialist in the fields of developmental politics and gender studies – in her article “Islam, Modernity and the Politics of Gender”³⁵ and Afsaneh Najmabadi, professor of history and women studies, gender and sexuality, in her article “(Un)Veiling Feminism,”³⁶ both provide useful information regarding the history of feminism as it emerged in Egypt, Iran, Algeria and other parts of the Muslim world. These contextual studies are important as one is able to get a

³¹Ibid., pp. 15 – 63.

³² Margot Badran (1999), “Towards Islamic Feminism: A look at the Middle East” In *Hermeneutics and Honor: Negotiating Female Public Spaces in Islamic/Ate Societies* (Harvard: Harvard University Centre for Middle East Studies), p. 159 - 187.

³³ Margot Badran (1999), *Feminists, Islam, and Nation: Gender and the Making of Modern Egypt* (Princeton: Princeton University Press).

³⁴Ibid., pp. 3 – 27.

³⁵Denize Kandiyoti (2009), “Islam, Modernity and the Politics of Gender”, In *Islam and Modernity: Key Issues and Debates* edited by Muhammad Khalid Masud, Armando Salvatore and Martin van Bruinessen (Cairo: The American University in Cairo Press), p. 91 – 124.

³⁶Afsaneh Najmabadi (2000), “(Un)Veiling Feminism”, in *Social Text*, 18, 3, p. 29 – 45.

more holistic view of feminism in general while being able to compare the various developments as they occurred in different types of feminist movements throughout the Muslim world. Larbi Sadikī, a specialist in Middle Eastern politics, in his book *The Search for Arab Democracy*,³⁷ also addresses in part the issue of Arab women and democracy and presents valuable historical insights into state, secular, Islamic and male feminisms in the Muslim world, exploring various strands of thought and providing a concise summary of their categories³⁸

The works surveyed above highlight the importance of the study of Muslim women in politics. However, Abū Shaqqah's work is of added significance because it specifically reframes our understanding of women from a socio-jurisprudential perspective, which is concerned with emphasizing the normative status of women in the Islamic tradition and *then* exploring whether this status is reflected in social reality. This therefore creates a space for redress in light of the teachings of Islam and not the practices of its (mostly male) adherents. Abū Shaqqah has thus written a pioneering work that seriously engages the key authentic sources of the Islamic intellectual legacy, breathing life into them from a contemporary perspective, and therefore merits serious consideration and study.

Translation Methodology

Translation theorists acknowledge that the activity of translation has a long-standing tradition and has been widely practiced throughout history. In our rapidly changing world its role has become of paramount importance due to ever-widening cultural exchanges; today human

³⁷Larbi Sadiki (2004), *The Search for Arab Democracy: Discourses and Counterdiscourses* (New York: Columbia University Press).

³⁸ *Ibid.*, pp. 253 – 319.

communication depends heavily on translation, be it for scientific, medical, technological, commercial, legal, cultural or literary purposes.³⁹

In this section I will begin by exploring the concept of translation through considering the definition of translation. According to John Catford, a prominent linguist, translation is the “replacement of textual material in one language (sl [source language]) by the equivalent material in another language (tl [target language]).”⁴⁰ This definition asserts the primary concept of translation at its most basic form and is its starting point. However, translation has developed well beyond this definition, evolving in such a way that it touches on all aspects of the literary process. According to Lawrence Venuti, an American translation theorist and historian, translation must be defined in terms of fluency: “A translated text, whether prose or poetry, fiction or nonfiction, is judged acceptable by most publishers, reviewers, and readers when it reads fluently, when the absence of any linguistic or stylistic peculiarities makes it seem transparent, giving the appearance that it reflects the foreign writer’s personality or intention or the essential meaning of the foreign text—the appearance, in other words, that the translation is not in fact a translation, but the ‘original.’”⁴¹

There are generally three main methodological approaches to the process of translation, all of which ultimately strive to attain the same objective of producing a fluent translation. These are the *literal* approach, the *intermediate* approach and the *free translation* approach. I have chosen to adopt the *intermediate* approach in this thesis as it takes the middle path between the two

³⁹ Hosni Mostofa El-Dali (2011), “Towards an Understanding of the Distinctive Nature of Translation Studies” In *Journal of King Saud University - Languages and Translation*, vol. 23(1), January, pp. 29 – 45.

⁴⁰ John C. Catford, (1965) *A Linguistic Theory of Translation: An Essay on Applied Linguistics* (London: Oxford University Press), p. 20.

⁴¹ Lawrence Venuti (1995), *The Translator’s Invisibility: A History of Translation* (London and New York: Routledge), p.2.

extremes of literal and free translation. However, it is important to briefly consider these various approaches.

Translation methodology⁴² may best be described as being characterized by degrees of freedom. A literal translation is a word-for-word translation that is expressed with the reliance of a dictionary and is on the conservative side of translation methodology. Since the early ages, translators have shown a fair amount of disdain towards implementing and utilizing this method⁴³ and its shortcomings are well known: “In this translation, the standard grammar and word for word order of English are respected; however, everything which might be transferred on a simple word by word basis from Arabic is also transferred. For most purposes, a literal translation can be regarded as the practical extreme.”⁴⁴

At the opposite spectrum of a literal translation is a free translation, which carries with it considerable bias and is extremely liberal in its approach. While free translation is open to the use of literary subtleties that denote meanings that are not receptive in a literal translation, it gives the translator an unacceptably huge margin to express himself, which ultimately may compromise the fidelity of the original text. The central shortcoming of both the literal and free translation approaches is that they expose the translator, making her visible to the reader thereby compromising the illusion of transparency.

For Venuti, the illusion of transparency is a basic condition of translation as it ensures fluency: “The illusion of transparency is an effect of fluent discourse, of the translator’s effort to ensure

⁴² *The Routledge Encyclopaedia of Translation Studies*. (1998).(London and New York: Routledge).

⁴³ Susan Bassinet (2002), *Translation Studies*, 3rd edition (London and New York: Routledge), pp. 58 – 59.

⁴⁴ James Dickson, Sandor Hervey and Ian Higgin (2002), *Thinking Arabic Translation – A Course in Translation Method: Arabic to English* (London and New York: Routledge), p.16.

easy readability by adhering to current usage, maintaining continuous syntax, fixing a precise meaning. What is so remarkable here is that this illusory effect conceals the numerous conditions under which the translation is made, starting with the translator's crucial intervention in the foreign text. The more fluent the translation, the more invisible the translator, and, presumably, the more visible the writer or meaning of the foreign text."⁴⁵ Thus Venuti clearly articulates the aims, conditions as well as the various processes that result in a fluent translation of the text.

For Umberto Eco, the famous novelist, literary critic and philosopher, the central principles of translation, such as adequacy, equivalence and faithfulness are better understood when considered from the perspective of negotiation.⁴⁶ He maintains that "Negotiation is a process by virtue of which, in order to get something, each party renounces something else, and at the end everybody feels satisfied since one cannot have everything."⁴⁷ In this kind of negotiation there may be many parties: "on one side, there is the original text, with its own rights, sometimes an author who claims rights over the whole process, along with the cultural framework in which the original text is born; on the other side, there is the destination text, the cultural milieu in which it is expected to be read, and even the publishing industry, which can recommend different translation criteria, according to whether the translated text is to be put in an academic context or in a popular one".⁴⁸ Eco's characterization of translation as negotiation is thus an eloquent expression of the intermediary approach described above.

Ultimately, choosing an appropriate translation methodology has a binding impact on the outcome of the translation and its importance cannot be overstated. I have therefore lent careful consideration to both Venuti's and Eco's theoretical reflections on translation in approaching

⁴⁵Venuti (1995), *The Translator's Invisibility*, p.2.

⁴⁶Umberto Eco (2003), *Mouse or Rat? Translation as Negotiation* (London: Weidenfeld and Nicolson), p6.

⁴⁷Ibid.

⁴⁸Ibid.

Abū Shaqqah’s text. The explicit purpose of choosing the intermediate approach was to, in effect, produce a fluent translation that conceals the presence of the translator while simultaneously avoiding being imprisoned by a literal rendition that is unfaithful to the syntactic and idiomatic requirements of the English language.

Finally, the way in which scripture is dealt with in this thesis also needs to be noted. Abū Shaqqah’s work cites a vast reservoir of Qur’ānic verses. I have used al-Hilālī and Khān’s⁴⁹ translation in portraying these verses into English, with slight modifications where I felt this was necessary. However the *aḥadīth* (prophetic sayings) that have been mentioned are all my own renditions. In conclusion, it is necessary to point out that all the references indicated by ‘Abū Shaqqah in the translated text have come directly from his book, as referenced by him, and has been rendered per se.

⁴⁹ Muḥammad Taqī-al-Dīn al-Hilālī & Muḥammad Muhsin Khān (1996), *Interpretation of the Meanings of the Noble Qur’ān in the English Language* (Riyadh: Dar-us-Salam).

TRANSLATOR'S INTRODUCTION

‘Abd al-Ḥalīm Abū Shaqqah (d. 1995) was an Egyptian scholar who dedicated his life to the upliftment and advancement of Muslim women and his book *Taḥrīr al-Mar’ah*⁵⁰ is arguably the seminal Islamist work on the rights of Muslim women. Abū Shaqqah was born in 1924, the year after the first organized feminist movement, the *Egyptian Feminist Union*, was formed by Huda Sha‘rāwi, marking the rising influence of Western modernity in the country. Abū Shaqqah was born into a world in transition from traditionalism to modernism and in the grips of a tumultuous rebirth. Inevitably, these historical, political and religious events influenced his thoughts and perceptions.

The purpose of this chapter is to examine the socio-political context that constituted the fabric of Abū Shaqqah’s world. In order to do so, I will consider the emergence of Male Feminism, Secular Nationalist Feminism, State Feminism and Islamic Modern Feminism as they emerged and developed in 20th century Egypt. After exploring the dynamic and volatile socio-political context in which ‘Abū Shaqqah was immersed, I will give a brief account of his life, which was as much a product of his context as it was of his intellectual aspirations.

The Political Context in Egypt

Male Feminism

Male feminism first emerged in the 19th century as a response to the Arab renaissance which was an intellectual, cultural and political reawakening and was a direct response to the decay that had

⁵⁰ Abū Shaqqah (2010), *Taḥrīr al-Mar’ah fī ‘Aṣr al-Risālah*.

set into the Arab world.⁵¹ Some of the earliest and most well known Arab feminists were male, such as Qāsim Amīn (1863-1908) and Salamah Mūsa (1887-1958). These men essentially espoused and defended feminist discourse in their individual capacities through the medium of writing and on public platforms. They challenged conservative Arab norms, supported social equality for men and women and posed a relevant critique of Arab male patriarchal society. However, these male feminists were largely representative of an elitist intellectual discourse in favor of women's rights.

Furthermore male feminism was also a constitutive component of a diverse ideological discourse that intersected with modernity. This discourse included Socialism, Secularism, Islamism, Marxism and numerous other discourses, effectively integrating western and modern discourses into the feminist discourse, thereby creating a pluralist and relativist frame of reference for feminism in Egypt. Being part of the Egyptian intellectual elite, Qāsim Amin and Salamah Mūsa both engaged these various intellectual discourses.

Qāsim Amin and Salamah Mūsa lived through the rise of feminism in Egypt at the turn of the 20th century. Amin was born in Egypt in the city of Alexandria. His Turkish father had served as the former Ottoman governor of Kurdistan while his mother was Egyptian.⁵² He attended the Ras-al-Tin primary school and graduated from the Khedival School of Administration, where he obtained a bachelor's degree in law in 1881.⁵³ He then went to Montpellier to further his studies in the legal field.⁵⁴ In France, he met Muḥammed Abdūh, an Islamist who was highly

⁵¹ Sadki (2004), *The Search for Arab Democracy*, p.270.

⁵² Charles Kurzman ed. (2002), *Modernist Islam, 1840-1940: A sourcebook* (Oxford Oxford: Oxford University Press:).p. 61.

⁵³ *Ibid.*, p. 61.

⁵⁴ Arthur Goldschmidt (2000), *Biographical Dictionary of Modern Egypt* (United States of America: Lynne Rienner Publishers), p. 22.

charismatic and already an influential thinker.⁵⁵ Amin spent time as Abduh's translator and student before returning to Egypt where he worked as an attorney general and judge. He swiftly rose to the position of chancellor of the Cairo National Court of Appeals.⁵⁶ Yet, even though he was motivated in his studies and professional career, his true calling and achievements were made apparent through his intellectual endeavors.

Amin's talent as a writer is clearly evident in his published works. He wrote *Les Egyptiens* in 1894 in response to a book written by a French writer who attacked the traditional role of women in Egypt.⁵⁷ Regardless of his efforts, some suggest Abdūh himself criticized Amin for his defense of traditional Egyptian women.⁵⁸ Then in 1899 he wrote *Liberation of Woman* with the support of Muḥammad 'Abdūh and Aḥmad Lutfi al-Sayyid; it was also written as a response to a book⁵⁹ that made strident criticisms of Egyptian life. His book used many Qur'ānic verses and Ḥadith to establish its arguments from within the Islamic tradition. The book was considered as radical and was heavily criticized across the board, in the press and by the religious establishment (*ulamā*).⁶⁰

In 1901 he wrote *The New Woman* which was a further defense of his position on women, including ideas that women should be given equal access to the public sphere.⁶¹ The book took a

⁵⁵ Ibid., p. 22.

⁵⁶ Ibid., p. 22.

⁵⁷ Ibid., p. 22.

⁵⁸ Ibid., p. 22.

⁵⁹ *L'Égypte et les Égyptiens* (1893), (Duc d' Harcourt's books)

⁶⁰ <http://www.aucpress.com/p-3152-the-liberation-of-women-and-the-new-women.aspx>.

⁶¹ Kurzman (2002), *Modernist Islam*, .p61.

slightly different methodological perspective and was more dialogical in approach. Both his books sparked wide scale debates on feminism in the Arab world.⁶²

Salamah Mūsa was born into a Coptic family and received his primary and secondary education in Egypt. He then traveled abroad to Istanbul and proceeded to France where he continued his studies in French language and culture, for which he maintained a continuing and abiding interest.⁶³ He spent four years in London studying law and then was taken in by the Fabian Society, a British socialist movement.⁶⁴ Thereafter he returned to Egypt and began work in earnest trying first to form a socialist magazine, then teaching and thereafter launching a socialist party.

Consequently, he became the editor of *Al-Hilāl* and *Kull-Shay*; he also founded *al-Majalla-al-Jadīda* and the *Jami'iyyāt al-Misrī li al-Misrī*.⁶⁵ “An avowed secularist, he introduced the writings of Darwin, Nietzsche, and Freud to Egyptian readers and scandalized readers by calling for writing Arabic in the Roman alphabet. Musa wanted Egypt to embrace European thought and civilization, espoused the theory of evolution by natural selection, and advocated an egalitarian socialism somewhat influenced by Marxism, although he was never an avowed Communist.”⁶⁶

Mūsa was well known for his written and translated works, which included forty five published books. He spent time with various influential thinkers, including Farah Antūn who was a secularist and Arab nationalist, Jurji Zaydān who was a prominent socialist and Aḥmad Lutfi al-

⁶² Qāsim Amin (1992), *Liberation of Woman, The New Woman: Two documents in the history of Egyptian Feminism*. Translated by Samiha Sidhom Peterson (Cairo: The American University in Cairo Press), pg xi-xiii.

⁶³ Goldschmidt (2000), *Biographical Dictionary of Modern Egypt*, p.139.

⁶⁴ http://www.newworldencyclopedia.org/entry/Fabian_Society

⁶⁵ Goldschmidt (2000), *Biographical Dictionary of Modern Egypt*, pp.139-140.

⁶⁶ *Ibid.*, p. 140.

Sayyad; Najib Maḥfūz called him his ‘spiritual father’.⁶⁷ He is regarded as having the complete opposite views to that of Sayyid Qutb,⁶⁸ and was accused of being highly critical of Islam and anything associated with religiosity.⁶⁹ Like many liberal and westernized intellectuals, he was drawn towards a westernized conception of women’s rights that was cast in the mould of modernity free from the constraints of a religious narrative.⁷⁰

The output of both Qāsim Amin and Salamah Mūsa represents a clearly articulated feminist intellectual discourse. However their ideas were not translated into a social movement, which only emerged much later, when Huda Sh‘arawī formed the *Egyptian Feminist Union* (EFU) in 1924, followed in 1925 by the publication of a monthly journal in French under the name *L’Egyptenne*; which was the first feminist journal in Egypt.⁷¹

Secularism and Secular Nationalist Feminism

Badran explains that “nineteenth century Egypt saw the rise of the modern state, expanding capitalism and fuller incorporation into the European-dominated world market system, secularization, technological innovation, and urbanization.”⁷² In stark contrast to these modern developments the vast majority of Arab women were living under the dictates of seemingly discriminatory religious norms and institutions that were regarded as the cornerstone of

⁶⁷ Ibid., p. 140.

⁶⁸ Joseph Massad (2002), *Desiring Arabs* (Chicago: University of Chicago Press), p.128

⁶⁹ J Brugman (1984), *An Introduction to the History of Modern Arabic Literature in Egypt* (Leiden: E. J. Brill). p. 400.

⁷⁰Kamal Helbawy (2010), “The Muslim Brotherhood in Egypt: Historical Evolution and Future Prospects” In *Political Islam Context versus Ideology* edited by Khaled Horoub (London: London Middle East Institute).p.63.

⁷¹Margot Badran (1995), *Feminist, Islam, and the Nation: Gender and the Making of Modern Egypt* (Cairo: The American University of Cairo Press), p. 102.

⁷²Badran (1995), *Feminist, Islam, and the Nation*, p. 6.

traditional Egyptian society.⁷³ Women were bound by traditional norms to wear the veil, abide by strict segregation of the sexes, suffer isolation and confinement to the home and all of this was perceived as religious obligation.⁷⁴ Moreover it was the weight of these perceived religious obligations that held these social norms and patriarchal practices in place within traditional Egyptian society.

However these norms were not readily accepted by all women and men in society. There was an awareness of social injustice and inequality between the sexes as well as a keen sense that something had to be done by women themselves to change the situation. This was true for a small segment of the upper and middle-class society of women who were increasingly being influenced by western modernity and were thus less accepting and more critical of these norms. Due to their elevated social status these women were able to assert themselves, thereby making inroads into a traditional patriarchal society that was otherwise inaccessible to the average Egyptian women.⁷⁵

Most prominent amongst them were Malak Hifni Nasif (1886-1918), Nabawiyah Mūsa (1886-1951) and Huda Sha‘rāwi (1879-1947). According to Margot Badran, Sha‘rāwi and Mūsa were the two most influential figures in the development of feminism in Egypt in the 20th century.⁷⁶ Sha‘rāwi came from an upper class family. Her father, Muḥammad Sultan Pasha, was a politician and active member of government and president of the Assembly of Deputies. He was also a member of the consultative council and had participated in the Urabi revolt of 1882.⁷⁷ Sha‘rāwi, following in the footsteps of her father, founded the *Egyptian Feminist Union* (EFU) which was the first organized feminist movement in Egypt. She headed the organization from its

⁷³Mahmood (2005), *Politics of Piety*, pp. 3-10.

⁷⁴ Ibid., pp. 1-27.

⁷⁵ Ibid., p. 3.

⁷⁶ Ibid., p. 31.

⁷⁷ Ibid., p. 32.

inception in 1923 until she passed away in 1947.⁷⁸ She was also well known for her dedication to many philanthropic endeavors and she “founded schools, supported artists, medical dispensaries, and cottage industries, and participated in funding and the establishment of the first entirely Egyptian Bank and many affiliated projects. A promoter of progress, Huda stubbornly and tirelessly advocated peace, justice, and equality in an increasingly violent world.”⁷⁹

Nabawiyah Mūsa came from a middle class family and her father Muḥammad Mūsa was a military officer who died in Sudan before she was born.⁸⁰ She graduated as a teacher at the Saniya School and later become Egypt’s first woman principal. She went on to become an inspector of girl’s schools and stringent critic of government educational policy. She wrote and published numerous books and articles on the subject of women and social injustice.⁸¹

Even though Sha‘rāwi and Mūsa came from different backgrounds they were both Muslim women who dedicated their lives to the struggle against social injustice against women. Thus they both faced the same challenges of living in a traditional Egyptian society that was classist, patriarchal and in which religious norms and traditions dictated conservatism.

For the purposes of this introduction I will confine my historical contextualization to the life of Huda Sh‘arāwi and the rise and fall of secular national feminism in Egypt. This approach emphasizes the historical trajectory of feminism in Egypt since her organization initially dominated the feminist movement.

⁷⁸ Ibid., p33.

⁷⁹ <http://www.ibtaurus.com/Books/Biography>

⁸⁰ Badran (1995), *Feminist, Islam, and the Nation*, p.28.

⁸¹ Ibid., p.39.

The First World War in 1914 saw the Egyptian state brought under British Imperial rule. Egypt's democratic system was riddled with corruption and mismanagement. Political parties vied for position with the ruling monarchy and strove to assert themselves politically.⁸² The most prominent political party was the Wafd party⁸³ which ran a vigorous campaign for independence from British rule. Egyptian women were equally supportive of this political stance and thus saw themselves as part of the political process in the struggle for independence. They were able to strategically position themselves and formed part of the vanguard in the fight for independence alongside their male counterparts.⁸⁴ In 1919 Sha'rawi organized the largest all-women march that called for the expulsion of the British from Egypt. Then in 1922, under severe pressure from the Wafd, Egypt achieved its 'independence'. In reality it was only partial independence resulting in the British retaining troops on the ground as well as having a large say in Egyptian foreign policy.⁸⁵

In the following year, 1923, Huda Sha'rawi formed the *Egyptian Feminist Movement (EFU)*. She attended *The International World Suffrage Alliance Congress* in Rome, which had a great impact on her and she shocked everyone by appearing in public without her veil.⁸⁶ Soon thereafter she established the women's committee of the Wafd party. The Wafd won a definitive victory in the 1924 elections and Sa'ad Zaghlul was elected prime minister. Zaghlul, the son of a common farmer, campaigned as a representative of the common people and gained great support from the masses.⁸⁷ In the same year -1924 -Sha'rawi submitted her nationalist feminist demands to the Wafdist government. These demands were disregarded by Zaghlul and she subsequently tended

⁸²Helbawy (2010), *The Muslim Brotherhood in Egypt*, p. 63.

⁸³ Wafd: In 1918 a group of Egyptian politicians formed a delegation (*wafd*) to advocate the cause of independence from British Colonial rule. For more details see: Afaf Lutfi Al-Sayyid Marsot (2007), *A History of Egypt from the Conquest to the Present* (United Kingdom: Cambridge University Press),p.96.

⁸⁴ Al-Sayyid Marsot (2007), *A History of Egypt*, .p. 98.

⁸⁵William L. Cleveland (1994), *A History of the Modern Middle East* (United Kingdom: Westview Press), p.84.

⁸⁶ Nawal El Saadawi (2008), "The Arab Women's Solidarity Association", In *Women in the Middle East: A Reader* edited by Nahid Toubia and Ruth Roded (London: I.B. Tauris),p. 226.

⁸⁷Al-Sayyid Marsot (2007), *A History of Egypt*, .p.99.

her resignation to the Wafdist Women's Central Committee.⁸⁸ It would seem that "Egyptian women had been found fit to struggle in partnership with the Wafd as members of the Wafdist Women's Central Committee and as independent supporters in the intense fight for national sovereignty, but they had been deemed unfit to share in the practice of national sovereignty."⁸⁹

Disillusioned by the double standards of the Wafdist government, Sha'rāwi was motivated to pursue an independent secular feminist national agenda.⁹⁰ Al-Ali explains that "the EFU feminist agenda called for political rights for women, changes in the personal status law (especially for controls on divorce and polygamy), equal secondary school and university education, and expanded professional opportunities for women."⁹¹ Their agenda encompassed initiatives that ensured the modernization of civil society and its institutions. These initiatives stood in direct opposition to the Wafdist government's patriarchal positions.

In Egypt, socially challenging issues relating to matters of civil society were generally regarded as being part of the religious domain and it was the religious community who tended to the needs of the disadvantaged. Nonetheless "through the women's secular philanthropic associations, social assistance was removed from an exclusively religious domain as social assistance came to be understood as not solely a religious obligation but a civic and national responsibility ..."⁹² This move by the EFU to include issues of social services within the secular nationalist paradigm was a clear attempt to reframe and reconstitute civil society from a modern perspective.

⁸⁸ Badran (1995), *Feminist, Islam, and the Nation*, pp. 207-209.

⁸⁹ Ibid., p. 208.

⁹⁰ Ibid., p. 13.

⁹¹ Nadjé Al-Ali (2000), *Secularisation, Gender and the State in the Middle East. The Women's Movement in Egypt, with selected reference to Turkey* (Cambridge: Cambridge Middle East Studies) .p.6.

⁹² Ibid., p.51.

Civil society still viewed the EFU as a secularist feminist movement acting within a predominantly Muslim society. Thus due to their secular outlook, they lacked the support of the traditional religious leaders (*ulamā*) and were initially very cautious of the religious establishment. Regardless of this position, the *ulamā* remained conservative in their estimation of women's political and social representation in the public space. The EFU adopted a quietist position that was passive and posed no real threat to the established religious tradition and its relationship with the government at that time.⁹³ Thus the EFU was not able to engender the confidence or support of the religious community. However it was able to set the tone for change in society, altering the relationship of many organizations and institutions with the government. It was able to assert a continuously relevant critique of the social and political situation in the country from within society.⁹⁴ This resulted in a clear paradigmatic shift in perceptions of state and society and the influence that they exerted over each other.

The death of Huda Sha'rāwi in 1947 marked the decline of the EFU as it continued its struggle for the rights of women under the new government in power.⁹⁵ In 1956, Jamāl 'Abd al-Nāṣir afforded woman the right to vote and run for elections. This did not last long, for in that same year, the EFU was required to disband along with all other non-government organizations; gender equality and social justice posed a direct challenge to the government's dictatorial rule and disregard for human rights.⁹⁶

In an effort to cope with the situation the EFU later reorganized under the banner of the *Huda Sh'arāwi Association* but was forced to succumb to the dictates of the government and was

⁹³ Badran (1995), *Feminist, Islam, and the Nation*, pp. 10-11.

⁹⁴ *Ibid.*, p. 214.

⁹⁵ *Ibid.*, p. 218.

⁹⁶ *Ibid.*, p. 219.

relegated to a social service organization.⁹⁷ The government thus tried to restrict its influence and activity in civil society so as to reduce its role to that of a non-political social service organization.

State Feminism

The 1962 charter, passed under the Jamāl ‘Abd al-Nāṣir regime, afforded women equal status to that of men, the right to vote and the right to serve in the national assembly.⁹⁸ According to Mervat Hatem, these government backed initiatives were geared towards empowering women with rights and may be regarded as state feminism.⁹⁹ Through state feminism, the ‘Abd al-Nāṣir regime was able to control the feminist movement and redirect the socio-political influence that it exerted in society so that its influence was always within the limitations set by the state and in the interest of the state. In this manner, the dictatorial state was further able to control civil society through its organizations, institutions and establishments.

In 1970 ‘Abd al-Nāṣir died of a heart attack and sent most of Egypt into mourning. Even though he had a reputation for being repressive, imprisoning, torturing and killing people that challenged his authority, he was also seen as someone who nonetheless created a welfare state that improved the quality of life for countless Egyptians.¹⁰⁰ ‘Abd al-Nāṣir was succeeded by his vice president, Anwar Sadāt. The following year, under Sadāt’s leadership, Egypt was renamed the Arab Republic of Egypt. According to Nadjé Al-‘Ali there was not much difference in the way that ‘Abd al-Nāṣir and Sadāt dealt with the issue of women and women’s movements as women “basically lacked independent representative organizations of their own and were dependent on the regime’s particular needs. Despite the progressive laws of 1979, the state lacked an overall

⁹⁷Badran (1995), *Feminist Islam, and the Nation*, p. 219.

⁹⁸Cleveland (1994), *A History of the Modern Middle East*, p. 301.

⁹⁹ Al-Ali (2000), *Secularisation, Gender and the State in the Middle East*, p. 7.

¹⁰⁰ Al-Sayyid Marsot (2007), *A History of Egypt: From Arab Conquest to the Present*, pp. 151-154.

program to ensure women's rights and did not encourage independent feminist activism."¹⁰¹ Thus Sadāt, acutely aware of the socio-political impact that feminist activism would have on society, was just as cautious as his predecessors in dealing with women.

In 1981 Sadāt was assassinated by a member of the *Al-Jihād Group*, as the radical Islamist movement asserted itself in Egypt. A farcical national referendum appointed Husnī Mubārak as the new president of Egypt. Husnī Mubārak's pro-democracy policies proved to be a complete charade as he clamped down on Islamist, communist and feminist activists in an effort to prevent any opposition to his authority."¹⁰² He continued to preside over Egypt in this repressive manner for six consecutive terms until 2011, when he was forced to resign his position as president as a result of the popular revolution.

Under the monarchy and then the Jamāl 'Abd al- Nāṣir, Anwar Sadāt and Husnī Mubārak regimes the Egyptian Feminist Movement remained contained and could not make significant political headway. Apart from superficial concessions, the feminist movement was strictly controlled and monitored by the government, which limited its role and political impact.

Islamism and Islamic Feminism

In the late 20th century a religious and modern trend of feminism emerged in opposition to secular feminism. It represented a movement that was perceived in the west as "a resistance and subversion from within the religious framework and Islamic institutions. It is an attempt by Muslim believers to reconcile their faith with modernity and gender egalitarianism."¹⁰³ This definition was accepted and perpetuated by Islamist women who supported a modern approach to Islam, which began to take root. Among those that created initiatives and provided momentum

¹⁰¹Al-Ali (2000), *Secularisation, Gender and the State in the Middle East*, p. 8.

¹⁰² Ibid., p. 12.

¹⁰³Badran (1995), *Feminist, Islam, and the Nation*, p. 24.

through this movement in Egypt were Malak Hafni Nassef (1873-1918) and Zainab al-Ghazālī (1917-2005). As Islamists, they were more focused on developing an Egyptian feminism that reflected the values of their religion and was free from western influence.¹⁰⁴ It also represented a form of feminism that acknowledged the relationship between modernity and religion but that was critical of secularism and western cultural norms and practices. The primary goal of the Islamists was to achieve an Islamic society followed by an Islamic state, in the belief that once this was achieved women and all members of Islamic society would attain ‘true liberation’.¹⁰⁵ Egyptian women – regardless of whether they were feminists, pro-feminists or Islamists – all had a vested interest in maintaining a strategic position in society that ensured the public presence of women. Thus, even though they had vastly different ideological positions, they did have certain aims and objectives that set them on a similar socio-political trajectory in order to achieve them.¹⁰⁶

In order to consider Islamic feminism, I will focus specifically on Zainab al-Ghazālī and the organization that she founded the - *Muslim Women’s Association* - and her connection to the *Muslim Brotherhood*. Zainab al-Ghazālī’s father was a well educated al-Azhar graduate and cotton merchant. As a young girl, Zainab al-Ghazālī looked towards the EFU and became a member but could not reconcile its Eurocentric orientations and strong advocacy of secularism.¹⁰⁷ In 1936 Al-Ghazālī, at the age of 18, established *Jamiat al-Muslimaat* (Muslim Women’s Association). The *Muslim Women’s Association* (MWA) was closely affiliated, yet independent of, the *Muslim Brotherhood*. Hasan al-Bannā, the founder of the *Muslim Brotherhood*, asked Al-Ghazālī to merge her organization with his, hoping to establish a Muslim

¹⁰⁴Gerhard Bowing, Patricia Crone, Wahid Kadi, Devin J. Stewart, Muhammad Qasim Zaman, Mahan Mirza (eds.). (2012), *The Princeton Encyclopedia of Islamic Political Thought*, (Princeton: Princeton University Press) s.v. p. 598.

¹⁰⁵Margot Badran (1994) “Gender Activism: Feminism and Islamists in Egypt” In *Identity Politics and Women: Culture Reassertions and Feminism in International Perspective*” edited by Valentine. M Moghadam (Boulder: Westview Press), p. 222.

¹⁰⁶ Ibid., p. 222.

¹⁰⁷ <http://www.al-hahkam.net/home/content/islamicfeminism-zainab-al-ghazali>

Sisterhood and in so doing offered to appoint her president of that organization. Even though she supported the *Muslim Brotherhood*, Al-Ghazālī desisted from this offer as she wanted to maintain her independence and remain protected against the patriarchal hierarchies in the *Muslim Brotherhood*.¹⁰⁸

According to William L. Cleveland, one of the reasons for the emergence of the *Muslim Brotherhood* was that secularism had an adverse effect on the religious balance in society as it marginalized religion: “In an effort to bridge the gap that split Egyptian society into secular and religious spheres, Al-Bannā’s followers founded primary schools and tried to combine religious instruction with training in scientific and technical subjects. The organization also provided material assistance to society’s underprivileged by establishing free medical clinics and setting up soup kitchens to feed the urban poor during the height of the depression. In this extensive range of activities, the *Muslim Brotherhood* manifested al-Bannā’s beliefs that social justice was more than a matter of legislation, it was in effect part of the social ethos that could be realized only by a return to Islamic values”¹⁰⁹ The social welfare focus that the organization had therefore changed in the 1930’s as the Brotherhood took on a more political role that stood in opposition to the ruling Wafd party. This political stance created conflict in relation to the semi-monarchical government as the Brotherhood openly opposed and challenged their authority.¹¹⁰

Then in 1948 Maḥmūd Faḥmī Nuqrāshī the Egyptian Prime Minister began a strategic crackdown on the *Muslim Brotherhood*. Nuqrāshī feared that the *Muslim Brotherhood* would

¹⁰⁸ Richard C. Martin (ed.). (2004), *Encyclopedia of Islam and the Muslim World*, vol 1, (USA: Thomas Gale: Macmillan Reference), s.v. Ghazali, Zaynab Al- (1917-)

¹⁰⁹ Cleveland (1994), *A History of the Modern Middle East*, p. 187.

¹¹⁰ <http://www.britannica.com/EBchecked/topic/399387/Muslim-Brotherhood>

become a danger to the authoritarian state.¹¹¹ The extremists in the *Muslim Brotherhood* responded by instigating his assassination, which resulted in the government calling for the official dissolution of the *Muslim Brotherhood*. In turn, it created internal political discord within the organization that led to a split in opinion concerning the *Muslim Brotherhood's* methods. Al-Bannā himself was critical of the *Muslim Brotherhood's* handling of the political situation and stated that it was not the Islamic way.¹¹² The state, in an effort to gain control of the political situation and deter any further disruption from the *Muslim Brotherhood*, assassinated Ḥasan al-Bannā in Cairo.¹¹³

After the death of Al-Bannā, Ḥasan Al-Hudaybī took his place as *Murshid* (Guide). The *Muslim Brotherhood* suffered an unimaginable blow to its leadership structure as its high ranking members were arrested, imprisoned or executed. These events led to decisive steps being taken by Zainab Al-Ghazālī and Sayyid Qutb as they attempted to re-build the *Muslim Brotherhood* from within the organization. Both of them were able to assert their positions within society in order to achieve this goal thereby taking the organization back to its former position of prominence in society.¹¹⁴ As Al-Ghazālī explains, “with the passing of the years, the *Ikhwān's* (Muslim Brotherhood) strength and effectiveness increased. The growing influence that the *Ikhwān* (Muslim Brotherhood) exercised over people especially the youth attracted enormous attention. Huge amounts of the Egyptian people were recruited and Islamically trained. Study circles, meetings, camps and gatherings were run.”¹¹⁵ Thus the state and the *Muslim Brotherhood*

¹¹¹ Bashīr Nāfi‘ (2010), *Al-Islāmiyyūn* (Qatar: Arab Scientific Publishers, Inc.SAL, Al-Jazeera Centre for Studies), p. 52.

¹¹²<http://www.britannica.com/EBchecked/topic/399387/Muslim-Brotherhood>

¹¹³ Al-Sayyid Marsot (2007), *A History of Egypt*, p. 122.

¹¹⁴Zainab Al-Ghazali (1994), *Return of the Pharaoh* (United Kingdom: Islamic Foundation:). p. xxiii-xxiv

¹¹⁵ Al-Ghazali (1994), *Return of the Pharaoh*, p. xxiv.

seemed to be consistently on a collision path as the ideology that the *Muslim Brotherhood* purported exacerbated the already dire political situation.¹¹⁶

‘Abd al-Nāṣir became increasingly aware of these developments as well as the influence that the *Muslim Brotherhood* was asserting over the Egyptian people. In order to combat these developments, he arrested Zainab al-Ghazālī, Ḥasan al-Hudaybī and Sayyid Qutb.¹¹⁷ Zainab al-Ghazālī was sentenced to 25 years hard labor. In prison she was severely harassed and tortured. ‘Abd al-Nāṣir was adamant that she was trying to assassinate him and overthrow the government, which she repeatedly denied. ‘Abd al-Nāṣir used every method at his disposal to get her to admit to his suspicions and claims. Even under extreme conditions of torture they were unable to get her to confess because, as she repeatedly told, them it was not part of the aspirations of the *Muslim Brotherhood* or the MWA. Then, in 1971, she was released under Anwar Sadāt and so too were the members of the *Muslim Brotherhood*.¹¹⁸

Sadāt did not hinder the emergent religious fervor that was growing in the country and somehow hoped to use it to his own advantage. He however underestimated the dynamism of the movement and the far reaching influence that it had over the masses as the movement called for a complete revamping of society that was to be based on religious morals and ethics that would extend to all facets of life.¹¹⁹ Thus on the streets there was tangible evidence of a renewed interest in religion; publically many men and women outwardly expressed this by resuming conservative attire and following religious norms. Muslim associations were active in society and were facilitating a resurgence of religious ideologies.¹²⁰ However, some associations also

¹¹⁶ Nāfi‘ (2010), *Al-Islāmiyyūn*, p. 24.

¹¹⁷ Ibid., pp. xxii-xxiii.

¹¹⁸ Ibid., pp. 116-118.

¹¹⁹ Al-Sayyid Marsot (2007), *A History of Egypt*, p. 163.

¹²⁰ Ibid., pp. 163-164

posited political agendas that acted in opposition to the government while others merely used them as platforms to openly criticize the government.¹²¹ The situation took a turn when Sadāt became wary of the escalating situation and thereafter prevented anyone from opposing his policies. The law, known as the ‘law of shame’, made it easy to arrested people and put them in prison. Feminists such as Nawāl al-S‘adāwī were imprisoned for speaking out against the government, which only further increased dissatisfaction and antagonism towards the government.¹²² In 1977 Sadāt called for the assistance of the army to try to control the situation in the country. However, Islamists who had secured a strong support base in the country were able to destabilize the government. These groups strategically used Islamist women in an effort to bolster their resistance movement and representation on the ground.¹²³ The situation was still problematic for the *Muslim Brotherhood* in the 1980s and 1990’s as Husnī Mubārak maintained the ban and closely monitored the movement of its members.

According to Nadjé Al-‘Ali “The increased confrontation with the Islamists over the implementation of the *sharī‘ah* pressured the Mubārak regime to legislate and implement more conservative laws and policies toward women and diminish its support for women’s political representation.”¹²⁴ Islamic feminism posed a challenge to both modern secularism and state authoritarianism. Thus, under the Mubārak regime, women’s rights became part of the Islamist opposition agenda as he used state authority to entrench a brand of religious conservatism that limited women’s rights. In this manner, the state intervened in order to safeguard its own interests and ensure that its authority was not contested.

¹²¹ Ibid., pp. 163-165.

¹²² Ibid., p.163.

¹²³ Ibid., pp. 172-173.

¹²⁴ Al-Ali (2000), *Secularisation, Gender and the State in the Middle East*, p. 9.

Through the laws implemented by their regimes ‘Abd al-Nāṣir, Anwar Sadāt and Husnī Mubārak forced major setbacks in terms of the development of the political position of women. However Zainab Al-Ghazālī, backed by the *Muslim Brotherhood* and the Islamic feminists, consistently challenged this political status quo and prompted a wave of Islamic resurgence that changed the political ethos in Egypt.

All of the above strands of feminism shaped the context within which Abū Shaqqah came into being and therefore impacted upon his thought and practices. Abū Shaqqah is unique in that he sought solutions from the normative tradition and was not afraid of embracing aspects of modernity in order to realize their solutions. The section below explores his life more closely and examines the intellectual and political influences that shaped his major work, *The Liberation of Women in the Prophetic Period, Taḥrīr al-Mar’ah*.

Biography of ‘Abd Al-Halīm Muḥammad Abū Shaqqah

‘Abd al-Ḥalīm Muḥammad Abū Shaqqah was born in Cairo in 1924. He is known to have been a sincere, compassionate, devout man, committed to his religion.¹²⁵ From an early age Abū Shaqqah had an attachment to Salafism and like most Salafis was inclined towards an orthodox expression of Islam, committed to the teachings of the Qur‘ān and Sunnah. He was not comfortable with the hererodox expressions of Islam and therefore believed that *zuhd* (ascetism) was a *bid‘ah* (heresy) and that austerity was a later innovation. Similarly, he regarded the Sūfis as aberrant in their spiritual quest and expression while in contrast, he believed in the complementary nature of religion that asserted balance in its constitution.¹²⁶ These religious beliefs were the driving force in his life and directed his interests and inclinations.

¹²⁵ Yusuf al-Qaraḍāwī (2005), *Fī Wadā al-‘Alām* 2nd edition (Beirut: Dar al-Fikr alMu’sar), pp. 53-64.

¹²⁶ Ibid., p. 53.

He was strongly attracted to the Muslim Brotherhood and became a dedicated disciple of Ḥasan al-Bannā, the founder of the *Muslim Brotherhood* in Egypt. Al-Bannā asserted his ideas and influence through the movement and promoted the spiritual revival of Islamic society which he believed should be tempered by a modern interpretation of the *Sharī'ah* within the Egyptian context.¹²⁷ As a member of the *Muslim Brotherhood Youth Committee*, and more specifically a member of the *al-Nizām al-Khāss* (The Secret Order), Abū Shaqqah was assigned to the think-tank tasked with broadening the intellectual scope of its members.¹²⁸ He was very assiduous and committed to his responsibilities and often complained to al-Bannā that there was a lack of spirituality and a deficient awareness of Islamic education among members of the *Secret Order*.¹²⁹

Abū Shaqqah graduated from the Humanities Faculty, in the History Department of the University of Cairo. According to his lifelong friend Sheikh Yusuf al-Qaraḍāwī, Abū Shaqqah's greatest strength was not formal studies but his inherent capacity to perform diligent research.¹³⁰ Abū Shaqqah had an unquenchable thirst for knowledge, which led him to seek out scholars and academics that would feed his interests. He made contact with Qāḍī Aḥmad Shākir (1892-1958), an Egyptian Salafī scholar who was a specialist in Arabic language, law and more specifically ḥadīth studies.¹³¹ Sheikh Shākir was an outspoken critic of the use of violence by the

¹²⁷ Richard C. Martin (ed.). (2004), *Encyclopedia of Islam and the Modern World Vol.1 A-L*, (USA :)Macmillan Reference), s.v. Ikhwān Al-Muslimin

¹²⁸ Yusuf al-Qaraḍāwī (2011), *Ibn al-Qariyah wa al-Kuttāb* (Egypt: Dar al-Shurouk), p. 689.

¹²⁹ Al-Qaraḍāwī (2005), *Fī Wadā al-'Alām*, p. 57.

¹³⁰ Al-Qaraḍāwī (2011), *Ibn al-Qariyah wa al-Kuttāb*, pp. 689-690.

¹³¹ R. Shaham (1999), An Egyptian Judge in a Period of Change: Qāḍī Aḥmad Muhammad Shākir, 1892-1958 *The Journal of American Oriental Society*, Vol.119. no3: 440-455.

Secret Order of the Muslim Brotherhood.¹³² Abū Shaqqah himself abhorred violence and was impressed with the Pakistani *Jamat-i-Islami*, which was a non-violent movement.¹³³

In 1954 Abū Shaqqah spent time in prison as a result of Jamāl ‘Abd al- Nāṣir’s crackdown on the *Brotherhood*. Upon his release, he relocated to Qatar, accepting a position as a school teacher in the burgeoning Gulf state. When Yūsuf al-Qaraḏāwī relocated to Qatar in 1961, he reconnected with Abū Shaqqah and many of the *ulamā* elite.¹³⁴ Al-Qaraḏāwī was also a member of the *Muslim Brotherhood* and like Abū Shaqqah at that time was a devoted disciple of Al-Bannā. According to Ann Sofie Roald, much like al-Qaraḏāwī and al-Ghazālī, Abū Shaqqah was regarded as a ‘movement intellectual’ because his ideas seemed to have a powerful impact on the *Brotherhood* due to his close relationship with its senior members.¹³⁵

During the 1960’s Abū Shaqqah met Abul Ḥasan Nadawī (1913-1999) in Doha. Abul Ḥasan Nadawī was a renowned Indian scholar and a strong proponent of Islamic revival.¹³⁶ Nadawī traveled vastly and went to Egypt in 1951 where he attended seminars and meetings, and met with members of various associations. The *Brotherhood* hosted him as he toured Egypt and thus he was able to appreciate the far ranging influence they exerted within the country.¹³⁷ Nadawī was politically outspoken and “bitterly castigated dictatorial Arab regimes for their secularism,

¹³²Al- Qaraḏāwī (2011), *Ibn al-Qaryah was al-Kuttāb*, p. 689.

¹³³ Al-Qaraḏāwī (2005), *Fī Wadā al- ‘Alām*, p.55.

¹³⁴ Ibid.

¹³⁵ Anne Sofie Roald (2001), *Women in Islam: The Western Experience*, (London: Routledge).p.134.

¹³⁶ Yoginder Sikand (2006), “Sayyed Abul Hassan Ali Nadwi and Contemporary Islamic Thought” in *The Blackwell Companion to Contemporaray Islamic thought* edited by Ibrahim M. Abu- Rabi (Blackwell Publishing LTD: USA, 2006), p. 88.

¹³⁷ <http://Islamic encyclopedia.org>

their cultural and political enslavement to the West and their often brutal suppression of Islamic movements.’¹³⁸

Abū Shaqqah also played an important part in the development of education in Qatar as he formed part of the first generation of intellectuals to relocate to the Gulf state. In so doing, he was able to earn a living and escape persecution in Egypt.¹³⁹ While in Doha Abū Shaqqah became principal of the Doha Secondary School and taught history and geography. He dedicated much effort to trying to develop educational edifices in the country and was dedicated to this cause.¹⁴⁰ However he later resigned from his position as principal in order to pursue his own intellectual interests. He founded the Kuwait Publishing House which was later renamed *Dar-al-Qalam Kuwait*. *Dar-al-Qalam* was not only an intellectual endeavor but a commercial venture as well and it afforded him the opportunity to pursue his intellectual interests and projects while at the same time earning a living.¹⁴¹

Abū Shaqqah also established an academic journal called the *al-Muslim al-Mu‘āshir* (Contemporary Muslim) to which he was compellingly devoted. However, he later had a disagreement with the chief editor, Jamāl al-Din ‘Attīyah, and handed over the journal to him. Even under these circumstances, he was not dissuaded from offering his continued support to the journal and he began writing for it on education, the Islamist movement and intellectual thought.¹⁴²

¹³⁸Sikand (2006), Sayyed Abul Hassan Ali Nadwi and Contemporary Islamic Thought, p 90.

¹³⁹Al-Qaraḏāwī (2005), *Fī Wadā al-‘Alām*, p. 55.

¹⁴⁰ Ibid., p. 56.

¹⁴¹ Al-Qaraḏāwī (2011), *Ibn al-Qariyah was al-Kuttāb*, p. 691.

¹⁴² Al-Qaraḏāwī (2005), *Fī Wadā al-‘Alām*, p. 58.

It was only after embarking on these endeavors in the Islamic movement that Abū Shaqqah became interested in the issue of women's rights. He perceived a dire need for the issue of women not only to be rethought in terms of the Qur'ān and Sunnah but also in terms of the contemporary context, thereby ensuring that it accorded with the requirements of the religious tradition while simultaneously contributing to the upliftment of the plight of Muslim women within a contemporary context.¹⁴³ In this regard, Abū Shaqqah was a reformist who was entirely preoccupied with Islamic revival.¹⁴⁴

Abū Shaqqah dedicated 20 years of his life to researching his book, reading and recording issues related to women's rights. There were many people who read and reviewed his work but al-Qaraḍāwī remained his closest and most trusted confidant. Abū Shaqqah regarded al-Qaraḍāwī's input as essential while his close relationship and regard for al-Qaraḍāwī is clearly visible and reflected in his intellectual output.¹⁴⁵

Abū Shaqqah's book had a tremendous impact in the way it conceptualized women's rights in the Muslim world. Al-Qaraḍāwī describes how the book was widely written about in various newspapers and journals while also being widely discussed, with al-Qaraḍāwī himself participating in some of the discussions. Al-Qaraḍāwī goes further to say that Abū Shaqqah surprised many people by producing such a unique work, as many were unfamiliar with him as a scholar and an academic at the time.¹⁴⁶ After the book was published, Abū Shaqqah held readings and study sessions on the book and discussed it with whoever was interested.¹⁴⁷ Al-Qaraḍāwī also states that Abū Shaqqah was very disappointed that the book was rejected by the

¹⁴³ Ibid., p. 58.

¹⁴⁴ Ibid., p. 61.

¹⁴⁵ Ibid., p. 59.

¹⁴⁶ Ibid., p. 59.

¹⁴⁷ Ibid., p. 59.

Salafī scholarly establishments, which even went so far as to refuse to meet with Abū Shaqqah to discuss their differences with him concerning the book.¹⁴⁸

Besides the issue of Muslim women, Abū Shaqqah also maintained a keen interest in the issues of Islamic propagation and the Islamic movement. He registered an association called the *Association for Renewal of Islamic Thought* in Paris. Through his association, Abū Shaqqah became preoccupied with clarifying intellectual conceptualizations concerning propagation and the Islamic movement.¹⁴⁹ He selflessly used his personal financial resources and energies in order to support and promote this organization and would often consult with various academics and scholars on matters regarding the organization, including al-Qaraḏāwī.¹⁵⁰

However, Abū Shaqqah's abiding legacy remains his book *The Liberation of Muslim Women in the Prophetic Period*, (*Tahrīr al-Mar'ah*). Through it he defended the position that women had attained liberation with the inception of Islam and that the liberation of women was not a new concept to be championed.¹⁵¹ The six volume text took him the better part of 25 years to complete and reflects a meticulous reading and study of the primary sources relating to women in the Prophetic period. *Tahrīr al-Mar'ah* was finally completed and published in 1994. Abū Shaqqah subsequently passed away in 1995 at the age of 71, leaving behind *Tahrīr al-Mar'ah*, arguably the only contemporary definitive Islamist work on women in the Prophetic period.

¹⁴⁸ Ibid., p. 60.

¹⁴⁹ Ibid., p. 62.

¹⁵⁰ Ibid., p. 62.

¹⁵¹ Ibid., p. 59.

Conclusion

Through tracking the trajectory of the struggle for women's rights in the contemporary Muslim world, this introduction endeavoured to reveal the extent to which Abū Shaqqah was shaped by the context in which he came into being and the intellectual pursuit that dominated his life.

In his intellectual rigor, he carried the torch of the male feminists, while his research was driven by the activist spirit of Huda Sha'rāwi. However, he found his home in the Islamic movement and thereby challenged the state secularism of the Egyptian dictatorship and the conservatism of the male religious patriarchy. His book and his activism strove to live up to the Islamic ideal of a normative Islam that is ultimately liberatory because it is a culmination of social justice. He produced only one major work but succeeded in leaving behind a significant and indelible legacy that is still being absorbed and assimilated by the Arab world. For the English reader this thesis provides insight into his academic endeavors and attempts to ensure that he receives the attention he so clearly deserves.

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9.1. The First Characteristic **100**

Muslim women – like men – are invited to show concern in political matters in their society. Women are also called upon to contribute within the limits of their circumstances and to the extent of their capacity to uplift society by commanding good and negating evil and striving to give good counsel. This constitutes supporting the positive and resisting the deviant. This is a kind of rewarding striving for the attainment of good and justice governance.

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Sometimes political activity is necessary and Muslim women must participate to perform what is considered as a collective obligation on women in this field.

9.2.1 These obligations include: **103**

9.2.2 The modern Muslim woman takes moral lessons from the Prophetic period **105**

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9.2.2.3 A third woman assists in an act that is harmful to the greater good of the state **106**

9.3. The Third Characteristic **107**

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legislation? **116**

9.4. The Fourth Characteristic **117**

It is recommended that a woman spend of her wealth and the wealth of her family for the sake of good in obligatory and recommended political activity. It is recommended that a man assist his wife in household matters if she is over-burdened by recommended political activity. He is obligated to assist her if the activity is obligatory.

9.5 The Fifth Characteristic **117**

Muslim society contributes to creating an environment that helps women to be faithful to their political responsibilities to society alongside their responsibilities to their families.

9.6. The Sixth Characteristic

118

The Muslim government is responsible for directing women and encouraging them to participate in political activism.

9.7. The Seventh Characteristic

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When women's participation in political activity necessitates engaging with men, women and men are equally required to uphold the etiquette of participation that was discussed previously in a specific chapter and we reiterate here some of these etiquettes like modesty in dressing, lowering one's gaze, avoiding seclusion as well as questionable behavior.

A Comment on the Participation of Women in Professional Employment and Political and Social Activity

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THE TRANSLATION

Chapter Eight

Events Relating to the Participation of Muslim Women in Political Activity in the Prophetic Period

The Muslim Woman went forth in her life with the light of Allah the Sublime's guidance as it was revealed in His book and as clarified by His Prophet (S.A.W) through his practice (Sunnah). The practical events that we mention here as to the political activity of women are examples that are mentioned for a specific occasion through verses in the Qur'ān or Prophetic sayings from the pure Sunnah. So even if the practical applications implemented by the believing women in the time of the previous Prophets (upon them pure greetings) and in the time of our Prophet Muḥammad (S.A.W) are gathered, it will never be more than but a few examples of the application of Allah's guidance. Therefore the field of application in our time as well as in all times remains broad and bears very many renewable applications that are suitable to the conditions of every era.

Islam is a system that endeavors to change the beliefs, morals and many of the conditions of society and its governing authority. For that reason, the example of the group of believers in

Allah and His Prophet (S.A.W) in Jāhilīyyah¹⁵² society in Makkah is like the example of extremely revolutionary and oppositional parties to the government in power in a modern state. Religious activity is generally regarded as social activity because its movement is limited to individuals in society. However, when this activity deals in one form or another with the governing authority and takes an opposing position against it, or revolts against it, then this is political activity in terms of the modern definition. For this reason we discuss what follows under the rubric of political activity, whether this entails adopting the new religion of Islam, or interrogating it before embracing it and joining the Muslim community. It also entails what comes after adopting the new religion, whether showing concern for its progress and propagation, or the oppression and torture encountered because of it, or emigration from one's country due to it, or participating in Jihād to defend and strengthen it.

In view of the great role that women can undertake in political activity within contemporary society, we have investigated texts from the noble *Qur'ān* and *Ḥadith* of *Saḥīḥ Bukhārī* and *Muslim* that are related to this activity, even though these sources have been quoted earlier in the specific chapter regarding women in the eras of the [earlier] prophets (upon them greetings) or in the specific chapter regarding the Prophet (S.A.W)'s wives. Furthermore, we have paid attention to discussing texts that point to women's political activity even though [within this context] there is no engagement with men that are strangers to her; this is to highlight the importance of women's participation in all contexts.

¹⁵² Jāhilīyyah literally means ignorance and Jāhilīyyah society thus refers to Makkan society before it was exposed to the guidance of Islam revealed by Allah to the Prophet Muḥammad (S.A.W). [Translator].

1. First: In the Domain of Disbelief

1.1 A Woman provides encouragement to the Prophet of the new religion

1.2 A Woman strives to inquire about the new religion

1.3 A Woman is the first of the believers to accept the new religion

Narrated by ‘Aīshah (R.A.H), Mother of the Believers, verily she said: “Initial revelations that began [to come to] the Prophet (S.A.W) were true visions that occurred in sleep ... (and then) the angel came to him ... so he said: **‘Read! In the name of your Lord who created (all that exists). Has created man from a clot (a piece of thick coagulated blood). Read! And your Lord is most generous.’** (Al-‘Alaq, verse 1-3) The Prophet (S.A.W) went back with the revelation, his heart trembling. He went to Khadījah bint Khuwaylid (R.A.H) and he said: ‘Cover me, cover me!’¹⁵³ So she covered him until the terror¹⁵⁴ passed. So he said to Khadījah (RAH) and informed her of the event: ‘Thus I feared for myself.’ Then Khadījah (R.A.H) said: ‘I swear by Allah, that Allah will not dishonor you ever. Verily you maintain family relations and you support the needy¹⁵⁵ and you give to the poor and you are hospitable to the guest¹⁵⁶ and you help in upholding the truth.’ Khadījah (R.A.H) then went together with the Prophet (S.A.W) and brought him to Waraqah bin Nawfal bin Asad bin ‘Abd al-‘Uzza, Khadījah (R.A.H)’s cousin. He was a man that had converted to Christianity in the time of Jāhillīyah. He used to transcribe the Hebrew Bible, writing from the Bible in Hebrew what Allah willed him to write and he was an elderly man who had gone blind. Khadījah (R.A.H) said to him: ‘Oh my cousin, listen to [what] your brother [has to say],’ and Waraqah said to him (S.A.W): ‘Oh my cousin what did you see?’ So the Prophet (S.A.W) told him what he saw, and Waraqah said to him: ‘This is the angel¹⁵⁷ that

¹⁵³ Cover me: that is, enwrap me.

¹⁵⁴ Fear: terror.

¹⁵⁵ You support the needy: (*al-Kall*): *Al-Kall* is someone who cannot exercise his affairs independently.

¹⁵⁶ Hospitable to the guest: you are charitable to him, provide him with food and accommodation.

¹⁵⁷ Angel (*al-Namus*): a reference to the angel Gibrīl (A.S) whom the people of the book refer to as *al-Namus*.

Allah sent to Mūsa (A.S), if only I were a strong youth¹⁵⁸ and if only I were alive when your people expel you.’ So the Prophet (S.A.W) said: ‘Will they expel me?!’ He said: ‘Yes, at no time ever did a man bring that which you have come with except that he was shown enmity. If I reach that day, I will come to your assistance, assisting in carrying your burden.’¹⁵⁹ Shortly thereafter Waraqah died and divine revelation also paused.’¹⁶⁰

This woman, Khadījah (R.A.H), Mother of the Believers, provided encouragement to the Prophet (S.A.W) with words indicating the depth of her intellect and understanding of the truth of what he (S.A.W) saw based on his condition. Her words were full of compassion, overflowing with praise and honor. She strove to make inquiries about the new religion from a trusted and senior authority and then became the first to believe in Allah the One, the Only. Khadījah (R.A.H)’s stance and insight and good action, reminds us of the stance of another woman who was amongst the first to believe in the new religion while it was still [being propagated] clandestinely. She took every precaution with regards to the society that rejected her religion. Her precaution is characterized by insight and clever guile in order to protect her oppressed group. This is because when Abū Bakr (R.A.H) delivered a speech in the mosque of the Quraysh, surrounding the Ka‘bah, and in the company of Muslim men, [the disbelieving men] rose up against him and beat him severely¹⁶¹ [so that he had to be] carried to his house. When he regained consciousness he said: “What happened to the Prophet (S.A.W) of God?” His mother said: “By Allah I don’t have knowledge about your companion.” Then he said: “Go to Umm Jamīl [Fatima bint al-Khaṭṭāb] and ask her concerning him.” So she went out until she came to Umm Jamīl. She said: “Abū Bakr is asking you concerning Muḥammad ibn ‘Abdullāh.” She said: “I do not know Abū Bakr and Muḥammad ibn ‘Abdullāh but if you like I will go with you.” She said: “Yes.” So she left

¹⁵⁸ *Jadha’an*: strong youth.

¹⁵⁹ *Nasran Muwazaran*: That is, I will strongly support you.

¹⁶⁰ *Al-Bukhārī*, Kitāb: Kayfa kāna bad’ al-waḥī ila Rasulillah (SAW), vol. 1, p. 25. *Muslim*, Kitāb al-’Imān: Bāb: bad’ al-waḥī, vol. 1, pp. 97.

¹⁶¹ Hitting violently: severely

with her until she found Abā Bakr overcome,¹⁶² seriously ill.¹⁶³ So Umm Jamīl drew closer and she said: “Verily, the people that caused this harm to you are immoral and disbelieving. I surely wish that Allah take revenge for you upon them.” He said: “So what happened to the Prophet (S.A.W) of God?” She [Umm Jamīl] said: “Your mother is listening.” He said: “You have nothing [to fear] from her.” She then said: “Unharmd and well.” He said: “Where is he?” She said: “In the home of Al-Arqam ibn Abī al-Arqam.” He said: “I swear by Allah I will not taste food and drink until I go to the Prophet (S.A.W) of God.” So they gave him time to calm down and the people to quiet down. The two of them left with him, he was leaning upon them until they came to the Prophet (S.A.W). So the Prophet (S.A.W) of God rushed to him and the Prophet (S.A.W) busied himself with him and the Muslims attended¹⁶⁴ to him.¹⁶⁵

2 A Woman is at the Forefront of Faith in the New Religion

2.1 A Woman precedes her father in accepting Islam

Narrated by ‘Āishah (R.A.H): Umm Ḥabībah bint Abī Sufyān and Umm Salamah both recalled a church that they saw in Ḥabashah.¹⁶⁶

The ḥadith implies that Umm Ḥabibah was one of those that migrated to Ḥabashah after converting to Islam. Her father, Abū Sufyān ibn Ḥarb, continued disbelieving until shortly before the conquest of Makkah. Umm Ḥabībah gives an anecdotal story regarding her father before he accepted Islam: “This was when Abū Sufyān came to Madīna to see the Prophet (S.A.W). He

¹⁶² Overcome: fallen down

¹⁶³ Seriously ill: the serious illness from severe sickness and recovering from the verge of death

¹⁶⁴ Attended to him: came to him, saw to his needs and was occupied with him.

¹⁶⁵ See: Ibn Kathīr, *Al-Bidāyah wa al-Nihāyah*, vol. 3, p. 30.

¹⁶⁶ *Al-Bukhārī*, Kitāb al-Manāqib: Bāb: Hijrah al-Ḥabashah, vol. 8, p. 189.

(S.A.W) wanted to invade Makkah and Abū Sufyān asked for the extension of the truce of Ḥudaybiyyah but the Prophet (S.A.W) did not agree. So then he stood up and went to his daughter Umm Ḥabībah. When he went to sit on the mat of the Prophet (S.A.W) she folded it up without him having sat down. He said: ‘Oh my daughter, are you removing the mat from me or [preventing me from sitting] on it?’ So she said: ‘But it is the mat of the Prophet (S.A.W) and you are an impure idolater.’ He then said: ‘Oh daughter you have been afflicted by an evil contagion after me.’”¹⁶⁷

2.2 A Woman precedes her brother in accepting Islam

Narrated by Sa‘īd ibn Zāyd who said: “By Allah, I recall seeing myself when ‘Umar bound me¹⁶⁸ because of my conversion. (In another narration¹⁶⁹: [bound] my sister and I) before ‘Umar himself accepted Islam.”¹⁷⁰

Al-Ḥāfiẓ ibn Ḥajr said: “Umar accepted Islam later than his sister Fāṭimah and her husband. The first incentive for him to enter Islam was [the recitation] of the Qurān that he heard at his sister’s house in a long story which is mentioned by al-Qurtubī and others.”¹⁷¹

¹⁶⁷Ibn Sa‘īd, *Al-Ṭabaqāt Al-Kūbra*, vol. 8, pp. 99-100.

¹⁶⁸ Bound me: tied me i.e. fastened him and shackled him because of his Islam.

¹⁶⁹*Al-Bukhārī*, Kitāb al-Manāqib: Bāb: Islām ‘Umar Ibn Al-Khaṭṭāb (RAH), vol. 8, p. 181.

¹⁷⁰*Al-Bukhārī*, Kitāb al-Manāqib: Bāb: Islām Sa‘īd Ibn Zayd (RAH), vol. 8, p. 176.

¹⁷¹ Ibn Ḥajr al-‘Asqalānī, *Faḥ al-Bārī*, vol. 8, p. 176.

2.3 A Woman precedes her husband in accepting Islam

Narrated by ‘Ubāydullāh: “I heard Ibn ‘Abbās (R.A.H) (may Allah be satisfied with the two of them) saying: ‘My mother and I were from the oppressed, I was a child and she was a woman.’”¹⁷²

Bukhārī says in his chapter heading: Ibn ‘Abbās (R.A.H) (may Allah be satisfied with the two of them) as well as his mother who was from the oppressed. He was not with him [his father] following the religion of his people.

Al-Ḥāfiẓ ibn Ḥajr in his explanation of the *ḥadith* says: “His mother’s name was Lubābah bint al-Ḥarith al-Ḥilālīyyah and her nickname was Umm Faḍl and Faḍl was the eldest of the sons of Al-‘Abbās) ...” His statement: He was not with his father a follower of the religion of his father’s people. The writer states this by his own assumption and it is based upon [the fact] that Al-‘Abbās had accepted Islam after the battle of Badr although there is some dispute on this ... It is correct that he immigrated in the year of the conquest of Makkah at the beginning of the year and he went with the Prophet (S.A.W) and witnessed the conquest of Makkah and Allah knows best.¹⁷³

Ibn ‘Abbās referred in his statement [above] to the verse in the Qur’ān: “**And what is wrong with you that you fight not in the cause of Allah, and for those weak, ill-treated and oppressed among men, women and children whose cry is: ‘Our Lord! Rescue us from this town whose people are oppressors and raise for us from You one who will protect, and raise for us from You one who will help.’**” (An-Nisāi’, verse 75)

¹⁷² *Al-Bukhārī*, Kitāb al –Janā’iz: Bāb: idha aslama al-ṣabiyy fā māta hal uṣallī ‘alayhi, vol. 3, p. 464.

¹⁷³ Ibn Ḥajr al-‘Asqalānī, *Fatḥ al-Bārī*, vol. 3, p. 462.

Narrated by al-Mīswar ibn Maḥramah who said: "... He (Nabī (S.A.W) mentioned that a son in-law of his was from the ‘Abd al-Shams clan, that is (Abū al-Ās ibn al-Rabi‘). So the Prophet (SAW) praised him, and said: "He spoke to me, he believed me, he promised me and he kept his promise ...”¹⁷⁴

Al-Ḥāfiẓ ibn Ḥajr said: “Abū al-‘Ās ibn al-Rabi‘ married Zaynab daughter of the Prophet (S.A.W) before he received Prophethood and she was the eldest daughter of the Prophet (S.A.W). (Zaynab became a Muslim and ‘Abū al-‘Ās refused to become a Muslim.¹⁷⁵ So ‘Abū al-‘Ās was captured at the battle of Badr with the idolaters and so she, Zaynab paid the compensation for him and the Prophet (S.A.W) stipulated to him that he should send her to him, thus he was true to his word.” This is the meaning of his statement, mentioned at the end of the *ḥadith* “He promised me and kept his promise.”¹⁷⁶

Some women preceded their husbands in Islam such as: Ḥawwā’ bint Yazīd al-Ansārīyyah. She became a Muslim early on when the Prophet (S.A.W) was in Makkah before the Hijrah and her husband was extremely abusive towards her. So the Prophet (S.A.W) of Allah came to him and invited him to Islam and he said to him: “Oh father of Yazīd, Ḥawwā’ is your companion and it has reached me that you have been an abusive companion to her ever since she has left your religion, so be conscious of Allah and be mindful of me regarding her and do not harm her.” So

¹⁷⁴ *Al Bukhārī*, Kitāb Farq al-Khums: Bāb: Mā dhukira min dar‘ al-Nabī (SAW) wa ‘aṣa’ihi wa sayfihi wa qadhihi wa khātimihi, vol. 7, p. 22. *Muslim*, Kitāb: Faḍā’il al-Ṣahābah: Bāb: Faḍā’il Fāṭimah bint al-Nabī (SAW), vol. 7, p. 141.

¹⁷⁵ What appears in between brackets is from Ibn Sa’d, *Al-Ṭabaqāt al-Kūbra*, vol. 8, p. 31.

¹⁷⁶ Ibn Ḥajr al-‘Asqalānī, *Fath al-Bārī*, vol. 8, p. 86.

he replied saying: “Yes, I will be honorable as you like and will not show towards her anything except goodness ...”¹⁷⁷

Similarly Umm Salaym preceded her first husband Mālik ibn al-Nādhir, father of Anas in accepting Islam. After she converted to Islam, he came to his wife after he had been absent for a while. So he asked her: “Have you apostatized?” She said: “I did not apostatize¹⁷⁸ but I believe in this man.” She made him repeat after her and she pointed to him and said: “Say there is no God but Allah. Say: I bear witness that Muḥammad (S.A.W) is the messenger of Allah,” and so he did it. And so his father said to her: “Do not corrupt my son.” So she said: “I will not corrupt him.” So Mālik, the father of Anas, left and then he met an enemy that killed him.¹⁷⁹

A woman may embrace Islam with her husband but, if she believed out of free will and choice, she affirmed her faith despite her husband’s apostasy. This was the case of Umm Ḥabībah, she married ‘Ubaydullāh ibn Jahsh. They migrated together to the land of Ḥabashah in the second Hijrah. He became a Christian and turned away from Islam and died in the land of Ḥabashah while Umm Ḥabībah remained steadfast in her religion and her migration.¹⁸⁰

2.4 A Woman precedes her masters in accepting of Islam

Narrated by Ammār ibn Yāsir, who said: I saw the Prophet of Allah (S.A.W) and there wasn’t with him except five slaves and two women and Abū Bakr.¹⁸¹

¹⁷⁷Ibn Sa‘d, *Al-Ṭabaqāt al-Kūbra*, vol. 8, pp. 323-324.

¹⁷⁸ Apostatize: leaving one religion to go to another.

¹⁷⁹ Ibn Sa‘d, *Al-Ṭabaqāt al-Kubra*, vol. 8, p. 425.

¹⁸⁰ Ibid., p. 96.

¹⁸¹ *Al-Bukhārī*, Kitāb al-Manāqib: Bāb: Islām Abī Bakr al-Ṣiddīq (RAH), vol. 8, p. 180.

That shows that the slave woman, despite her extremely weak social position, preceded her masters, despite their haughtiness, to the new religion thereby raising her spirits and elevating her to lofty heights. These slave women included: Ḥamamah, Umm Ubays, Zinnira, Al-Nahdīy'ah and her daughter, and the slave girl of Banī 'Adā. Some of the incidents involving these slave women will be recollected in our discussion on the believing men and women's confrontation of society's oppression.

2.5 A Woman precedes her entire family in accepting Islam

Narrated by Marwān and al-Miswar ibn Makhramah (R.A.H): "... Umm Kulthūm bint 'Uqbah ibn Abī Muīt was amongst those who came to the Prophet (S.A.W.) on that day (that is after the reconciliation of Ḥudaybiyyah) and she was manumitted.¹⁸² So her family came and asked the Prophet (S.A.W) to return her to them but he did not return her to them."¹⁸³

It is stated in [the biographical dictionary] *Al-Ṭabaqāt al-Kubrāh*: "We do not know of a Qurayshī woman that left her parents after becoming a Muslim, emigrating to Allah and his Prophet (S.A.W), except for Umm Kulthūm Bint 'Aqabah ... Her two brothers al-Walīd and 'Imāra the sons of 'Aqabah went out in pursuit of her as they wanted to bring her back."¹⁸⁴

¹⁸² Freed slave: meaning she reached maturity and a right to marriage and freedom from the test of remaining in bondage.

¹⁸³ *Al-Bukhārī*, Kitāb al-Shurūt: Bāb: Ma yajuzu min al-shurūt fi al-Islām, vol. 6, pp. 240.

¹⁸⁴ Ibn Sa'd, *al-Ṭabaqāt al-Kubra*, vol. 8, p. 23.

3. Believing Men and Women’s Confrontation of Society’s Oppression:

Narrated by Sa‘īd ibn Zāyd who said: “By Allah, ‘Umar saw me and bound¹⁸⁵ me on account of [my conversion to] Islam (and in another narration ¹⁸⁶ “[bound] his sister and I”) before he, ‘Umar, converted.”¹⁸⁷

Bukhāri mentions this ḥadīth in several chapters, including the chapter “Concerning those who choose beatings, death and abuse over disbelief”. Al-Ḥafīz ibn Ḥajr said: “... It (that is the Ḥadīth) is clarified in the chapter heading because Sa‘īd and his wife chose being abused over disbelief.”

Al-Ḥafīz ibn Ḥajr also said: (his statement: “‘Umar tied me up on account of [my converting] to Islam].” He bound him because of his acceptance of Islam to humiliate him and force him to recant his Islam¹⁸⁸ The reason was that he was the husband of Fātimah bint Khattāb, ‘Umar’s sister (and his father was Zayd the cousin of ‘Umar) ... ‘Umar converted after his sister and her husband. The first incentive for him to accept Islam was the recitation of the Qur’ān in his sister’s house, as recollected in a long story mentioned by al-Qurtubī and others.¹⁸⁹

¹⁸⁵ To bind me: fastened him and shackled him because of his Islam

¹⁸⁶ *Al-Bukhārī*, Kitāb al-Manāqib: Bāb: Islām ‘Umar ibn al-Khaṭṭāb (RAH), vol. 8, p. 181.

¹⁸⁷ *Al-Bukhārī*, Kitāb al-Manāqib: Bāb: Islām Sa‘īd Ibn Zayd (RAH), vol. 8, p. 176.

¹⁸⁸ Ibn Ḥajr al-‘Asqalānī, *Fath al-Bārī*, vol. 15, p. 348.

¹⁸⁹ *Ibid.*, vol. 8, p. 176.

We have earlier on encountered this ḥadīth: “I saw the Prophet (S.A.W) and there was no one with him except five slaves, two women and Abū Bakr.”¹⁹⁰ Sumayyah, the mother of ‘Ammār, was one of those amongst the five slaves. Al-Ḥafīz ibn Ḥajr said: “‘Ammār and his father and his mother, were probably amongst the [five] slaves and the three of them were amongst those that were tortured in the path of Allah. His mother was the first martyr in Islam. She was stabbed by Abū Jahl with a spear and died.”¹⁹¹

It is also mentioned in the books of Sīrah that when Abū Bakr al-Ṣiddīq (R.A.H) passed by a slave being tortured, he would buy him from his master and free him. [Such persons included] Bilāl, his mother Ḥamamah ... Umm Ubays, Zinnira, al-Nahdīyyah and her daughter and the slave girl of Banī ‘Adā that ‘Umar used to torture because of her conversion to Islām, before he converted himself.¹⁹²

3.1 A Woman emigrates from her homeland fleeing with the new religion

3.2 Men and women are equally obligated to emigrate from the land of disbelief

An-Nisāi’, verse 97: Allah says: “Verily! As for those whom the angels take (in death) while they are wronging themselves (as they stayed among the disbelievers even though emigration was obligatory for them), they (the angels) say (to them): “In what (condition) were you? They reply: “We were weak and oppressed on earth.” The angels say: “Was not

¹⁹⁰ *Al-Bukhārī*, Kitāb al-Manāqib: Bāb: Islām Abī Bakr al-Ṣiddīq (RAH), vol. 8, pp. 180.

¹⁹¹ Ibn Ḥajr al-‘Asqalānī, *Fatḥ al-Bārī*, vol. 8, p. 20.

¹⁹² See: Ibn ‘Abd al-Barr, *Kitāb al-Durar fī Ikhtisār al-Maghāzī wa al-Siyar*, p. 19, 1st edition, 1402 H -1984 AD. Dar al-Kutub al-‘Ilmīyyah-Beirut; Ibn Kathīr, *Kitāb al-Fusūl fī Ikhtisār Sīrah al-Rasūl (SAW)*, p. 87, (1st edition, 1400 H, Muassasat Ūlūm-al Qurān- Damascus-Beirut).

the earth of Allah spacious enough for you to emigrate¹⁹³ therein? Such men will find their abode in Hell - what an evil destination!”

Verse 98: “Except the weak ones among men, women and children who cannot devise a plan, nor are they able to direct their way.”

Verse 99: “These are they whom Allah is likely to forgive, and Allah is ever Oft-Pardoning, Oft-Forgiving.”

Verse: 100: “He who emigrates (from his home) in the cause of Allah, will find on earth many dwelling places and plenty to live by. And whosoever leaves his home as an emigrant to Allah and His Messenger (SAW), and death overtakes him, his reward is surely incumbent upon Allah, And Allah is Ever Oft-Forgiving, Most Merciful.”

(An-Nisāi’, verses 97-100)

Al-Zāyn ibn Munīr said: “The verse does not serve to categorize women as weak but rather as equals.”¹⁹⁴

¹⁹³ Emigrants: emigrants and asylum seekers

¹⁹⁴ See: Ibn Ḥajr al-‘Asqalānī, *Fath al-Bārī*, vol. 3, p. 425.

3.3 Oppressed Men and Women ask Allah's assistance to Emigrate

“And what is wrong with you that you fight not in the cause of Allah, and for those weak, ill-treated and oppressed among men, women and children, whose cry is: ‘Our Lord! Rescue us from this town whose people are oppressors; and raise for us from You one who will protect, and raise for us from You one who will help.’” (An-Nisā’, verse 75)

3.4 The Emigration to Abyssinia

Narrated by ‘Āishah (R.A.H): “Umm Ḥabībah and Umm Salamah recollected seeing a church in Ḥabashah with icons inside. The two mentioned it to the Prophet (S.A.W) and he said: ‘Verily those people when there was amongst them a pious man who died they would build on his grave a place of worship and would make those icons. They are the most evil creation [in the sight of Allah] on the day of resurrection,’”¹⁹⁵

Narrated by Abī Mūsa (R.A.H) who said: “ ...’Asmā’ daughter of Umays visited ... the home of Ḥafsah the wife of the Prophet (S.A.W). She was amongst those that had immigrated to [the land of the Abyssinian king] al-Najāshī ... ”¹⁹⁶

Narrated by Umm Khālid (her father was Khālid ibn Sa‘īd ibn al-‘Ās and her mother was Ḥumaynah daughter of Khalaf), who said: “I came from the land of al-Ḥabashah (that is, with her parents) and I was a little slave girl and he (the Prophet (S.A.W)) covered me with a woolen

¹⁹⁵ *Al-Bukhārī*, Kitāb al-Manāqib: Bāb: Hijrah al-Ḥabashah, vol. 8, p. 189.

¹⁹⁶ *Al-Bukhārī*, Kitāb al-Maghāzī: Bāb: Ghazwah Khaybar, vol. 8, p. 26; *Muslim*, Kitāb Faḍā’il al-Ṣaḥābah: Bāb: min Faḍā’il J’afār ibn Abī Ṭālib wa ’Asmā’ bint ‘Umays, vol. 7, p. 172.

garment¹⁹⁷ upon which were symbols and the Prophet (S.A.W) wiped his hands over the symbols and he said: ‘Sana , Sana’.’ Al- Ḥamīdī explains: that this means it is ‘good, good’.¹⁹⁸

Al-Ḥāfiẓ ibn Ḥajr said: “... And as for the women (the emigrating women of the first emigration to Ḥabashah): they included Ruqayyah daughter of the Prophet (S.A.W), Saḥlah daughter of Saḥal the wife of Abī Ḥudhayfah, Umm Salamah daughter of Abī Umayyah the wife of Abī Salamah and Laylah daughter of Abī Hathma the wife of Āmir Ibn Rabiāh ¹⁹⁹... As for those women who emigrated in the second migration they numbered eighteen women ... they included: Umm Ḥabibah daughter of Abī Sufyān, ‘Asmā’ daughter of Umays, Humāynah daughter of Khalaf al-Khuzai‘yyah.”²⁰⁰

3.5 *The emigration to Madīnah*

Allah says “O Prophet (Muhammad (S.A.W)! Verily, we have made lawful to you your wives, to whom you have paid their Mahr (bridal-money given by the husband to his wife at the time of marriage), and those (captives or slaves) whom your right hand possesses, whom Allah has given to you, and the daughters of your ‘Amm (paternal uncles and the daughters of your Ammat (paternal aunts) and the daughters of your khāl (maternal uncles) and the daughters of your khālāt (maternal aunts) who migrated (from Makkah) with you ...” (Al-Ahzāb, verse 50)

¹⁹⁷ Woolen: garment from wool or of silk.

¹⁹⁸ *Al-Bukhārī*, Kitāb al-Manāqib: Bāb: Hijrah al-Ḥabashah, vol. 8, p. 189.

¹⁹⁹ Ibn Ḥajr al-‘Asqalānī, *Fath al-Bārī*, vol. 8, p. 186.

²⁰⁰ *Ibid.*, p. 187-189. For more details see: Ibn ‘Abd al-Barr, *Kitāb Durar fi Ikhtisār al-Maghāzi wa al-Siyar*, pp. 21-25, 1st edition, 1404 H- 1984 CE, Dār al-Kūtib al-‘Ilmīyah: Beirut.

Narrated by 'Asmā' (R.A.H) when she was pregnant, carrying 'Abdullāh ibn Zubayr, she said: "I left and I was full term²⁰¹ and so I came to Madīnah²⁰² and I settled in Quba' and gave birth there."²⁰³

Narrated by Marwān and Al-Miswar ibn Makhramah (R.A.H) in which they narrated from the companions of the Prophet (S.A.W): about the scribe Suhayl ibn 'Amar on that day (that is the day of Ḥudaybiyyah) during which Suhayl ibn 'Amar stipulated to the Prophet (S.A.W) [the following]: "Verily anyone from amongst us who comes to you and is a follower of your religion, you will return him to us and not intervene between us and him ... and any man that came in that period was sent back even if he was a Muslim. Then the emigrating Muslim women came and Umm Kulthūm daughter of 'Aqaba ibn Abī Muīt was amongst those who came to the Prophet (S.A.W) at that time and she was a manumitted slave²⁰⁴ and her family came and they asked the Prophet (S.A.W) to return her to them but he did not return her to them."²⁰⁵

Narrated by Abī Mūsa (R.A.H) who said: "[The news] of the Prophet (S.A.W)'s departure (to Madīnah) reached us and we were in Yemen, so we departed, emigrating to him ... We then took our caravan to al-Najāshī in Ḥabashah and met Ja'far ibn Abī Ṭālib and stayed with him until we all came together (that is to Madīnah) ... and so 'Asmā' daughter of Umays entered and she was one of those who came with us to Ḥafṣah ..."²⁰⁶

²⁰¹ Full term: meaning she completed the period of carrying.

²⁰² Qūba': a place well known in Madīnah.

²⁰³ *Al-Bukhārī*, Kitāb al-Manāqib: Bāb: Hījah al-Nabī (SAW) wa aṣḥabihi ila al-Madīnah, vol. 8, p. 239; *Muslim*, Kitāb al-'Adab: Bāb: Istihbāb taḥnīk al-Mawlūd inda wilādatihi, vol. 6, p. 175.

²⁰⁴ Freed slave: that is she reached maturity and a right to marriage and freedom from the test in remaining in bondage.

²⁰⁵ *Al-Bukhārī*, Kitāb al-Shurūt: Bāb: Ma yajuzu min al-shurūt fi al-Islām wa al-Aḥkām wa al-Mubāya'ah, vol. 6, p. 240.

²⁰⁶ *Al-Bukhārī*, Kitāb al-Maghāzi: Bāb: Ghazwah Khaybar, vol. 9, p. 24; *Muslim*, Kitāb Faḍā'il al-Ṣaḥābah Bāb: min Faḍā'il Ja'far ibn Abī Ṭālib and 'Asmā' bint 'Umays, vo. 17, p. 172.

Narrated by ‘Aīshah (RAH): “Verily, the black slave girl²⁰⁷ was from an Arab neighborhood. So they freed her and she [remained] with them. She [the girl] said: ‘A young girl, from amongst the Arabs came out and she had a red sash made from a long piece of leather.’²⁰⁸ She said: ‘The girl put it down or it fell from her. A small kite²⁰⁹ passed by it as it was lying on the ground thinking it was a piece of meat and snatched it.’ She said: ‘So they searched for it and they couldn’t find it.’ She said: ‘So they accused me [of stealing it]. ‘Then she said: ‘They began to search [for it] even examining her private parts.’ So she said: ‘By Allah, verily I was standing with them when the little kite passed by and dropped it.’ She said: ‘It fell, amongst them’. She said: ‘So I said: “Here is what all of you accuse me [of stealing] and I am innocent and here it is.”’ She went to the Prophet (S.A.W) and accepted Islam.”

‘Aīshah (R.A.H) said: “She had a tent²¹⁰ or a hut²¹¹ in the mosque.” She said: “She used to come to me to speak to me.” She said: “Whenever she sat with me she would always say:

And the day of the sash is one of the wonders²¹² of our Lord, verily from the land of disbelief it saved me.

‘Āishah (R.A.H) said: “So I said to her: ‘Why is it that whenever you sit with me you always recited [these verses]?’ ‘Āishah said: “So she then related to me this incident.”²¹³

²⁰⁷ Walīdah: a slave girl.

²⁰⁸ A red scarf from *Suyūr*: *Suyūr* is made from leather, studded with pearls and worn as a scarf by women, fastened being clasped between the shoulder and the waist.

²⁰⁹ A Kite: a small bird

²¹⁰ Tent: a tent made from camels hair or from wool

²¹¹ Hut: a house made from small hairs, lower and higher

²¹²The miracle: Wondrous (Not only to her)

²¹³*Al-Bukhārī*, Kitāb al-Ṣalāh: Bāb: Nawm al-Mar’ah fi al-Masjid, vol. 2, p. 79.

Al-Ḥāfiẓ ibn Ḥajr said: “In the narration ... leaving a land where a person experiences a calamity may be transformed into what is good for him as in the case of what was experienced by this woman, which is the blessing of emigration from the land of disbelief.”²¹⁴

The books of Prophetic biographies and biographical dictionaries²¹⁵ mention the emigration of several women to Madīnah including: Umm al-Faḍl the wife of al-‘Abbās; Umm Salamah daughter of Abī Umayyah; Layla daughter of Abī Khathma; Umaymah daughter of ‘Abd al-Muṭṭalib; Zaynab daughter of Jaḥsh; Ḥammah daughter of Jaḥsh; Umm Ḥabībah daughter of Jaḥsh; Judāma daughter of Jandal; Umm Qays daughter of Muḥsin; Umm Ḥabībah daughter of Nabāta, Umamah daughter of Raqāyish; Ḥafṣah daughter of ‘Umar ibn al-Khaṭṭāb; Fātimah daughter of Qays; Sabīhah al-Aslamīyyah; Umm Rumān.

The words of Imām al-Zuhrī [in this regard] are [extremely] poignant: “We don’t know of anyone of the emigrating women that recanted after professing their faith.”²¹⁶

3.6 Inviting the entire tribe to the new religion

Narrated by Imrān ibn Ḥusayn: “Verily, we were marching with the Prophet (S.A.W) ... thus we became thirsty, very thirsty. While we were marching we came across a woman, her legs were saddling two provision packs.²¹⁷ So we said to her: ‘Where is the water?’ So she said: ‘There is

²¹⁴ Ibn Ḥajr al-‘Asqalānī, *Fath al-Bārī*, vol. 2, p. 81.

²¹⁵ See: Ibn S‘ad, *Kitāb Al-Ṭabaqāt al-Kubra*, vol. 8, pp. 276-313; ‘Ibn ‘Abd al-Barr, *al-Durar fī Ikhtisār al-maghāzī wa al-Sīyar*, pp. 45-47.

²¹⁶ *Al-Bukhārī*, Kitāb al-Shurūt: Bāb: al-Shurūt fī al-Jihād wa al-Muṣālahah, vol. 6, pp. 281.

²¹⁷ Provision pack: the provision pack is a big water-skin, it is also called a water-skin/canteen

no water.’ So we said: ‘How much of a distance is there between your family and the water.’ She said: ‘A day and a night.’ So we said: ‘Go to the Prophet (S.A.W)’ ... So he ordered her to give him her provision bags ... We filled every water-skin with us and the small containers,²¹⁸ though we did not water the camel as she was almost full²¹⁹ of water. Then he said: ‘Give her whatever you have and they gathered for her nuts and dates.’ When she came to her family she said: ‘Either sorcerers have come to the people or he is a Prophet as they claim.’ So Allah guided that group²²⁰ through that woman as she submitted to faith and so did they.”

And in [another] narration²²¹: “After that the Muslims used to attack the idolaters around her [area] but they would never attack the group she was from. One day she said to her people: ‘I believe that those people are purposely²²² avoiding you so why don’t you [accept] Islam?’ They obeyed her and they entered into Islam.”²²³

Many years before this woman accepted Islam and invited her people to enter into the new religion, another woman accepted Islam in Makkah; she was called Umm Sharīq al – Qurāyshīyyah and the Muslims at that time were a small oppressed group. She would come to the women of the Qurāysh calling to them and encouraging them to accept Islam. When her

²¹⁸ Containers: small vessels made from animal skin used for water.

²¹⁹ Split open from the water: that is water flowing from it or to split from it being extremely full.

²²⁰ Al-Sirm: a group of people gathered together.

²²¹ *Al-Bukhārī*, Kitāb al-Tayammum: Bāb al-Ṣa‘īd al-Ṭayyib wuḍū al-Muslim, vol. 1, p. 470.

²²² I did not see those of the people that called you deliberately: not joining and I saw that is I knew. That is I believed that those that left you deliberately- not through inattentiveness and not through forgetfulness- but out of respect for the companions of the Sirah that was between me and between them.

²²³ *Al-Bukhārī*, Kitāb al-Manāqib: Bāb: ‘Alāmāt al-Nubūwwah fī al-Islām vol. 8, pp. 392 *Muslim*, Kitāb: al-Masājid wa mawāḍi‘ al-Ṣalāh: Bāb: Qaḍā al-Ṣalāh al-Fā’itah wa istiḥbāb t’ajīl qaḍāihi, vol. 2, pp. 140.

actions became apparent to the people of Makkah they took her [aside] and said to her: “If it were not for your people, we would have done such and such to you.”²²⁴

4. The Islamic State

4.1 Women pledge allegiance to the Prophet (S.A.W) and he is the leader of the Muslims

Allah says: “O Prophet! When believing women come to you to give you *Bay‘ah* (pledge), that they will not associate anything in worship with Allah, that they will not steal, that they will not commit illegal sexual intercourse, that they will not kill their children, that they will not utter slander, intentionally forging falsehood, and that they will not disobey you in any *ma‘ruf* (Islamic Monotheism and all that which Islam ordains) then accept their *Bay‘ah* - (pledge), and ask Allah to forgive them. Verily Allah is Oft-Forgiving, Most Merciful.” (Al-Mumtahana, verse 12)

Narrated by ibn ‘Abbās (R.A.H) who said: I witnessed the prayer of the day of al-fiṭr with the Prophet (S.A.W) and Abū Bakr (R.A.H) and ‘Uthmān (R.A.H) and all of them prayed before the sermon, delivering it thereafter. Then the Prophet (S.A.W) descended [the pulpit] and it is as if I am looking at him when he indicated with his hand for the men to sit, he then passed by the men’s rows²²⁵ until he came to the women with Bilāl (R.A.H). [and recited ...]

Allah says: “O Prophet! When believing women come to you to give you *Bay‘ah* (pledge), that they will not associate anything in worship with Allah, that they will not steal, that they will not commit illegal sexual intercourse, that they will not kill their children, that

²²⁴See: Ibn Ḥajr al-‘Asqalānī, *Al-Isābah fī Tamayīz al-Ṣaḥābah*, vol. 4, pp. 466.

²²⁵Opening: meaning the men’s rows.

they will not utter slander, intentionally forging falsehood (i.e by making illegal children belonging to their husbands), and that they will not disobey you in any *ma'ruf* (Islamic Monotheism and all that which Islam ordains) then accept their *Bay'ah* (pledge), and ask Allah to forgive them, Verily Allah is Oft-Forgiving, Most Merciful.” (Al-Mumtahana: verse 12)

“Until he recited the entire verse. Then he said when it was completed: ‘Do you accept (Islam) on that basis?’ One woman answered and no other women answered except her: ‘Yes, Prophet (S.A.W) of Allah.’ Al-Ḥasan did not know who she was. He said: ‘The women then gave charity and Bilāl stretched open his robe and they threw big rings²²⁶ as well as other jewellery into Bilāl’s (R.A.H) robe.’”²²⁷

Indeed the pledge of the women to the Prophet (S.A.W) is an indication of many things. The first indication: Their independence as they did not simply follow men but pledged their allegiance as men pledged. The second indication: The women’s pledge was a pledge to Islam and obedience to the Prophet (S.A.W) and in this men and women were equals. Thus men made a pledge to the Prophet (S.A.W) sometimes in the same way that women pledged. ‘Ubādah ibn al-Sāmit narrated that verily the Prophet (S.A.W) said, and there were around him a group of his companions: “Come pledge to me that you will not associate anyone with Allah and will not steal and will not to kill your children and not commit bad deeds pertaining to that which is between your hands and legs and not to disobey me. And not to disobey me in that which is good ...” So he said: “So I pledged myself to him on that basis.”²²⁸

²²⁶ A big ring: i.e. jewellery

²²⁷ *Al-Bukhārī*, Kitāb al-Tafsīr Surah al-Mumtahinah: Bāb: idhā Jā‘aka al-mu‘mināt yubāyi‘naka, vol. 10, pp. 265; *Muslim*, Kitāb Ṣalāh al-‘Īdayn, vol. 3, pp 18.

²²⁸ *Al-Bukhārī*, Kitāb: al-Manāqib: Bāb: Wufūd al-Ansār ila al-Nabī (SAW) wa bay‘ah al-‘Aqabah, vol. 8, pp. 222.

There was however also a pledge specifically for men, which is [the pledge] regarding Jihād and resistance and an example thereof is the pledge of Riḍwān on the day of Ḥudaybiyyah.

The third indication: The pledge of women to the Prophet (S.A.W) is founded upon two bases: Firstly: By regarding him (S.A.W) as the Messenger conveying [the message] from Allah. And secondly: Regarding him (S.A.W) as the Commander of the Believers. The second basis is affirmed by Allah the Sublime's statement: **“And they do not disobey you in good,”** and the Prophet's statement concerning obedience to the leader: “Verily: Obedience [is with regards to that which is] good.”²²⁹

The pledge of the women to the Prophet (S.A.W) reminds [one] of the presence of some women at the second pledge of ‘Aqaba alongside the men. Thus Al-Ḥāfiẓ ibn Ḥajr mentions a ḥadith verified by Ibn Ishāq and certified as correct by Ibn Ḥabbān.

Ka’ab ibn Mālik said: “We went out on pilgrimage with the disbelievers of our people and we prayed and we stood and with us was Barrā ibn Ma’rur our leader and elder ...” He said: “And we gathered at the third ‘Aqaba 73 men with us and two women: Umm ‘Immāra daughter of Ka’b, one of the women from the Banī Māzin and ‘Asmā’ daughter of ‘Amar, son of ‘Adā one of the women from Banī Salamah.”²³⁰

²²⁹*Al-Bukhārī*, Kitāb al-Aḥkām: Bāb: al-Sam‘ wa al-Ṭa‘ah līl ‘Imām mā lam takun ma‘ṣiyah, vol. 16, p. 241; *Muslim*, Kitāb: al-‘Imārah: Bāb: wujūb ṭa‘ah al-‘Umarā’ fī ghayr ma‘ṣiyah wa taḥrīmihā fī al-ma‘ṣiyah, vol. 6, p. 15.

²³⁰Ibn Ḥajr al-‘Asqalānī, *Fath al-Bārī*, vol. 8, pp. 220.

4.2 Testing of the émigré women

Allah Ta'alah says **“Oh you who believe! When believing women come to you as emigrants, examine them, Allah knows best as to their Faith, then if you ascertain that they are true believers send them back not to the disbelievers. They are not lawful (wives) to the disbelievers, nor are the disbelievers lawful (husbands) to them.”** (Al-Mumtahana, verse 10)

Narrated by Al-Miswar ibn Makhrama and Marwān both confirming what the other said: The Prophet (S.A.W) went out in the time of Ḥudaybīyah ... and Suhayl ibn ‘Amr came and said: “Come, write between us and you a writ.” So the Prophet (S.A.W) called his scribe and said: “Write.” So Suhayl said: “If any man comes to you from us and is of your religion, you will return him to us ...” Then the believing women came and Allah revealed:

“Oh you who believe! When believing women come to you as emigrants, examine them.” (Al-Mumtahana, verse:10)²³¹

Ḥāfiẓ ibn Ḥajr said: “From the believing women mentioned he named: Umayma daughter of Bashr wife of Ḥasan ibn Dahdāhah...and Sabīyah daughter of Al-Hārith wife of Musāfir Al-Makhzūmī ... and Burūgh daughter of ‘Aqabah wife of Shammās ibn ‘Uthmān ... and the daughter ‘Abd al- Aziz son of Nadlah, wife of ‘Amr ibn ‘Abd Wud”²³²

²³¹Al-Bukhārī, Kitāb al-Shurūt: Bāb: al-Shurūt fī al-Jihād wa al-Muṣālahah, vol. 6, pp. 257.

²³²Ibn Ḥajr al-‘Asqalānī, *Fath al-Bārī*, vol. 6, p. 276.

Narrated by ‘Aīshah (R.A.H) wife of the Prophet (S.A.W) who said: “When the believing women emigrated to the Prophet (S.A.W) he tested them with the statement of Allah the Sublime:

“Oh you who believe! When believing women come to you as migrants, examine them” ...
to the end of the verse.

‘Aīshah said: “And who affirms this stipulation from the believing women affirms the ordeal.”

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Al-Ḥāfīz ibn Ḥajr said: “The statement: ‘And who affirms this stipulation affirms the ordeal,’ it points to the stipulation of faith; but Al-Tabarī’s narration is even more explicit ... narrated by Ibn ‘Abbās (R.A.H), he said: “The women’s test was: To bear witness that there is no God but Allah and Muḥammad is the Messenger of Allah.” Another narration by Al-Tabarī from Ibn ‘Abbās (R.A.H) states: “By Allah, I did not leave out of hate of a husband, by Allah, I did not leave longing to go from one land to another land, and by Allah I did not leave looking for the world, and by Allah, I did not leave except for the love of Allah and His Prophet (S.A.W).”²³⁴

²³³*Al-Bukhārī*, Kitāb al-Ṭalāq: Bāb: idha aslamat al-Mushrikah aw al-Naṣrāniyyah taḥt al-Dhimmī aw al-Ḥarbī, vol. 11, p. 345.

²³⁴Ibn Ḥajr al-‘Asqalānī, *Fath al-Bārī*, vol. 11, p. 345.

4.3 A Woman invites her suitor to Islam

Narrated by Jābir ibn ‘Abdullāh, indeed the Prophet (S.A.W) said: “I was shown Jannah, so I saw Abī Ṭalha’s wife ...”²³⁵

Abī Ṭalha’s wife was Umm Sulaym and her marriage to Abī Ṭalha [contains] a story that emphasizes her strong personality, her strong faith and her commitment to inviting the man that came to propose for her, to the new religion.

Ibn Sa‘d narrates in *Al-Ṭabaqāt* that Abī Ṭalha came to propose to Umm Sulaym so she said: “Oh Abī Ṭalha, do you not know that your god that you worship, is just a tree that grows in the earth, carved by an Abyssinian, the son of so and so? Abī Ṭalha, do you not know that your goddess that you worship if you light a fire to her, she would burn? Do you see the stone that you worship, it can’t harm you nor does it benefit you!”²³⁶

From Thābit al-Banānī and from Anas who said: “Abī Ṭalha proposed to Umm Sulaym and she said: ‘Oh Abī Ṭalha, by Allah, the likes of you [cannot] be rejected, but you are a disbelieving man and I am a Muslim woman and so it is not permissible for me to marry you, but if you convert that will be my dowry and I will not ask you for anything else (even though he had the most wealth in terms of date palms amongst the Ansār in *Madīnah*).’²³⁷ He then accepted Islam and that was her dowry.”

²³⁵ *Muslim*, Kitāb: Faḍā’il al-Ṣaḥābah: Bāb: min Faḍā’il Umm Sulaym, Umm Anas ibn Māllik wa Bilāl (RAH), vol. 7, p. 145.

²³⁶ Ibn Sa‘d, *Al-Ṭabaqāt al- Kubra*, vol. 8, pp. 426-427.

²³⁷ What appears between brackets is from *Al-Bukhārī*, Kitāb al-Ashribah: Bāb: Isti’dhāb al-Mā’, vol. 12, p. 185; *Muslim*, Kitāb al-Ṣadaqah: Bāb: Faḍl al-Nafaqah wa al-Ṣadaqah ‘ala al-’Aqribīn wa al-Zawj, vol. 3, p. 79.

Thābit al-Banānī said: “At no time did I ever hear of a woman that had a more noble dowry than that of Umm Sulaym: [which was] Islam.”²³⁸

Thus Umm Sulaym came inviting her suitor to the new religion at a time when he (SAW) began establishing the Islamic state; and it was not completed because Madīnah was still a mixture of Muslims, Pagans and Jews.

4.4 Women’s participation in Jihād in defense of Islam

Narrated by Al-Rabī daughter of Mu‘awwidh, who said: “We were on a campaign with the Prophet (S.A.W) and we gave the people water and served them and treated the injured and returned the wounded and the dead to Madīnah.”²³⁹

Narrated by Anas Ibn Mālik (R.A.H), who said: “... The Prophet (S.A.W) said: ‘People from my ummah will face conquerors in the path of Allah, riding in the middle of waves of this ocean like kings ruling over their families.’ Umm Ḥarām said: ‘Oh Prophet (S.A.W) of Allah, pray for me that Allah makes me one of them,’ so he prayed for her ...”²⁴⁰

These two ḥādīth are sufficient here to show the participation of woman in jihād and we have previously dealt with all the aḥādīth on jihād in the fifth chapter.

²³⁸*Saḥīḥ Sunan al- Nasā’ī*: Kitāb al-Nikāh: Bāb: al-Tazwīj ‘ala al-Islām: Ḥādīth no. 3133, vol. 2, p. 703.

²³⁹*Al-Bukhārī*, Kitāb al-Jihād: Bāb: Mudāwāt al-Nisā’ al-Jurha’ fī al-Ghazu, vol. 6, p. 420.

²⁴⁰*Al-Bukhārī*, Kitāb al- Jihād: Bāb: al-Du’ā’ bi al-Jihād wa al-Shahādah li al-Nisā’ wa al-Rijāl, vol. 6, p. 350; *Muslim*, Kitāb al-’Imārah: Bāb: Kitāb Faḍl al-Ghazu fī al-Bahr, vol. 6, p. 50.

4.5 Women announcing loyalty to the Prophet (S.A.W) and he is the leader of the believers

Narrated by ‘Āishah (R.A.H) who said: “Hind, daughter of ‘Utbah, came and she said: ‘Oh Prophet (S.A.W) of Allah, there was never on the surface of the earth a household ²⁴¹ that I was more fond of [seeing] belittled than your household, but today there isn’t on the surface of the earth a household that I would be more pleased to [see] honored than your household.’ He said: ‘Me too, by the one in whose hand is my soul.’”²⁴²

4.6 Women granting protection to a man and the leader affirming her protection

Narrated by Umm Hānī, daughter of Abī Ṭālib, who said: “I went to the Prophet (S.A.W) in the year of the conquest of Makkah and I found him washing and Fātimah his daughter was covering him and I greeted him and he said: ‘Who is this’? So I said: ‘I am Umm Hānī, daughter of Abī Ṭālib.’ So he said: ‘Welcome Umm Hānī.’ So when he finished his ritual ablution he stood for prayer performing eight rakā’t, wrapped up in one garment. So I said: ‘Oh Prophet of Allah, my brother ‘Ali has claimed that he will kill a man that I give protection²⁴³ to, such and such [a person], the son of Hubayra. So the Prophet (S.A.W) said: ‘Thus we [grant] protection to whom so ever you [grant] protection to, Oh Umm Hānī.’”²⁴⁴

²⁴¹ Tent: tent from camel’s hair or wool.

²⁴² *Al-Bukhārī*, Kitāb al-Manāqib: Bāb: Dhikr Hind bint ‘Utbah, vol. 8, p. 141; *Muslim*, Kitāb al-‘Aqdīyah: Bāb Qaḍīyyat Hind, vol. 5, p. 130.

²⁴³ I hired him: I protected him

²⁴⁴ *Al-Bukhārī*, Kitāb Farḍ al-Khums: Bāb: ‘Amān al-Nisā’ wa Jawārihinna, vol. 7, p. 83; *Muslim*, Kitāb: Ṣalāt al-Musāfirīn: Bāb: Istihbāb Salāt al-Ḍuha’, vol. 2, p. 158.

5. Women's Interests in Political Matters

5.1 Umm Salamah responds to the call of the leader of the Muslims while he is on the pulpit

Narrated by ‘Abdullāh ibn Rāfi, who said: “Umm Salamah (R.A.H) said verily she heard the Prophet (S.A.W) saying from the pulpit, while she was having her hair brushed: ‘Oh People,’ so she said to the one brushing her hair: ‘Tie up my hair,’”²⁴⁵ (And in another narration:²⁴⁶ “I said to the slave girl: ‘Leave me.’ So she [the slave girl] said: ‘Indeed, he calls the men, and does not call the women.’ I then said to her: ‘I am [also part] of the People.’”²⁴⁷

5.2 Umm Salamah listens to the speech of the leader of the Muslims on the day of the march to the Banī Qurāyẓah

Narrated by Usāmah son of Zayd: “Verily, Jibrīl (A.S) came to the Prophet (S.A.W) and he (SAW) was with Umm Salamah. He then spoke, then he stood [and left] and so the Prophet (S.A.W) said to Umm Salamah (R.A.H): ‘Do you know who this is?’ So she said this is Dahiyah: Umm Salamāh (R.A.H) said: ‘I swear by Allah²⁴⁸ I didn’t think that it was other than Dahiyah himself, until I heard the sermon of the Prophet (S.A.W) conveying to us [what] Jibrīl (A.S) [had just told him].’²⁴⁹

This is how Umm Salamah (R.A.H)’s narration is related in summary. ‘Aīshah (R.A.H) clarified what Jibrīl (A.S) had said to the Prophet (S.A.W), and then the Prophet (S.A.W) mentioned it in his sermon. ‘Aīshah (R.A.H) said: “Jibrīl (A.S) came to Prophet (S.A.W),” (that was after his

²⁴⁵ Enough with my hair: which means gather the ends of my hair.

²⁴⁶ *Muslim*, Kitāb al-Faḍā’il: Bāb: Ithbāt Hawḍ Nabīyyinā (SAW) wa Šifātihi, vol. 7, p. 67.

²⁴⁷ Ibid.

²⁴⁸ An oath by Allah: an oath

²⁴⁹ *Al-Bukhārī*, Kitāb al-Manāqib: Bāb: ‘Alāmāt al-Nubūwwah fī al-Islām, vol. 7, p. 442; *Muslim*, Kitāb: Faḍā’il al-Šahābah: Bāb: Mīn Faḍā’il Umm Salamah (RAH) Umm al-Mu’minīn (RAH), vol. 7, p. 144.

withdrawal from the battle of the confederates) and so he, Jibrīl, said: “You have put your weapons down! And by Allah we [the angels] have not put down ours, so go out after them.” He (S.A.W) said: “So to where?” Jibrīl (A.S) said: “There, over there,” pointing to the Banī Qurāyzah...²⁵⁰

5.3 Fātimah bint Qāys responds to an invitation of a public meeting with the leader of the Muslims

Narrated by Fātimah bint Qāys, who said: “When my confinement had come to an end, and the mu’adhin said in the call to prayer, “(the prayer [the] gathering)”²⁵¹ I went out to the mosque and I prayed with Rasulullāh (S.A.W) and I was in the row of the women just behind the men.” In another narration²⁵²: “I went forth with the people and I was in the front row of the women, which is after the last row of the men, so when the Prophet (S.A.W) finished his prayer, he sat on the pulpit laughing, and he said: ‘Everyone remain at your place of prayer.’ And then he said: ‘Do you know why I have brought you together?’ They said: ‘Only Allah and his Prophet (S.A.W) know.’ He said: ‘Verily I have not gathered you to [incite] encouragement nor to [incite] fear.’”²⁵³

5.4 Zaynab bint al-Muhājir is preoccupied with the future of the Muslim Community

Narrated by Qāys ibn Abī Ḥazim, who said: “Abū Bakr went to a woman from Uḥmus,²⁵⁴ known as Zaynab bint al-Muhājir, and saw that she was not speaking. So he said: ‘Why doesn’t she

²⁵⁰ *Al-Bukhārī*, Kitāb al-Maghāzī: Bāb: Marjī‘ al-Nabī (SAW) min al-Aḥzāb, vol. 8, p. 411.

²⁵¹ Congregational Prayers: When the mu’adhin says this expression in the call to prayer it indicates an invitation to a public gathering together with the invitation to the prayer.

²⁵² *Muslim*, Kitāb al-Fitan wa Ashrāt al-Sā’ah: Bāb: fī khurūj al-Dajjāl wa makthihi hi fī al-Arḍ, vol. 8, p. 203.

²⁵³ *Ibid*; *Al-Bukhārī*, Kitāb al-Manāqib: Bāb: ‘Ayyām al-Jāhilīyyah, vol. 8, p. 203.

²⁵⁴ Uḥmus: is the name of the village.

speak?’ They said: ‘[Her’s is] a silent hajj.’²⁵⁵ He said to her: ‘Speak, indeed this is not permissible. This is the practice of [the period of] Jāhillīyah [Ignorance].’ So she spoke and she said: ‘Who are you?’ He said: ‘I am a person from the emigrants.’ She said: ‘Which emigrants?’ He said: ‘From the Quraysh.’ She said: ‘From which Quraysh are you?’ He said: ‘You ask a lot of questions.’²⁵⁶ I am Abū Bakr.’ She asked: ‘How will we adhere to this virtuous matter that Allah has brought after the period of Jāhillīyah?’ He said: ‘Your adherence [depends on] your leaders [acting] uprightly towards you.’ She said: ‘Who are the leaders?’ He said: ‘Did your people not have leaders and noblemen commanding you and you obeyed them?’ She said: ‘Yes indeed.’ He said: ‘It is they who are the leaders of the people.’²⁵⁷

5.5 *‘Āishah investigates the conditions of one of the governors*

Narrated by ‘Abd al-Rahmān ibn Shammās, who said: “I came to ‘Āishah (R.A.H) and I asked her about something. So she said: ‘From where are you?’ So I said: ‘[I am] a man from the people of Egypt.’ So she asked: ‘How did your leader treat you in this expedition?’ He said: ‘We harbor no malice against him; if a camel of one of our men died, he would give him a camel. And if a slave [died] he would give him a slave, and if a man needed subsistence he would give him subsistence.’”²⁵⁸

²⁵⁵ A silent hajj: that is she swore an oath to perform the Hajj in silence.

²⁵⁶ Questioning: full of questions

²⁵⁷ *Al-Bukhārī*, Kitāb al-Manāqib: Bāb: ‘Ayyām al-Jāhillīyah, vol. 8, p. 149.

²⁵⁸ *Muslim*, Kitāb al-‘Imārah: Bāb: Faḍīlat al-Imām al-‘Ādil wa ‘Uqūbah al-Jā’ir, vol. 6, p. 7.

6. Women Advising Men on Political Issues

6.1 Umm Salamah advising the Prophet (S.A.W) on the day of Ḥudaybiyyah

Narrated by al-Miswar ibn Makhramah and Marwān, each one of them verified the statement of his companion, the two said: “The Prophet (S.A.W) went out in the time of Ḥudaybiyyah ... and Suhayl ibn ‘Amr came and he said: ‘Bring and write between us a writ,’ so the Prophet (S.A.W) called the scribe and Prophet (S.A.W) said: ‘Write, in the name of Allah the Gracious, the Merciful.’ So Suhayl said: ‘As for the Gracious, by Allah, I do not know what is meant by it, however write: “In Your name, Oh Allah” as you used to write.’ So the Muslims said: ‘By Allah we will not write except in the name of Allah, the Gracious, the Merciful.’ The Prophet (S.A.W) said: ‘Write “In Your name, Oh Allah”... and the Prophet (S.A.W) said to him on condition that you allow [a space between us] and the House so that we can circumambulate it. So Suhayl said: ‘By Allah, the Arabs should not say that we succumbed to pressure,²⁵⁹ however you [may have] that from the following year.’ And it was written. And Suhayl said: ‘On condition that if a man from amongst us comes to you, even if he is from your religion, you will [nevertheless] return him to us.’ The Muslims said: ‘Praise be to Allah; how can we send him back to the disbelievers when he came to us as a believer?’ ... So ‘Umar ibn al-Khaṭṭāb said: ‘I came to the Prophet (S.A.W) and I said: ‘Are you not truly the Prophet of Allah?’ He said: ‘Yes, indeed.’ I said: ‘Are we not on [the path] of truth and [are not] our enemies [on the path] of falsehood?’ He said ‘Yes, indeed.’ [And ‘Umar said:] ‘So why are we giving [in to that which] diminishes²⁶⁰ our religion?’ He (S.A.W) said: ‘Verily, I am the Prophet of Allah and I don’t disobey Him and He is my Protector.’ And I said: ‘Didn’t you tell us that we will go to the Ka’ba and circumambulate it?’. So he said: ‘Yes indeed, but did I inform you that we will go this year?’ “Umar said: ‘I said: No.’ He said: ‘Verily, you will go to it and circumambulate it’ ... When he finished the matter of the writ, the Prophet of Allah said to his companions; ‘Stand up and slaughter [your sacrificial animal] then shave [your heads],’ and ‘Umar said: ‘By Allah none of the men stood even though

²⁵⁹ Pressure: coercion,

²⁶⁰ Become low: deficient/faulty

he said it three times.’ And when none of them stood, he (S.A.W) went to Umm Salamah and mentioned to her how the people reacted to him (S.A.W). Umm Salamah said: ‘Oh Prophet of Allah, do you approve²⁶¹ of that? Go out and do not say a single word to any of them until you have slaughtered your sacrifice and have called your barber and he shaves your hair.’ Then he went and did not talk to anyone until he had done that. He (S.A.W) slaughtered his animal and called the barber who shaved his hair. When they saw that, they stood and slaughtered and cut each other’s hair ...’’²⁶²

6.2 Umm Sulaym advising the Prophet (S.A.W) on the day of Ḥunayn

Narrated by Anas to Umm Sulaymon the day of Ḥunayn ... she said: “Oh Prophet of Allah, kill the pardoned ones²⁶³ that have been defeated by you.” So the Prophet (S.A.W) said: “Oh Umm Sulaym, verily Allah has ordained [what is] sufficient and better.”²⁶⁴

6.3 Ḥafṣah advising her brother ‘Abdullāh after ‘Umar ibn al-Khattāb is stabbed in the Masjid

Narrated by Ibn ‘Umar who said: “I came to Ḥafṣah and she said: ‘Did you know that your father did not appoint a successor?’²⁶⁵ Ibn ‘Umar said: ‘It is not for him to do so.’ She said: ‘Verily, he is doing it.’ He said: ‘So I swear verily I will talk to him about that.’ Then I kept silent until I left and I did not talk to him. He said: It was like I was carrying a mountain in my right hand, until I left and returned to him, and so he asked me concerning the condition of the people and I

²⁶¹ To approve: to approve

²⁶² *Al-Bukhārī*, Kitāb al-Shurūt: Bāb: al-Shurūt fī al-Jihād wa al-Muṣālahah ma‘a ahl al-Ḥarb wa Kitābat al-Shurūt, vol. 6, pp. 257; 269-276.

²⁶³ Kill the pardoned ones that have been defeated by you: *Al-Ṭulaqā’* (the pardoned ones) are those people of Makkah that accepted Islam on the day of the Conquest and are called as such because the Prophet (SAW) showed them magnanimity and set them free and said to them: Go as you are pardoned. Their [practice of Islam] was weak and Umm Sulaym believed that they were hypocrites and deserved to be killed after being defeated.

²⁶⁴ *Muslim*, Kitāb al-Jihād wa al-Siyar: Bāb: Ghazwat al-Nisā’ ma‘a al-Rijāl, vol. 5, p. 196.

²⁶⁵ Without a successor: did not bequeath a representative to one after him.

informed him. Ibn ‘Umar said: ‘Then I said to him. “Verily, I heard the people saying a statement, so I swore an oath²⁶⁶ to tell it to you; verily, they claim that you did not appoint a successor. Verily, if there were a camel herder or a sheep herder and he came to you and left his herd, you would see them go astray²⁶⁷, so seeing to the people is even more important.” So he agreed with that which I said and he put his head down for a while, then he raised it up to me and said: “Allah the Honored, the Sublime, protects His religion. And if I do not leave a successor, so verily the Prophet (S.A.W) did not leave a successor either, and if I leave a successor verily Abā Bakr did leave a successor.” Ibn ‘Umar said: As soon as he mentioned the Prophet (S.A.W) and Abā Bakr, I knew verily that he would not equate anyone with the Prophet (S.A.W) and that he was not going to name a successor.”²⁶⁸

6.4 Ḥafṣah advising her brother ‘Abdullāh on the day of arbitration between ‘Alī and Mu‘āwīyah

Narrated by Ibn ‘Umar who said: “I came to Ḥafṣah and her braids²⁶⁹ were dripping with water²⁷⁰. And I said: ‘The state of the people is as you see, and I have not given any say in the matter.’ So she said: ‘In truth they are waiting for you and I fear that your holding back from them will cause division.’ She persisted until I left.”²⁷¹

Ḥāfiẓ ibn Ḥajr said: “(His statement: The state of the people is as you see....) is a reference to the fighting between ‘Alī and Mu‘āwīyah at *Siffīn*, on the day in which the people gathered to judge between them in that which they differed on. They had undertaken to meet to deliberate over

²⁶⁶Oath: to swear an oath.

²⁶⁷ Neglect: here it means neglect and sometimes neglect to the point of destruction.

²⁶⁸ *Muslim*, Kitāb: al-’Imārah: Bāb: al-Istikhlāf wa Tarkihī, vol. 6, p. 5.

²⁶⁹ Dripping: as if she had just taken a bath.

²⁷⁰ The braids were wet.

²⁷¹ *Al-Bukhārī*, Kitāb al-Maghāzī: Bāb: Ghazwat al Khandaq wa hiya al-Aḥzāb, vol. 7, p. 406.

this. Ibn ‘Umar consulted his sister concerning whether he should go to them or not and she advised him to go to them out of fear that his absence would lead to the continuation of the sedition ...”

In another narration transmitted by ‘Abd al-Razzāq with a reliable chain of narration on the authority of Ibn ‘Umar who said: “On the day on which Mu‘awīyah gathered at Dowmah al-Jandal, Ḥafṣah said: ‘Verily it does not look good for you to stay away from a reconciling in which Allah reconciles between the followers of Muḥammad (S.A.W) and you are the brother in-law of the Prophet (S.A.W) and the son of ‘Umar ibn al-Khaṭṭāb.’”²⁷²

7. Woman Spreading Awareness of Prophetic Guidance in the Political Domain

Narrated by Dabbah ibn Muḥsin al-Anzī, narrated by Umm Salamah (R.A.H) the wife of the Prophet (S.A.W), narrated from the Prophet (S.A.W), who (S.A.W) said: “Indeed leaders will be placed in charge over you and you will approve [of their actions] and disapprove²⁷³ [of their actions], so whosoever dislikes [their detestable actions] is absolved and whoever disapproves is safe-guarded, but who is satisfied and he follows²⁷⁴ [is neither absolved nor safe-guarded]. They said, ‘Oh Prophet of Allah, should we fight them?’ He said: ‘No, as long as they pray.’”²⁷⁵

²⁷² Ibn Ḥajr al-‘Asqalānī, *Fath al-Bārī*, vol. 8, pp. 406-407.

²⁷³ They approved and disapproved: so they regarded some of their actions as good and some of them as repugnant.

²⁷⁴ But who is satisfied and follows: that is who is satisfied and follows he does not absolve himself and he does not submit.

²⁷⁵ *Muslim*, Kitāb: al-‘Imārah : Bāb: Wujūb al-Inkār ‘ala al-‘Umāra’ fīmā yukhālifu al-Shar‘ wa tark Qitālihim mā Ṣallū, vol. 6, p. 23.

Narrated by ‘Abd al-Raḥmān ibn Shammās, who said: “I came to ‘Āishah (R.A.H) and I asked her regarding something, so she said ... ‘I am informing you of what I heard the Prophet of Allah (S.A.W) saying in this house of mine: Oh Allah whoever is placed in charge of any matter concerning my community and places upon them difficulty, place upon him difficulty too, and whosoever is placed in charge of any matter concerning my community and shows them kindness, so show kindness to him.’”²⁷⁶

Narrated by Yaḥya ibn-Ḥusayn, narrated from his grandmother Umm al-Ḥusayn; who said: “I heard her say: ‘I performed the farewell pilgrimage with the Prophet of Allah.’ She then said: ‘The Prophet (S.A.W) said many things and then I heard him saying: “If a mutilated slave ²⁷⁷ is placed in authority over you [Yaḥya said, ‘I thought she said: black slave].’ that leads you with the book of Allah, so listen to him and obey him.””²⁷⁸

Narrated by ‘Ubaydullāh ibn al-Kibtīyyah he said: “Hārith ibn Abī Rabīh and ‘Abdullāh ibn Safwān and I went to Umm Salamah, Mother of the Believers. The two of them asked her, concerning the army that was swallowed in the days of Ibn Zubayr, so she said: “The Prophet (S.A.W) said: ‘The one in need of protection will take refuge in the house²⁷⁹ (that is the Ka‘ba) and when the expedition is sent out and when they reach the barren land, they will be swallowed up.’ So she said: ‘Oh Prophet of Allah, what about those who went out under duress?’ He said: ‘He will be swallowed with them but he will be raised on the day of resurrection based on his intention.’”²⁸⁰

²⁷⁶*Muslim*, Kitāb: Al-’Imārah: Bāb: Faḍīlah al-Imām al-’Ādil wa ‘Uqūbah al-Jā’ir, vol. 7, p. 7.

²⁷⁷ Mutilated: meaning with a cut off nose, ear or limb.

²⁷⁸*Muslim*, Kitāb: al-’Imārah: Bāb: Wujūb Ṭā’ah al-’Umārah’ fī ghayri ma’ṣiyah wa taḥrīmiha fī ma’ṣiyah, vol. 6, p. 15.

²⁷⁹ The one who seeks protection invokes protection of the house: he seeks refuge and clings to the house.

²⁸⁰*Muslim*, Kitāb al-Fitan wa Ashrāt al-Sā’ah: Bāb: Al-Khasf bi al-Jaysh aladhi Ya’ummu al-Bayt, vol. 8, p. 166.

7.1. *The Participation of Women in Opposing the Muslim Ruler*

7.2 *The role of ‘Āishah (R.A.H), Mother of the Believers in the era of the four Rightly Guided Khalīfahs*

Narrated by ‘Abdullāh ibn Ziyād al-Asadī who said: “When Ṭalḥa, Zubayr and ‘Āishah (R.A.H) marched to Basra, ‘Alī sent ‘Ammār ibn Yāsir and Ḥasan ibn ‘Alī and the two of them came to us in Kūfah and ascended the pulpit. Ḥasan ibn ‘Alī was at the very top of the pulpit and ‘Ammār was standing below Ḥasan. We gathered around ‘Ammār and I heard ‘Ammār saying: “‘Āishah (R.A.H) has marched to Basra and she is the wife of your Prophet (S.A.W) in this world and in the hereafter. But Allah the Blessed and Sublime is testing²⁸¹ you to know if you obey Him or her.”²⁸²

We quote this incident to prove the participation of women in opposing the Muslim ruler. Verily ‘Ammār in this Ḥadīth did not condemn ‘Āishah’s (R.A.H) expression of an opposing opinion and her demand - with [some] of the honored companions – for retribution against the murderers of ‘Uthmān; what he opposes is her right to march out in a big group and the possible consequences thereof, which include fighting between two Muslims groups. Just as ‘Ammār condemned here ‘Āishah’s (R.A.H) marching out, similarly Abū Mūsa and Abū Masūd condemned Ammār’s willingness to fight [‘Āishah (R.A.H)’s group].

Narrated by ‘Abī Wā’il he said: “Abū Mūsa and Abū Masūd came to ‘Ammār, when ‘Alī sent him to the people of Kūfah to mobilize them to fight. They said [to him]: ‘We have never seen you engaged with a matter ever since you accepted Islam that is more detestable to us than your

²⁸¹ Tests: trials / tribulations

²⁸²*Al-Bukhārī*, Kitāb al-Fitan: Bāb: Ḥaddathanā ‘Uthmān Ibn Haytham, vol. 16, p. 168.

hastiness in this matter.’²⁸³ ‘Ammār responded: ‘I have not seen from the two of you since you accepted Islam something more detestable to me than you delaying in this matter.’²⁸⁴ ...’²⁸⁵

Similarly, Abū Bakrah condemned the participation of both groups (the group of the Muslim Ruler and the Opposition group) in the dissension. Narrated by Ḥasan from al-Akhnaf Ibn Qays who said: “I went out with my weapons on the night that the dissension was happening and Abū Bakrah met me and said: ‘Where are you heading?’ I said: ‘I want to assist the cousin of the Prophet (S.A.W.)’ He said: ‘The Prophet (S.A.W) said: “When two Muslim groups face each other with their swords, then both of them will be of the people of the fire.” It was said: “The killer is mentioned but what about the condition of the [one who is] killed?” The Prophet (S.A.W) said: “Verily he wanted to kill his companion.”’²⁸⁶

Narrated by ‘Abū Bakrah, he said: “Allah has benefited me with the words of the Day of the Camel. When the news was conveyed to the Prophet (S.A.W) that the Persian’s made Qisrah’s daughter their queen, he (S.A.W) said: ‘A people who give the right of command over them to a woman will never succeed.’”²⁸⁷

Verily, even though we feel pained to discuss these events since they resulted in the lamentable fighting between two Muslim groups – [both of which] we respect and whose high status we affirm - we nonetheless have to bear this pain to enable us to examine the texts related to women in fulfillment of the obligation we have undertaken here.

²⁸³*Al-Bukhārī*, Kitāb al-Fitan: Bāb: Ḥaddathanā Abū Nu‘aym, vol. 16, p. 180.

²⁸⁴ Ibid.

²⁸⁵ Ibid.

²⁸⁶ *Al-Bukhārī*, Kitāb al-Fitan: Bāb: Idhā iltaqā’ al-Muslimān bi sayfāyhimā, vol. 16, p. 140.

²⁸⁷ *Al-Bukhārī*, Kitāb al-Fitan: Bāb: Ḥaddathanā ‘Uthmān ibn Haytham, vol. 16, p. 164.

7.3 The role of 'Asmā' bint Abī Bakr in the time of the al-Hajjāj bin Yūsuf al-Thaqafī

Narrated by Abī Nawfal who said: "I saw 'Abdullāh ibn Zubayr at the entrance of the city²⁸⁸ (crucified). He said: The Quraysh and the people passed by him until 'Abdullāh ibn 'Umar also passed by and stopped by him. Then he said: 'Peace be upon you Abā Khubayb [i.e. 'Abdullāh ibn Zubayr], peace be upon you Abā Khubayb, peace be upon you Abā Khubayb. And by Allah I prohibited you from this, and by Allah I prohibited you from this, and by Allah I prohibited from this. Yet by Allah I have not known [a person so devoted] to regular fasting, to regular performance of the late night prayer, to forging strong family ties [such] as you. Yet, by Allah, they claim that you are the worst of this ummah but you are the best.' So 'Abdullāh Ibn 'Umar then left. Abdullāh's statement and views were then conveyed to Hajjāj. Someone was then sent to (the crucified Ibn Zubayr) and they took him down from the branch of the crucifix²⁸⁹ and dumped him in the Jewish cemetery. [Hajjāj] then sent for his mother 'Asmā' bint Abī Bakr, but she refused to come to him. So he sent the messenger again to her [telling him to say to her]: 'Come to me or I will send someone to drag you to me by your forelocks.'²⁹⁰

Ibn Nawfal said: "So she refused and said: 'I will not come unless you send someone to pull me by my forelocks.'"

Ibn Nawfal said: "Hajjāj said: 'Give me my shoes,'²⁹¹ and he took his shoes and he went forth at a fast pace²⁹² until he came to her and said: 'What do you think of what I did to Allah's enemy?' She said: 'I see you have cast ruin on his worldly life and have cast ruin upon your afterlife.' He said: 'It reached me that you said to him: "Oh son of the one who possess two belts."²⁹³ She said: 'By Allah, I am the possessor of two belts. With one of them I carried the food of the Prophet (S.A.W) and the food of Abū Bakr from the animals. As for the other belt, it is the belt of a

²⁸⁸ The city of Aqabah: meaning the entrance to the city of Makkah.

²⁸⁹ Its trunk: that is the tree trunk on which he was crucified.

²⁹⁰ Your forelocks: plural forelocks and it the women's hair or her braids

²⁹¹ Shoes: Every skin is dyed and is intended for a shoe.

²⁹² Fast: he quickly

²⁹³ A piece of rope

woman that she cannot do without it. The Prophet (S.A.W) said to us that in Thaqīf there is a liar and a mass murderer;²⁹⁴ as for the liar²⁹⁵ we have seen him and as for the mass murderer I do not believe it is anyone other than you.’

Ibn Nawfal said: “So he stood up [and left] and didn’t set her right.”²⁹⁶

In this way a Muslim woman took a position in opposition to an oppressive ruler when he was at the height of his power, unconcerned and fearless, she struck him with words whose effect was even more powerful than the lash of a whip.

We conclude these attestations with a unique attestation from the noble Qur’ān that narrates to us a story of a queen who attained acumen [and engaged in] sound politics and followed a method of taking council in her rulings ... then she submitted to Sulaymān’s [invitation] to Allah the Lord of the worlds. The Qur’ān draws our attention by way of this attestation that a woman may have [the kind] of insight and good sense in political matters that is far superior to that of men.

V20 “He inspected the birds, and he said: “What is the matter I cannot see the hoopoe bird? Or is he amongst the absentees? V21 “I will surely punish him with a severe torment, or slaughter him, unless he brings me a clear reason. V22 “But the hoopoe stayed not long, he (came up and) said: “I have grasped (the knowledge of a thing) which you have not grasped and I have come to you from Saba’ (Sheba) with true news. V23 “I found a woman ruling over them, and she has been given all things that could be possessed by any ruler of the earth, and she has a great throne. V24 “I found her and her people worshipping the sun

²⁹⁴ Mass killer: Destructive killer indicating that he killed a lot.

²⁹⁵ Liar: He is Al-Mukhtār Abī ‘Ubayd al-Thaqāfi.

²⁹⁶ *Muslim*, Kitāb Faḍā’il al-Ṣaḥābah: Bāb: Dhikr kadhḥāb Thaqīf wa mubīriha, vol. 7, p. 190.

instead of Allah and Shaitan (Satan) has made their deeds fair-seeming to them, and has barred them from (Allah's) Way, so they have no guidance." V25 Al-La (this word had two interpretations) (A)[As Shaitan (Satan) has barred them from Allah's way] so that they did not worship(prostrate before)Allah, or (B) So that they may worship (prostrate before) Allah, Who brings to light what is hidden²⁹⁷ in the heavens and the earth, and who knows what you conceal and what you reveal. V26 "Allah, La Ilaha illa Huwa (none has the right to be worshipped but He), the Lord of the Supreme Throne!" V27 "[Sulaimān (Solomon)]said: 'We shall see whether you speak the truth or you are (one) of the liars' V28 'Go you with this letter of mine, and deliver it to them, then draw back from them, and see what (answer) they return.' V29 "She said: 'O Chiefs! Verily! Here is delivered to me a noble letter,'"V30. "'Verily it is from Sulaimān (Solomon) and verily! It (reads): 'In the name of Allah. the Most Gracious, the Most Merciful;'" V31 "'Be you not exalted against me, but come to me as Muslims (true believers who submit to Allah with full submission)'" V32 "She said: 'O Chiefs, advise me in (this) case of mine. I decide no case till you are present with me.'" V33 "They said: 'We have great strength, and ability for war, but it is for you to command; so think over what you will command.'" V34 "She said: 'Verily, kings when they enter a town (country), they despoil it, and make the most honorable amongst its people lowest. And thus they do.'" V35 "'But verily! I am going to send him a present, and see with what (answer) the messengers return.'"(Al-Hadīd, verses 20-35)

V42 "So when she came, it was said (to her): 'Is your throne like this?' She said: '(It is) as though it were the very same.' And [Sulaimān (Solomon) said]: 'Knowledge was bestowed on us before her, and we were submitted to Allah (in Islam as Muslims before her).'" V43 "And that which she used to worship besides Allah has prevented her (from Islam), for she

²⁹⁷ Hidden: [That which is hidden] in the earth is interpreted to be a plant and that which hidden in the sky is interpreted to be rain.

was of disbelieving people” V44 “It was sent to her: “Enter *As-Sarh*²⁹⁸[(a glass surface with water beneath it) or a palace], but when she saw it, she thought it was a pool²⁹⁹, and she (tucked up her clothes) uncovering her legs. Sulaimān (Solomon) said: ‘Verily, it is Sarh [(a glass surface with water underneath it) or a palace] paved smooth with a slab of glass.’³⁰⁰ She said: ‘My Lord! Verily, I have wronged myself, and I submit (in Islam, together with Sulaimān (Solomon), to Allah, the Lord of the ‘Ālamīn (mankind, jinns and all that exists).’” (Al Naml, verses 42-44)

8. New Social Phenomena Relating to Women’s Political Activity

1. The phenomenon of colonization that covered most parts of the Muslim world and with it the violent Zionist seizure of the land of Palestine made women participate in the struggle, thereby contributing to the liberation movement.

2. The phenomenon of an interwoven society in which there is easily accessible means of transport and a broadening sphere of media. This phenomenon nurtured the development of political consciousness within men and women, just as it nurtured the ability to follow political issues and participate in them.

3. The phenomenon of developing education and diversifying and circulating it in all its stages to boys and girls, with many women practicing professional work and social activism. This phenomenon has nurtured the capacity of sectors of women to participate in political activism

²⁹⁸ As-Sarh: Surface made from transparent white glass beneath it fresh water.

²⁹⁹ She thought it was a pool: she thought it was water

³⁰⁰ Paved smooth with glass: smooth made from glass

either by participating in strikes and protests or by casting a vote in elections to the local parliament, the union and legislative assembly, or by nominating members to the parliament, political parties and nationalist movements.

4. The phenomenon of the complexity of a modern society and the complexity of women's lives due to that. This phenomenon nurtured problems and new issues relating to women and motivated them to participate in local parliaments and legislative assemblies, since women are more perceptive and conscious of issues affecting them and the means to remedy them, participation alongside males in parliament is more advantageous.

5. The phenomenon of the growth of political consultation and its advancement on a global level, but varying levels of practical application. This phenomenon has borne several serious attempts at [establishing] political consultation, as well as superficial attempts on behalf of Arab governments and Islamic governments. It has also borne the desire by men and women to attain such consultation and calls by political parties and nationalist movements in every society for the active application of political consultation.

8.1 Defining the Contemporary Political Activity

1. Political activity is activity related to the manner in which legislative and executive authority is constructed and the methodology that they follow and the activities they undertake. The individual's interest in political matters predisposes him/her to such activity and inspires him/her to [pursue] further study and engagement. This in turn creates good awareness of how things are and how they should be. All of this guides the political activity undertaken by the individuals, which is directed towards society.

2. Social activism is a natural precursor to political activism because social activism predisposes the individual to awareness of social matters. If social activism is specific to the role of

individuals in these issues, then political activism is specific to the role of the governing authority and there is continuous interaction between each of these roles.

3. The Most Important Manifestations of Political Activity are Encapsulated in:

(a) Practically participating in choosing a ruler

(b) Participating in choosing a representative for the nation in the legislative council. These council's [for parliament] undertake the dual task of legislation i.e. passing new laws and oversight of the activities of the executive authority.

(c) Expressing an opinion by advocating for or objecting to the activities of the executive and legislative authority, and by making speeches, writing, protesting, striking and signing memoranda.

(d) Participating in the activities of the political parties and national movements.

(e) Contesting membership to the local council and legislative councils [parliaments].

4. Political activity requires an increased awareness of culture and broad interests. Thus these qualifications would, in the beginning, be limited to a small number of citizens, men and women. However these limitations widen with increasing access to civil liberties from one perspective and the growth of political praxis from another. Both these components are regarded as effective elements in the conscientization and attraction of the masses towards undertaking their obligation to guide the [governing] authority. Just as women's interests differ from men's with regard to matters of politics, according to their capabilities and position, so too is the situation with regards to women. There are illiterate women and educated women, and there are secluded housewives and housewives engaged in different types of activism in the house and outside. There are also

working women possessing limited responsibility as well as working women possessing great responsibility in the spheres of education or medicine or media ect. Each of these women possesses a specific capability to undertake political activity.

9. Legitimate Characteristics of Women’s Political Activity in our Era

9.1 The First Characteristic

Muslim women, like men, are invited to show concern with political matters in their society. Women are also called upon to contribute within the limits of their circumstances and to the extent of their capacity to uplift their society by commanding good and negating evil and striving to give good counsel. This constitutes supporting the positive and resisting the deviant. This is a kind of rewarding, striving for the attainment of good and just governance.

9.1.1 As for women’s preoccupation with political matters in her society:

The beautiful statement of Umm Salamah (R.A.H), “Verily I am [also part] of the People,” arose because she considered the Imām’s speech to the people to be directed to men and women equally, and not only to the men. How truthful the saying is of Fāṭimah bint Qays: “So I went [to] the mosque with those of the people who went to the mosque,” and she participated with the men in responding to the call of the Imām. This is a reference to the narration of Umm Salamah (R.A.H) quoted earlier and the Ḥadith conveyed by Fāṭimah bint Qays included in the section on the participation of woman in political activities in the Islamic state.

As for the participation of women in the upliftment of society and the attainment of good and just governance, thus Allah says:

“The believers, men and women, are Awliyā’ (helpers, supporters, friends, protectors) of one another, they enjoin (on the people) Al-Ma’rūf (i.e. Islamic Monotheism and all that Islām orders one to do), and forbid (people) from Al-Munkar (i.e. polytheism and disbelief

of all kinds, and all that Islām has forbidden); they perform As-salāt (the prayers), and give the Zakāt (obligatory charity), and obey Allah and His Messenger (S.A.W). Allah will have His Mercy on them. Surely, Allah is All-Mighty, All-Wise.” (Al-Taubah, V:71)

Narrated by Tamīm al-Dārī, who said that the Prophet (S.A.W) said: “Religion is advice.”

“We said: ‘For whom?’ So he said: ‘For the sake of God, His book and His Prophet (S.A.W) and the leaders of the Muslims and the Muslim masses.’”³⁰¹

Narrated by Jarīr ibn Abdullāh who said: “I came to the Prophet (S.A.W) and said: ‘I pledge allegiance to you in Islām,’ and he stipulated ‘[giving] good advice to every Muslim’. So I pledged allegiance on this...”³⁰²

How high is the the status of advice in Allah’s religion, and the noble Prophet of God expressed this in his statement “Religion is advice,” that is, true religion cannot be without advice. The religion is the religion of every Muslim male and female. And Allah the Most High will ask us all, men and women, about performing the obligation of giving advice to the Muslim leader and the masses all according to his position or according to his ability. Advice has two aspects, a psychological-emotional aspect which involves wanting the best for all Muslims in general, and an aspect specific to the practical behavioural side, which entails expressing an opinion and pronouncing a truthful word even if the cost to the people entails effort and hardship.

Al-Sayyid Rashīd Ridā (May Allah have Mercy upon him) stated in his commentary on the verse: ““And the believing man and believing woman, some of them are allies of others.” This verse makes obligatory the commanding of good and the prohibiting of evil, and it encompasses

³⁰¹*Muslim*, Kitāb al-’Imān: Bāb: Bayān anahu lā yadkhulu al-Jannāh ’illa al-Mu’minūn, vol. 1, p. 53.

³⁰²*Al-Bukhārī*, Kitāb al-’Imān: Bāb Qawl al-Nabī (SAW) al-Naṣiḥah lillāhi wa li Rasūlihi wa ’A’immat al-Muslimīn, vol. 1, p. 147; *Muslim*, Kitāb al-’Imān: Bāb: ‘Annahu lā yadkhulu al-Jannāh ’illa al-Mu’minūn, vol. 1, p. 54.

that which is said and that which is written and criticism of rulers including caliphs, kings, governors and all others. Women knew this and used to undertake it.”³⁰³

He is correct in stating that women in fact knew this and acted upon it. Samra bint Nahīk – as we have shown in the section on social activity - acted on this social obligation and confronted the caliphs and the governors appointed by the people. She commanded them towards good and prevented them from committing evil. Umm Darda‘ the wife of the noble companion, Abī al-Darda‘ confronted the caliph and prevented him from evil. Zayd Ibn Aslam narrated that ‘Abd al-Mālik ibn-Marwān, sent him to Umm Darda‘ with belongings,³⁰⁴ from him. One night, ‘Abd al-Mālik woke up, called his servant, who was slow to respond to him, and so he cursed him. When the morning came, Umm Darda‘ said to him: “Last night I heard you cursing your servant when you called him.” She continued: “I heard Abu Darda‘ say: ‘The Prophet (S.A.W) said: “There will be no intercession³⁰⁵ and no witnesses³⁰⁶ for the one who curses on the day of resurrection.””³⁰⁷

‘Asmā’ bint Abī Bakr, as mentioned earlier, challenged the authority of one of the governors. Al Hajjāj ibn Yūsuf al-Thaqafī. She put her life and her honor [at risk] to confront the aggression of an oppressive ruler who did not care much for the sanctity of Muslims.

9.2 The Second Characteristic

Sometimes political activity is necessary and the Muslim woman must participate to perform what is considered as a collective obligation on women in this field.

³⁰³ *Kitāb Nidā ila al-Jins al-Laṭīf*, p. 13. (Published by al-Maktab al-Islāmī: Beirut).

³⁰⁴ Belongings for a house to adorn it, with that which included a rug, pillows and a screen/cover/veil.

³⁰⁵ There is not to be for the one that curses intercession: There will be no intercession on the day of resurrection when the believers will intercede in matters of their brothers from those that deserve the fire.

³⁰⁶ And no witnesses: They will not be amongst those who bear witnesses on the day of resurrection on the Nation and the messengers conveyed to them the message.

³⁰⁷ *Muslim*, Kitāb al-Birr wa al-Ṣillah wa al-’Ādāb: Bāb ‘an la’n al-Dawāb wa ghayrihā, vol. 8, p. 24.

9.2.1 These obligations include:

(a) Undertaking every action needed to ensure good and just governance and which requires the efforts of women alongside men to be fulfilled in the correct manner. An example of this is the participation of women in electing appropriate people to parliaments and local councils and unions; it also includes participating in referendums that measure public opinion and that help to affirm the good and reject the bad.

(b) Joining parties and sincere political movements that seek good for the nation and strive to guide government and work towards comprehensive reform founded on the principles of Islam on the one side and encompassing human experiences and modern sciences on the other. This is to support the activities of those movements and parties in confronting movements that show enmity to Islam and exploitative opportunistic parties whose activities are supported by large numbers of men and women seeking to ensure that they gain dominance and control.

(c) Spreading political awareness amongst women, especially in certain times, for example in the voting periods. If so required, those responsible for spreading such awareness must visit the people's homes and speak directly to women, and engage them in dialogue.

(d) Supervising the regulation and implementation of the electoral process in order to ensure its integrity and fairness and to ensure that places are specifically set aside for women to ensure that they are not crowded out by men.

If we have spoken before about our backward society failing to undertake their collective obligation in the social field, then those obligations, lamentably, have been lost completely in the political field, despite the harsh circumstances that Muslims have been subject to, through external pressures or through oppression of the ruling authorities or through an absence of concern for the welfare of Muslims by the majority of individuals in society. Work must be done

to increase awareness amongst men and women equally until they realize the danger of not fulfilling their collective obligations so that they may strive towards participating in fulfilling them. In this way, they absolve themselves of the sin of not fulfilling the collective obligation on the one hand and they contribute to the lifting of their society on the other hand and they attain a good reward in the hereafter as well. We have discussed in greater detail the meaning of collective obligation in the 10th characteristic on women's professional work.

If the political conditions in Muslim society improves and a reasonable level of good and just governance is attained, over and above accepting passing judgement on the basis of God's law, at such a point political activism becomes necessary to attain further progress. We wanted to draw the attention of Muslim women to the fact that if they have fallen short of fulfilling their obligation in political activity and tolerate the oppression that sometimes follows therefrom, they should know that the weak women that are overcome by personal gain or the women that are far removed from Islām do not fall short, and generally go forward to participate alongside men to support movements that are opposed to Islām and support opportunistic parties, and opposing with them sincere movements and plotting and planning [against them]. Allah's words in this regard are indeed true:

V67 “The hypocrites, men and women, are from one another, they enjoin (on the people) Al-Munkar (ie. disbelief and polytheism of all kinds and all that Islam has forbidden) and forbid (people) from Al-Ma'ruf (i.e. Islamic Monotheism and all that Islam orders one to do) and they close their hands [from giving (spending in Allah's Cause) alms etc.] They have forgotten Allah, so He has forgotten them. Verily the hypocrites are the Fāsiqūn (rebellious, disobedient to Allah).” V68 “Allah has promised the hypocrites - men and women - and the disbelievers, the fire of Hell; therein shall they abide. It will suffice them. Allah will curse them and for them is the lasting torment.” V69 “Like those before you, they were mightier than you in power, and more abundant in wealth and children. They had enjoyed their portion (awhile), so enjoy your portion (awhile) as those before you

enjoyed their portion (awhile), and you indulged in play and pastime (and in telling lies against Allah and His Messenger Muhammad (S.A.W)) as they indulged in play and pastime. Such are they whose deeds are in vain in this world and in the Hereafter. Such are they who are the losers.” V70 “Has not the story reached them of those before them? The people of Nuh (Noah), Ad, and the Thamud, the people of Ibrahim (Abraham), the dwellers of Midyan (Midian) and the cities overthrown [i.e. The people to who Lūt (Lot) preached], to them came their Messengers with clear proofs. So it was not Allah who wronged them, but they used to wrong themselves.” V71 The believers, men and women, are Auliya (helpers, supports, friends, protectors) of one another, they enjoin (on the people) Al-Ma’ruf (i.e. Islamic Monotheism and all that Islam orders one to do) and forbid (people) from Al-Munkar (i.e polytheism and disbelief of all kinds, and all that Islam has forbidden); they perform As-Salaat (Iqamat-as-Salaat), and give the Zakat, and obey Allah and His messenger, Allah will have His Mercy on them. Surely Allah is All-Mighty, All-Wise”. (Al-Taubah, verses 67-71)

9.2.2 The modern Muslim woman takes moral lessons from the Prophetic period

9.2.2.1 A woman puts thorns in the path of the Prophet (S.A.W)

Allah the Most High says: “Perish the two hands of Abu Lahab (an uncle of the Prophet (S.A.W)) and perish he! His wealth and his children (etc.) will not benefit him. He will be burnt in a fire of blazing flames! And his wife too, who carries wood (thorns of Sa’dan which she used to put on the way of the Prophet (S.A.W) or used to slander him). In her neck is a twisted rope of Masad³⁰⁸ (palm fiber). (Al-Masad: verses 1-5)

9.2.2.2 A second woman mocks the Prophet (S.A.W)

Narrated by Jundub ibn Sufyān (R.A.H) who said: “The Prophet (S.A.W) complained [of illness] and did not rise for two or three nights [for the early morning prayer – Qiyām al-layl] and a woman came to him and said: ‘Oh, Muḥammad (S.A.W) verily I hope it is your devil that has

³⁰⁸ A rope of date palm fiber

left you for I didn't see him close to you for two nights or three. So Allah revealed **'By the afternoon (after sun-rise); And by the night when it is still. Your Lord (O Muhammad (S.A.W)) has neither forsaken you nor hated³⁰⁹ you.'**"(Ad-Dūha verses 1-3)³¹⁰

9.2.2.3 A third woman assists in an act that is harmful to the greater good of the state

Narrated by 'Alī (R.A.H) who said: "The Prophet (S.A.W) sent me, Zubayr and Miqdād and said: 'Go forth until you come to Rawdah Khakh,³¹¹ and you will find there a woman in a litter³¹² and with her is a letter, so take it from her.' So then we went forth, racing³¹³ until we came to Rawdah and we went to [the woman in] the litter. So we said: 'Take out the letter.' So she said: 'I don't have a letter.' So we said: 'Take out the letter or we will strip you.' So she took it out from her braids³¹⁴. So we brought it to the Prophet (S.A.W) and it stated the following: 'From Ḥāṭib ibn Abī Balta to the disbelievers of Makkah, informing them about some of the commands of the Prophet (S.A.W).' So the Prophet (S.A.W) said: 'Oh, Ḥāṭib what is this?' He said: 'Oh Messenger of Allah, don't be quick to judge. Verily I was a man associated³¹⁵ with the Qurāysh but I am not one of them. The émigrés that are with you have relatives in Makkah that protect their families and wealth. Since I did not have such relatives amongst them I wanted to take a hand with which to protect my relatives. I did not do that in disbelief or by reneging my faith or in satisfaction with disbelief after belief.' The Prophet (S.A.W) said: 'Thus he is truthful to you'. So 'Umar (R.A.H) said, concerning it: 'Oh Prophet of Allah, let me strike this hypocrite's neck.' He said: 'Verily, he witnessed Badr and you do not know that perhaps Allah has looked upon the people of Badr and said: "Do as you please, for I have forgiven you."'"³¹⁶

³⁰⁹ Hated: most angry.

³¹⁰ *Al-Bukhārī*, Kitāb al-Tafsīr Surah al-Ḍuḥā': Bāb: Qawluhu: "Mā wada'aka rabbuka wa mā qalla," vol. 10, p. 338.

³¹¹ Rawdah Khakh: a place between Makkah and Madinah.

³¹² A *howdaj* is a litter or palanquin, which is a vehicle containing a bed or a seat enclosed by curtains and carried on a camel's back.

³¹³ Racing with us: competing with us (the horse and the camel).

³¹⁴ Braids:

³¹⁵ Associated: associated claimant.

³¹⁶ *Al-Bukhārī*, Kitāb al-Jihād: Bāb: Al-Jāsūs, vol. 6, p. 484; *Muslim*, Kitāb Faḍā'il al-Ṣaḥābah: Bāb: Min Faḍā'il ahl Badr wa qiṣṣat Ḥāṭib, vol. 7, p.168.

We must also take lessons from what has happened in the previous period of revelation, where the wife of Nūḥ (A.S) and the wife of Lūt (A.S) were on the path of disbelief, betraying their husbands and the two of them are included amongst those in the ranks of those who have gone astray. And Allah is truly great.

“And Allah has set forth an example for those who disbelieve, the wife of Nuh (Noah) and the wife of Lūt (Lot). They were under two of our righteous slaves but they both betrayed their (husbands by rejecting their doctrine) so they [Nuh (Noah) and Lout (Lot) (A.S)] benefited them (their respective wives) not, against Allah and it was said: ‘Enter the fire along with those who enter!’” (At-Tahrīm, verse 10)

9.3 The Third Characteristic

What must be included amongst the goals of educating Muslim girls is equipping them with basic information concerning the socio-political situation, so as to develop their interests in these matters. This will make them aware of their obligatory role in the political field.

Participating [in the political field], by expressing an opinion on general issues either by writing books, demonstrating, striking or by any other means, [could involve]:

- Practicing the obligation of [imparting] advice and the right to support and oppose (which is commanding good and prohibiting evil)

- Supporting the party or the political trend, whose principles are closer to attaining what is to the benefit of society.

- Choosing a candidate that is sufficiently capable of carrying out the responsibility of representing the nation and practicing the right to vote for the best candidate.
- Accepting the nominated representative for parliament who has sufficient ability to represent the nation.

It is necessary for girls to be educated and to invest their time in the obligations of the home and in pious work. Political activity for the sake of guaranting good and just governance is a sphere of righteous action.

We have previously given evidence to the necessity of utilizing time [well] in the discussion of the second characteristic on professional work.

9.3.1 Discussions on the rights of women in elections

The discussion revolves around two central points, the first of which is: the Sharī‘ah’s affirmation of the right of a woman to vote and the second is: the stipulation of specific conditions for women to practice this right.

9.3.1.1 Firstly: The Sharī‘ah’s affirmation of women’s right to vote

A jurisprudential maxim states that “the basis in all matters is permissibility”. Based on the fact that there is no evidence of impermissibility by the Law Giver as to the right of women to vote, we regard this right as legitimate. As for the practical application, we take from what is legislated and what is suitable to our conditions and accomplishes our interests.

The opinion we relate here is that of Dr Mustafa al-Sibāi, (May Allah have Mercy on him). He was a professor of Islamic Law and the dean of the Islamic Law Faculty at the University of Damascus. The opinion we relate is of a group of legal specialists who discussed amongst themselves the extent to which the law acknowledges the legal right of women to vote and stand

for office. He said (May Allah have Mercy on him): “Our opinion after discussing various points of view is that Islam does not prohibit giving her this right. The process of voting is a process of mandating, in which a person goes to the election center and casts his vote for whomever he chooses as his representative in the legislative council and those representatives speak in his name and defend his rights. A woman according to Islam is not prohibited from mandating a person to defend her rights and express her will as a citizen in society.”³¹⁷

9.3.1.2 Secondly: Are there specific conditions for women to undertake the right to vote?

These conditions have been discussed by those concerned with political matters and they raise the following: Is a woman’s right to vote to be limited by stipulating a minimum level of education so that she exercises an opinion independent to that of her father or her husband?

After some discussion, it becomes clear that there is no need to make a distinction between men and women on the right to vote except in closed societies that place severe limitations on women and prevent them from any form of participation in social life, completely isolating them from men. A gradual approach may be necessary in such societies but in open societies, in which women enjoy a level of participation in social life, there is no need for a gradual approach. In practice, various elements will interact to produce noticeable change year after year, whether in the mentality of illiterate women who follow the opinion of their fathers and husbands, or in the mentality of general people that submit to tribal [inclinations] or that follow influential and powerful people, or in the mentality of traditional candidates that represent the nation. Personalities and parties that promote new principles and ideas will gain prominence in [the political] sphere.

All of the above play a role in conscientizing the masses of men and women. Practise, in itself, with all of its renewable elements, will grant the masses, both men and women – even if they are

³¹⁷*Al-Mar’ah bayna al-Fiqh wa al-Qānūn*, p. 155.

illiterate – a level of growing consciousness with the passing of time, until they come to possess a free will and an independent opinion that flows out of their beliefs and interests.

9.3.1.3 A discussion on the right of women to stand for nomination to the legislative assembly

The discussion here also revolves around the same two central points, the first of which is the Sharī‘ah’s affirmation of the right of women to stand for nomination, and the second of which stipulates conditions for women to practice this right.

9.3.1.4 Firstly: Acknowledging the legal right of women to stand for nomination

We once again recall the jurisprudential principle that says the basis in all matters is permissibility. On the basis of the lack of any statement of prohibition by the Legislator against women standing for nomination, we regard this right as legally permissible in principle. As for the practical application, we take from that which is permissible whatever accords with our circumstances and fulfills our interests.

We transmit here also the opinion of Dr Mustafa al-Sibā‘ī. He said (May Allah have mercy on him): “If Islamic principles do not prevent a woman from being a voter, do they prohibit her from becoming a representative?” Before we answer this question, we need to know the nature of representing the nation. It is not without two primary duties:

1. Legislation: ie., legislation of laws and systems

2. Oversight: ie., Oversight of the executive authority in its behavior and its actions

As for legislation, there is nothing in Islam to prevent a woman from becoming a legislator. Verily, legislation requires before anything else to see to the needs and necessities of society. Islam gives a man and a woman an equal right to knowledge. In our history, there are many women scholars in the fields of ḥadīth, fiqh and literature and so forth.

As for oversight of executive authority, verily it is not dissimilar from commanding good and prohibiting evil and men and women are in this regard equal in the sight of Islam. Allah the most

high says: **“The believing men and the believing women are protectors of each other; some of them command good and prohibit wrong.”** On this basis, there is nothing in the clear text of Islam that strips a woman of her qualifications to undertake work as a parliamentary representative, like passing legislation and undertaking oversight.³¹⁸

We can conclude from Dr Mustafa Sibā’ī that women are qualified in the sight of the Shari‘ah for parliamentary representation. And if the honorable professor was of the opinion (in spite of the above) that this right should not be used because of reasons pertaining to social welfare, this is but his opinion and estimation of what constitutes welfare within the framework of the norms and traditions of Syrian society at the time in which he expressed this opinion. Social welfare changes from time to time, and from place to place, just as opinions differ in their estimation and consideration.

In addition, Dr Yūsuf al-Qaraḏāwī refutes the evidence of those opposed to the right of women to be nominated for parliament and responds to the doubt that they raise in this regard. Furthermore he also expressed an opinion that differs from the view of Dr al-Sibā’ī’s with regards to the participation of women in the legislative council as not being in conflict with social welfare, and he argues that in fact social welfare is dependent on such participation.

Dr al-Qaraḏāwī states: “Those that seek to prevent women from being nominated to the parliament are of the opinion that this [function] lies within the guardianship of men and is prohibited to women.” They argue that the principle that is entrenched in the noble Quran [states] that men have authority over women, so how can we reverse this situation so that women have guardianship over men? I want to clarify here two points.

³¹⁸ Ibid., p. 156.

Firstly: The number of women nominated to the parliament will remain limited and the majority will be men and it is this majority that possesses decision-making authority and has the ability to bind and loosen.³¹⁹ So there is no merit in arguing that the nomination of women to the council will give authority of women over men.

Secondly: The noble verses that make mention of the authority of men over women pertains to married life [in which] the man is the head of the family and is responsible for its wellbeing.

This is proven by Allah the Most Sublimes statement: **“Men are protectors of women and maintainers of women, because Allah has made one of them to excel the other, and because they spend (to support them) from their means. Therefore the righteous women are devoutly obedient (to Allah and to their husbands), and guard in the husbands absence what Allah has ordered them to guard (e.g. chastity, their husbands property, ect).”**(An-Nisā‘,verse 34)

The statement **“and because they spend (to support them) from their means”** proves to us that what is intended is authority over the family. This is the higher degree that has been given to men in Allah the Most Sublime’s statement **“And they have rights similar over them to what is reasonable, but men have a degree over them.”** (Al-Baqarah, verse 228)

As for the authority of some women over some men (outside the framework of the family), there is nothing that has been narrated that prohibits it. And what is specifically prohibited is overall authority (*wilāyah āmmah*) of women over men.

The *ḥadith* that is narrated by Bukhārī by Abī Bakrah (R.A.H), attributed to the Prophet (S.A.W), “No people that entrust authority to women will (attain) success,” refers to overall

³¹⁹ *Taḥullu and Ta‘qidu*: This expression is in reference to the Arabic expression *ahl al-Hal wa al-‘Aqd* (lit. those that loosen and bind), which is used in reference to people in authority [translator].

authority over the entire Ummah, that is, leadership of the state as is indicated by the word authority – (*amruhum*). This implies authority to lead them and the overall leadership over them. As far as partial authority [is concerned], there is no prohibition for a woman to have such authority. For example, authority in passing juristic rulings (*fatāwa*) or exercising legal opinions (*ijtihād*) or teaching or narrating or promulgating etc. There is consensus that a woman enjoys authority in these matters and she has exercised this authority throughout the ages.

Even passing legal judgment in terms of that which a woman has experience in is regarded permissible by Imam Abū Ḥanīfah ie, in cases that do not pertain to criminal punishment and penalties. However there are jurists from the classical period (*fuqahā al-Salaf*) that regarded it permissible for women to pass judgment on criminal punishment and penalties, as has been stated by Ibn Qayyīm in his book *Al-Ṭuruq al-Ḥakamīyyah*: “[A woman’s right to pass legal judgment] has been generally condoned by Al-Tabarī and Ibn Hazm even though the latter was a proponent of the strict Literalist (Zāhirī) School. This proves that there is no clear proof that prohibits a woman from holding the position of a judge because if there was Ibn Ḥazm would have held steadfastly to it and opposed anything to the contrary, as was his habit.”

The context in which the above mentioned ḥadīth was pronounced indicates that it is limited to the sphere of overall leadership, since the Prophet (S.A.W) had been informed that the Persians had appointed Burān the daughter of Kisra as their leader after the death of their emperor and he stated “No people that entrust their authority to a woman will (attain) success.”

Some of the doubts that are raised by those opposed to a woman’s nomination in the parliament include the following. The members of parliament are of a higher status than that of the government itself, in fact, even higher than the head of the state himself because by virtue of her membership she is able to hold the state and the head of state to account. What this means is that we have prohibited her from overall leadership (*wilāya āmmaha*) and then have given it to her in another form. This requires us to explain and analyze the concept of parliamentary membership.

It is well known that the functions of parliaments in modern democratic dispensations are twofold ie, accountability and legislation. By analyzing these concepts, it becomes clear to us that accountability in its final analysis and according to legal understanding equates in Islamic terminology with enjoining what is good and prohibiting what is bad (*al-amr bil m'arūf wa al nahy al- munkar*). And, with the imparting of religious advice (*al-Naṣīḥah*), this is obligatory upon all Muslims, those in positions of leadership and the general masses. Enjoining good and prohibiting bad and imparting advice is obligated equally upon men and women as the Qur'ān states very clearly: **“The believing men and the believing women are the guardians of each other, they command what is good and prohibit what is bad.”**

As long as women have the right to offer advice and to indicate what they see as being correct, and to enjoin good and prohibit bad, and to state that such is right and such is wrong in their personal capacities, then no legal proof can be found that prohibits them from membership to parliament, which undertakes this function. Furthermore, the principle with regards to matters of custom (*ādah*) and general practice (*mu'āmalāh*) is permissibility except where there is a clear authentic text that prohibits it. With regards to historical precedents in the earlier Islamic era, where no woman was known to have been part of a consultative body, it may be stated that this does not constitute a legal proof in favor of prohibition and is encompassed in [the principle that holds] that a legal ruling changes with the changing of the time, the place and the context.

Consultation was not organized in those times in a highly structured manner, neither for men nor for women and is an issue that is addressed by the text in a general and unspecified manner; the details and pre-determinates have been left to the discretion of Muslims (*ijtihād al-muslimūn*) according to the circumstances of their time, place and social conditions.

The second portion of the function of parliament concerns legislation. Some overzealous people exaggerate by inflating this function, claiming that it is more dangerous than political authority and political leadership, because parliament legislates for the state and establishes its laws. They

thereby conclude that this dangerous and huge function cannot be undertaken by a woman. The matter in reality is much simpler because fundamental legislation is the prerogative of Allah the Sublime and the principles of legislation pertaining to permissibility and prohibition are from Allah the Honored. Our task as human beings is to extract rulings pertaining to which there is no text or to elaborate on what is encompassed by general texts. In other words, our function is one of intellectual exertion (*al-ijtihād*) pertaining to the extraction (*al-istinbāt*), the elaboration (*al-tafsīl*), and the adaptation (*al-takyīf*) [of laws]. Intellectual exertion (*al-ijtihād*) in Islamic law is a door open to both men and women. No one has stated that one of the preconditions of *ijtihād* - which have been elaborated upon by jurists - is masculinity and that women are prohibited from [exercising *ijtihād*].

There is certainly no dispute that certain matters of legislation relate directly to women and the family and its relationships. Therefore, it is only proper to consider the opinion of women in these matters; they should not be excluded and their opinion is perhaps far more insightful in certain circumstances than that of men's.³²⁰

However when we state that it is allowable for a woman to enter the parliament, it does not mean that she should mix with men that are strange to her without any boundaries or limitations or that [her participation] should come at the expense of her husband, her home or her children or that [her participation] should take her beyond the boundaries of modesty in dress, walking, movement and conversation. In fact, all of this needs to be maintained without doubt or dispute from anyone.³²¹

³²⁰ Dr. Qaradāwī provides three examples from the era of ‘Umar Ibn al Khaṭṭāb (RAH) to demonstrate the importance of women’s opinions in family issues specifically; [her opinion] concerning leaving of the setting of the dowry as high as possible; [her opinion] concerning the time, period [allowable] for the absence of the husband if he goes out to participate in battle; [her opinion] concerning bestowing a grant to a new born immediately after birth and not after the child’s weening

³²¹ See: *Fatāwā Mu‘aṣirah*, al-Ḥalaqah al-Thānīyah, pp. 376–382.

Al-Qaraḏāwī points out in his fatwa that necessity dictates that the (pious women) has to enter the electoral fray to confront those that are uncommitted to religious norms ... The political and social necessity may well be far more important and greater than the individual necessity that makes it permissible for a woman to enter public life.

9.3.1.5 Secondly: Are there specific preconditions regarding a woman's right to pass legislation?

The matter of these stipulations have also been raised amongst those concerned with political matters and they ask: Is the right to pass legislation by women from the outset limited to women's organizations or organizations in which women make up a specific quota where these are professional, social or cultural organizations? In other words women can no longer be represented in parliament other than by large female blocks.

After deliberation and careful consideration it becomes apparent, as was the case before with regards to the right to vote, that there is no need for this distinction between men and women except - God forbidding - in closed societies that constrain women and prohibit them from any kind of participation in social life and isolates them completely from men; in such societies a gradual approach may be necessary. As for open societies in which women have a larger amount of participation in social life, there is no need for a gradual approach.

However, actual field studies need to be undertaken to assist in identifying the spheres in which women's representation would be most beneficial.

As for the etiquette that was mentioned by al-Qaraḏāwī that needs to be maintained by women members of the parliament, like intermingling of a certain level, [maintaining] modesty in attire, movement, speech and safe guarding the rights of husbands and children, we regard all of these as general etiquettes that regulate the interaction between men and women in all spheres of life.

We have devoted the second section of this chapter to enquire into these etiquettes in greater detail.

9.4 The Fourth Characteristic

It is recommended that a woman spend her wealth and the wealth of her family for the sake of good in obligatory and recommended political activity. It is recommended that a man assist his wife in household matters if she is overburdened by recommended political activity and he is obligated to assist her if the activity is obligatory.

A man shares in the reward of the political activity that his wife undertakes and his reward is increased to the level that he encourages her and assists her.

We have previously provided proofs that it is recommended for a woman to spend from the wealth of her family and that it is recommended for a man to assist his wife; this was in the discussion of the eighth characteristic of social activity.

9.5 The Fifth Characteristic

Muslim Society contributes to creating an environment that helps women to be faithful to their political responsibilities to society alongside their responsibilities to their families.

Narrated by Nu'mān ibn Bashīr who said: "The Prophet (S.A.W) said: 'You will see the believers in their showing of mercy towards each other and their affection for each other and their sensitivity to each other; like [a single body], when a limb complains, the entire body suffers from restlessness and fever.'" ³²²

³²²*Al-Bukhārī*, Kitāb al-'Adab: Bāb: Raḥmat al-Nās wa al-Bahā'im, vol. 13, p. 46; *Muslim*, Kitāb al-Birr wa al-Şillah wa al-'Ādāb: Bāb Tarāḥum al-Mūminīn wa ta'āṭufihim, vol. 78, p. 20.

Verily Muslim society, with its individuals and popular institutions, is merciful and compassionate, and should advise and call upon those who do good to undertake a positive role that encompasses:

(a) Encouraging women to present their contributions in political activity by clarifying their role and responsibilities by all means, and encouraging them to undertake this role while calling men to support women in participating in politics to the level of their ability.

(b) Requiring political parties to form sectors and committees specifically dealing with women in some spheres of their activity so that it is easy for women to contribute to these activities. This is in addition to their participation with men in all spheres.

9.6 The Sixth Characteristic

The Muslim government is responsible for directing women and encouraging them to participate in political activism.

Narrated by ‘Abdullāh ibn ‘Umar, from the Prophet (S.A.W) who said: “(All of you are shepherds and are responsible for your flock and one appointed as a leader over people is a shepherd and he is responsible for his flock...”³²³

It is possible to fulfill this responsibility in several ways including:

(a) Directing women through government media to contribute to the upliftment of society by serious participation in political activity.

³²³*Al-Bukhārī*, Kitāb al-‘Itq: Bāb:Kirāhiyat al-Taṭāwal ‘ala al-Raqīq, vol. 6, p. 106; *Muslim*, Kitāb al-‘Imārah: Bāb: Faḍīlat al-Imām al-‘Ādil wa ‘Uqūbah al-Jā’ir, vol. 6, p. 8.

(b) Facilitating the fulfillment of women's political role by granting them the right to vote and the right to stand for elections and the right to stand for elections in woman's associations in which women specifically are in the majority.

(c) Reserving a specific number of seats for woman in the local legislative councils and in parliament, whether this is through direct voting or appointment.

9.7 *The Seventh Characteristic*

When women's participation in political activity necessitates engaging with men, women and men are equally required to uphold the etiquette of participation that was discussed previously in a specific chapter and we reiterate here some of these etiquettes, like modesty in dressing, lowering one's gaze and avoiding seclusion and questionable behavior.

However if some of these etiquettes are different in existing political institutions, does this justify that we abandon the benefits that these institutions have achieved and [disallow] Muslim women from participating in their activities? Or should we rather uphold these benefits while striving with wisdom to implement Islamic etiquette? The principles of jurisprudence stipulate taking into consideration needs and benefits when trying to avoid corrupt practices, and in this regard Ibn Taymīyyah says:

- One should not look at the severity of the corrupt practice that needs to be contained without also looking at the desire which one is obligated to affirm or obligated to regard as praiseworthy or obligatory.³²⁴
- Concerning that which has been prohibited, to block any pretence (*Sadd al-dharī'ah*), [it must be said] that it is done for the greater welfare ... Just as seclusion and travel with someone who is regarded as a stranger has been prohibited due to the possibility of

³²⁴ Ibn Taymīyyah, *Majmū'ah al-Fatāwa*, vol. 26, p. 181.

leading to moral corruption and she has been prohibited from traveling with anyone other than her husband or family member (*maḥram*) ... this has only been prohibited because it may lead to moral corruption. However if it is undertaken for the greater benefit, then it would not lead to moral corruption.³²⁵

- One of the principles of [Islamic] legislation is that if a beneficial practice clashes with a corrupt practice then the superior of the two is granted precedent.³²⁶

³²⁵ Ibid., vol. 23, pp. 186-187.

³²⁶ Ibid., vol. 20, p. 538.

A Comment on the Participation of Women in Professional Employment and Political and Social Activity

An attestation from a contemporary experience in Western society

Soviet leader Mikael Gorbachev states the following in his book *Perestroika* [Political Reformation]:

“In general, the level of women’s liberation is looked at as a measure of governance in society at the political and social level. The Soviet State put an end to the discrimination against women that was prevalent in Tsarist Russia. A woman earned social status guaranteed by law equal to the status of men. We are proud of what the Soviet government has given to women: the same rights to work as a man, equal pay for equal work and social security. Women have been given every opportunity to gain an education and build their future and participate in social and political activities. Without the contribution of women and their dedicated work it would not have been possible for us to build a new society or win the war against Fascism.

“However, during the historic and difficult years of our history, we failed to pay attention to the specific rights of women and their needs arising from their role as mothers and home administrators and as teachers, which is indispensable to [their] children. If a woman works in the sphere of academic research and on construction sites and in service production and she participates in innovative activities, she has no time left to undertake her daily obligations in the home (domestic work and raising the children and creating a good family environment). We have discovered that many of our problems - with regards to the behavior of our children and youth and in our morale, culture and production - can be partially attributed to the deterioration of family relationships and the slack position regarding family responsibilities. This is a contradictory outcome to our sincere and politically justified desire for the equality of men and women in everything. And now in the atmosphere of political reformation (*Perestroika*) we have

begun to overcome this situation. For this reason we are now engaging in serious debate in the press, in public organizations, at work and in the house with regards to what we need to do to facilitate a return for women to their specifically feminine calling.³²⁷

“I do not regard this call for women to return to her specific feminine calling to mean prohibiting women from professional work and from social and political activity; what this [rather] implies [is that it is] necessary to create a balance between the primary and essential duty within the family and all other responsibilities.”

³²⁷ Mikhael Gorbachev, *Perestroika*, p. 138.

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