

***THE STATUS OF
WOMAN IN ISLAM***

by

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Position of Women in Ancient Civilization

Host: What is the relevance of examining the position of women in ancient history and what are some of the historical aspects relating to women in society?

Jamal Badawi:

I think that for the discussion of any important subject it is important and useful to start with some kind of background. We are not saying that this was the position of women before Islam and that its purpose was completed at the arrival of Prophet Muhammad (ﷺ) in the seventh century. We are not saying that because if we say that then it may imply somehow that Islam did introduce some improvement or some reforms which were good for that time but that may not be adequate for today's society. This is not what was intended and we will see as we go on that Islam was at least 1400 years ahead of its time. When we talk about divine revelations and injunctions which are well preserved in the form of scriptures then we are also admitting the divine source from a Muslim point of view and once we do that we are also accepting God's eternal and absolute wisdom and knowledge which covers the past, the present and future.

Host: What are some of the ways by which women were viewed by some of these earlier civilizations? Let's start with some of the eastern civilizations first?

Jamal Badawi:

An interesting reference on that subject is the book written by David and Vera Mace, published in New York in 1960 with the title of *Marriage, East and West*. I will only enumerate three quotations and examples that represent the typical kind of treatment that women received in ancient civilization. It will be quite obvious from these quotes that in ancient civilizations the women were not highly regarded at all. For example, the book quotes an ancient Chinese poet by the name of Fu Hsuan, who wrote in the third century BC:

"How sad it is to be a woman, nothing on earth is held so cheap."

Furthermore, we find that, according to the teachings of Confucius, *"The main function of a woman is to obey: in childhood and early youth she obeys her father, when she is married she obeys her husband, in widowhood she obeys her son, the quality of her obedience is to be unquestioning and absolute."*

That's interesting because some people may say that there is nothing wrong with a daughter obeying her father or even a wife obeying her husband within reasonable requests, but the problem here is that even in widowhood a woman should obey her son and that the nature of that obedience has to be unquestioning and absolute! We will find that this is not true and is not

acceptable from an Islamic point of view as the only unquestioned obedience is due only to God and not to any human being. Some used to believe that when a son was born he was a god who fell from the heavens but when a girl was born, that was not an event to be happy about.

The second reference is to the culture of Buddhism. It says that woman was basically inferior to men. In one quotation it says:

“Women are full of sin; nothing is to be dreaded so much as a woman.”

The book also refers to the Law of Manu from Hindu ancient civilization:

“A woman whose mind, speech and body are kept in subjection acquires high renowned in this world and in the next.”

The author of the book added that women had no business with the text of the Veda (Hindu Scripture) having therefore no evidence of law and no knowledge of expository texts. Women were not allowed to remarry after the death of their husbands. Most often they acted as servants in the household of the relatives of the deceased husband. In some cases, a woman would have to burn herself when her husband died. Despite the prohibition of this practice, currently some believe that until now in isolated cases this practice seems to continue (there is no clear documentation of this). According to Encyclopedia Britannica, the eleventh edition, in the Law of Manu women were excluded from inheritance. In other words, the inheritance was to pass only to the male side of the family. In page (74) of the same book, *Marriage East and West*, the authors conclude that the picture is all too clear: in China, India and in Japan it is the same story. The thought of great eastern cultures about the nature of women shows little variations.

Host: Let us turn our attention to the ancient civilizations of Europe.

Jamal Badawi:

We will take a look at the two major civilizations of that time, the Greek and Roman civilizations. For example, in a book called *History of Civilization*, by E.A. Allen, in Volume 3, he says:

“Athenian women were always minors, subject to some males: to the fathers, to the brothers or to some of their male kin.”

He also indicates that the consent of the girl for marriage was not required and *“that she simply received from her parents her husband and her lord.”*

The Roman women as reported in the same reference in page 550 is described in a similar way:

“A Roman woman was regarded as a babe, a minor, a ward and a person incapable of doing anything according to her own individual taste, a person continually under the tutelage and guardianship of her husband.”

In Encyclopedia Britannica it was also indicated that, according to the Roman Law, if a woman gets married her property automatically passes on to her husband and she would not be allowed to dispose of it as she pleased or without his permission. The woman was not allowed to have a will or negotiate a contract even on her own property. There are aspects of this treatment that persisted even after Christianity spread. The West and the East were united on the issue of the subjugation of women.

Host: What about the treatment of women in the Middle East?

Jamal Badawi:

I think that's a relevant point, because The Middle East was the birth place of many of the world's major world religions and I could say that the situation was not much better than it was in the East or West. There are two elements that can be referred to in the middle East: One is the Hebrew tradition which extended over hundreds of years and secondly were the Arabian women which will both help us understand and appreciate the kind of reforms that Islam brought. We will discuss the Hebrew tradition in the next program when we get into the comparison between the Bible and the Quran regarding the attitude towards women. We will touch briefly on the aspect of Arabian women. As I said earlier, the situation was not any better than the East or West. Some examples would be that if a person received news of the birth of a girl his face darkened and they got sad and very upset about it unlike when he is given the news of the birth of a son. The other practice that was very inhuman, which totally disappeared after Islam, was the female infanticide. Some people used to bury their daughters alive. Some of the reasons was the fear of any shame that the girl may bring to the family. Of course this was not universal or the race would have disappeared but the very fact that such inhuman type of attitude existed is quite revealing. It was not uncommon in Arabia (before Islam) that after the death of the husband the woman herself becomes an object of inheritance as part of the husband's estate.

Host: Were there any exceptions to this negative attitude towards women?

Jamal Badawi:

I believe that it is reasonable to say that the view was generally negative towards women. But it is very difficult to talk about civilizations that continued for hundreds of years and to say that there were no incidents where women were treated with respect. There have been exceptions which however were sometimes restricted to nobility. Usually in a rich or ruling family women got some respect and better treatment than in other cases. Throughout history there have been many women because of their talent, personality and determination could still make their presence felt despite of the overall conditions. It is quite interesting that recent discoveries showed that in some of the ancient times the image of god was a female image. Some of the cave temples discovered in the Soviet Ukraine, northern Spain and southern France, seem to indicate that long time ago, some estimate to be between 30,000-2,000 BC, the superior deity that was worshipped at the time was a female. The concept of goddess was not limited to one place but it was found in different parts of the world. In Egypt for example the goddess and supreme being as believed by the ancient Egyptians (before Islam) was Isis. In Babylon the goddess was Tiamat, in Ancient Sumeria it was Ishtar, in Ancient Greece it was Demeter and

in Rome it was Maitre. They might have different names, but basically they all referred to the same concept of glorifying the female image of god.

I understand that some authors and some scholars dismiss these as something that relates only to the fertility cults, being just a symbol of the fertility, but others see more relevance to that than simple cults. In some of the ancient writings they seem to refer to the mother goddess as the creator, the law giver, the judge and the queen of the heavens. An interesting thing that was written in Egypt that dates back to about 1400 B.C. it says:

“In the beginning there was Isis, the oldest of the old the goddess from whom all becoming arose mistress of heaven, mistress of the house of life, mistress of the word of god.”

Another very interesting myth is that of the Sacred Sun and Lover. According to that myth, through the mystical union of the Sacred Sun and the goddess all existence was granted continuity. He was usually represented as an eternally dying and resurrecting god (this was the belief a long time before Christ), as the fields of earth die each year only to be born in the spring. This myth about the Sacred Sun was referred to by different names like Baal, Osiris, Tammuz and Hates which all relate to the mother goddess. This kind of archeological evidence shows that the position of women in civilizations preceding what we found in China, Japan or India was not always negative. There have been times when women were regarded as goddesses and it was reported in some references that some women acted as priestess.

Host: Would it be useful to look at the position of women in both the Bible and the Quran?

Jamal Badawi:

Yes, I think it would probably be useful in a number of ways. We have been talking about women in history and of course an important part of that history has been that which was influenced by the three major religions Judaism, Christianity and Islam. The closest revealed religions to Islam would be Judaism and Christianity. There are many basic similarities between these three faiths that have to do with the belief in God, Prophethood and the hereafter. There may be variations in the way they are interpreted, but I think the comparison between these three faiths would help us to understand better the subject.

The other point that is of great significance is that very often many statements about women and their position in Islam that are made in speeches, newspapers, magazines, articles and even books by scholars in the West who are Jews or Christians are erroneous. Many times those statements are not supported with any evidence from the scriptures. Recently, I was giving a lecture in Montreal and a sister brought to my attention an article in which the writer says that according to Islamic Law (he did not say that this was the practice of some people) the consent of the girl is not required in marriage. This is a statement that is totally opposed to what the Quran says and what the teachings of Prophet Muhammad (ﷺ) are. There are many statements that are erroneous and are based on myth and misinformation which have been circulating for quite some time, that has caused an erroneous stereotype in regard to the position of Islam towards women (and many other issues). Another similar incident took place in Kansas City, where someone brought to my attention an article in which the author said that in Islam the woman is only allowed to have a bath once and that is on the night when she is wedded. This

is something that is so absolutely ridiculous that even a person who does not know about Islam would know that this is totally out of line. Sometimes statements and references are made by people that take parts and quotations from the Quran and use them out of context. So I think it's quite useful an objective approach to the subject, in order to verify some of these informations and to bring forth the scriptures of both Judeo-Christian traditions, mainly the Bible, and to compare them to similar references from the Quran and Hadith (Prophetic Tradition).

Women in Judeo-Christian and Muslim Scriptures

Host: What are the areas of comparison which you consider to be essential to such an examination?

Jamal Badawi:

We are not going to extensively cover every point but there are some areas where we can find explicit instruction in both the Judeo-Christian scripture as well as the Islamic scripture where comparison clarifies the different views. These points include the creation of Eve from Adam and what it means in both religious traditions, the issue of the first sin and whose responsibility it is, the view towards pregnancy and the pains of childbirth, how each of the religious traditions look at the feminine functions (treatment during monthly cycles), the treatment of a woman who is raped and lastly the view of marriage (dowry and divorce).

Host: What similarities and differences are there in the view towards the creation of Eve?

Jamal Badawi:

In both the Bible and the Quran it is indicated that Adam was created first and then "from Adam, Eve was created." The degree of explicitness of this description is what varies between both resources. The book of Genesis 2:2-12 describes how Eve was created and it simply says that God made Adam go into deep sleep and then He took a rib out of Adam and He created Eve from it and then he gave her to Adam. The Quran does not mention anything about the rib of Adam. The closest description to that in the Quran is in (4:1) in which it says:

„O mankind! Be dutiful to your Lord, Who created you from a single person (Adam), and from him (Adam) He created his wife (Eve), and from them both He created many men and women...”

The word that is used for "from him" is *minha* which could mean literally from it (physically) or from the same kind or same nature. There is however, no reference at all that Eve was created from Adam's rib. The word „rib" has been mentioned in some of the Prophetic traditions but not in the explicit way that it is mentioned in the Bible. It says that women were created from

“a” rib. The context of those prophetic traditions is to appeal to man to properly treat women and to take into account their nature and not to try to change that nature by force, to try to live with it and to be more tolerant. In that context the interpretation is not that women were created from a rib (physically) but with the same nature of the rib. If we take this interpretation which seems to be more in line with the context of the prophetic tradition (Hadith), as there is no mention of Adam’s rib in particular, I think it is a better and more acceptable explanation. In that sense we can say that both Adam and Eve were created from the same nature which goes beyond the physical rib into physical, mental and spiritual similarities between both sexes.

Host: Who is responsible for the first sin (the eating of the apple), Adam or Eve?

Jamal Badawi:

The Judeo-Christian and Muslim traditions seem to have basic differences when it comes to this point. We will start with some of the basic similarities found in both religions. First, God commanded Adam and Eve not to eat from a particular tree (the Quran does not say what kind of tree it was, whether apple or banana etc.) and that there was a violation of this command and both Adam and Eve ate from the tree. But the way it is described is different. For example, in the Bible in the Book of Genesis chapter 3 it is quite clear that the responsibility is put on Eve for the first sin: because the serpent tempted Eve, who ate from the tree and then she tempted her husband to eat from it too. When you go to the Islamic tradition, there is absolutely no mention of the Serpent. The Quran indicates that it was the evil prompting of Satan rather the Serpent that prompted this mistake. For example, in (38:71-88) of the Quran God is telling the Angels that He is creating a human from clay and that they should bow down to him. Then it talks about Satan refusing to bow down in the presence of the other Angels and that he was to haughty and jealous of the special status that God endowed unto mankind. Similar references can be found in the Quran in (7:11+), (2:31+), (15:28), and (17:61+). There is no mention of a serpent at all in any of these verses.

The other thing which I think it’s a major difference is found in the Quran in (7:19-27). When it talks about this mistake it describes both Adam and Eve as equally committing that mistake. In the span of eight verses the term „both of them” was used fifteen times (fifteen times repeating that „they did”). This removes any notion of women alone being the one to blame for eating from the forbidden tree. This could mean either that both were equally mistaken or, according to some scholars, that Adam alone is the primary person to be responsible for that. These scholars refer to verses like (7:19) and (20:115) which give the impression that Adam is the responsible for disobeying God. In Al-Bukhari and Muslim (both are collections of prophetic traditions) is described the scene in the Day of Judgement when people are confused and they go to various prophets asking them to intercede with God so that accountability starts and it says there that when they go to Adam he will say **“God told me not to eat from the tree and I disobeyed him, look for some other Prophet who did not make this kind of mistake.”** In other words, in some cases Adam alone is mentioned as the primary person responsible for the deed. It is reasonable however to say that the overwhelming proof in the Quran puts Adam and Eve on equal footing when it comes to responsibility for this mistake.

Another major difference is that according to the Quran, in (2:37) after Adam and Eve made this mistake they both repented to God and God accepted their repentance and as such there is no original sin in Islam at all. This is emphasized in numerous verses of the Quran.

Host: Could you comment on the point of the Serpent and how it is unique to the Bible?

Jamal Badawi:

It used to be believed that it is unique to the Bible but it has been shown in further studies that nearly seven thousand years before the Hebrew Scriptures were written some of the discoveries revealed images of the god mother that we talked about before with the Serpent coiling around the tree of life in the Garden of the World. This evidence shows that there was a symbolism from the past attached to the Serpent as the embodiment of all evil. A reference on this is found in “The Dangerous Sex” by H.R. Hays.

Host: Can we look at the similarities and differences on the subject of pregnancy and childbirth?

Jamal Badawi:

This issue of pregnancy in the Bible is related to two things. In Genesis 3:16 it mentions pregnancy, suffering and childbirth as a punishment for Eve because she ate from the forbidden tree:

“I will greatly multiply thy sorrow and thy conception; in sorrow thou shalt bring forth children.”

So the pains are a sort of punishment because she ate from the forbidden tree. This notion is also confirmed when we see how a woman should be treated in the post natal period. The main reference to that is not just one verse out of context, but it takes a whole chapter in the book of Leviticus chapter 12:

“If a woman has conceived seed, and born a man child, then she shall be unclean seven days...” “... And she shall then continue in the blood of her purifying three and thirty days.”

This give us a total of 40 days. In the same chapter it says:

“But if she bears a maid child, then she shall be unclean two weeks, as in her separation: and she shall continue in the blood of her purifying threescore and six days.”

This is a total of 80 days. Then it goes on in the same chapter (starting at verse 6) describing what to do to become purified after the bleeding stops. It says she has to take two pigeons or a lamb as an offering to the priest as an atonement and so that she may be cleansed.

The Muslim point of view toward pregnancy as found in the Quran and Prophetic Tradition is not regarded as a punishment for Eve, as the whole notion of original sin does not exist. The Quran in (7:189) describes the beauty of pregnancy and it describes how a couple that expects a child pray to God (thankful for the child):

„... If You give us a Salih (good in every aspect) child, we shall indeed be among the grateful.”

The same attitude is seen in chapter 31 of the Quran. In (46:15) it asks for sympathy and kindness for women by saying that a person is commanded to be kind to his parents because **„His mother bears him with hardship. And she brings him forth with hardship...”**

The term used for pain is *kurhan* which is the exact word used in the Quran for Jihad (struggle), struggle against evil in society or struggle against one's self (as is described in chapter 2 of the Quran). This gives it a more beautiful meaning as it is a struggle for which a woman is rewarded. In addition, there are a number of prophetic sayings that shows that if a woman dies because of pregnancy, childbirth or during the postnatal period she is regarded as a martyr, which is the highest position that any Muslim can aspire to. Some of these sayings were narrated in Tirmidhi, Malik, Ahmad and in An-Nasa'i. One of the sayings says that if a mother dies in her postnatal period her infant will drag her to Paradise.

A second area of comparison is the waiting period. In Leviticus the woman has to wait 40 days before she is cleansed after having a son and 80 days if she had a daughter. In Islam there is no such distinction. The waiting period before a woman can have marital relations with her husband or before she can pray or fast is the same in both cases in Islam. Islam does not require a minimum period. The 40 days in Islam is the maximum waiting period. If the bleeding stops (even if it is one day after childbirth) the woman is automatically cleansed and can go on doing her business as usual. Finally, there is no notion of this being a type of punishment or atonement but is simply a natural function.

Host: Is the treatment of women during their monthly cycle the same in Judaism and Islam?

Jamal Badawi:

There are superficial similarities but once we go beyond the surface there are very important differences. The main reference in the Bible for the rules pertaining to this time is found in Leviticus in chapter 15:19. Basically what it says is that if a woman is going through her monthly cycle **“... she shall be put apart seven days: and whosoever touches her shall be unclean until the evening.”** Also, anyone who touches her bed or a place where she sat will be unclean till the evening and have to bathe and wash their clothes. It goes on to say that if the bleeding goes on after the seven days the same kind of treatment continues. Finally, it says that after the cycle ends (verses 29 on) she is required to take two pigeon offerings to the priest (one is a burnt offering and one is for her sin) then **“the priest shall make an atonement for her before the Lord for the issue of her uncleanness.”**

Islamic law is different. First of all, during the monthly cycle there is absolutely no problem in touching the woman or sitting by her or where she was sitting. The only thing that is restricted

is having intercourse during that period. Prophet Muhammad (ﷺ) was asked explicitly what is a man's relationship with his wife during this period. He replied everything except intercourse and this was narrated in Muslim, Ahmad, Tirmidhi, An-Nasa'i, Abu Dawood and Ibn Majah. One companion asked the Prophet (ﷺ) as narrated in at-Tirmidhi he said **“Should I eat with my wife when she is on her cycle?” The Prophet (ﷺ) replied “Eat with her.”** In the behavior of Prophet Muhammad (ﷺ) he showed by his own examples that all of these practices are not a reflection of the Will of God but rather human biases. For example, Aisha, his wife, used to help him wash his hair when she was on her cycle. In some cases, it was reported that he would sleep in the same bed with his wife during her cycle (but of course without having intimate relations). There is absolutely no problem with a husband staying, kissing or touching his wife during this period. The Quran describes the flow as *atha*, which means pain or hurt, not that the woman herself is polluted but that the natural function hurts women or makes them uncomfortable. This is a sympathetic note rather than an accusation of being uncleanly or polluted. Finally, there is absolutely no notion of this being a kind of atonement or that the flow of blood in itself is a sin. There are no offerings or any type of atonement. The only thing that is required is that a woman takes a bath/shower and cleanses herself when the cycle is over.

In the case of flow beyond the normal number days of a (specific) woman's menstrual cycle, it is not regarded as a cycle but rather as an illness and she is allowed to practice all the normal functions without any deviations (other than making ablution before every prayer).

Host: In the incidence of rape how is the victim to be treated?

Jamal Badawi

First we will refer to the Bible and then we will refer to the Quran. In the book of Deuteronomy in chapter 22 it gives a detailed description as to what happened in two cases. In verses 23-24 it says:

“If a damsel that is a virgin be betrothed unto a husband, and a man find her in the city, and lie with her; Then ye shall bring them both out unto the gate of that city, and ye shall stone them with stones that they die; the damsel, because she cried not, being in the city; and the man, because he hath humbled his neighbor's wife: so thou shalt put away evil from among you.”

In the same chapter in verse 28-29 it says:

“If a man finds a damsel that is a virgin, which is not betrothed, and lay hold on her, and lie with her, and they be found; Then the man that lay with her shall give unto the damsel's father fifty shekels of silver, and she shall be his wife; because he hath humbled her, he may not put her away all his days.”

The position of Islamic Law on this issue is quite different. In Islam a woman who is raped is regarded as a victim and her failure to shout or cry does not constitute a ground for stoning her to death. The woman in this case is regarded with compassion as a victim of the aggression of someone else. The punishment of a rapist in Islamic law is not a payment of silver to the girl's father, but the punishment is much greater and could be even capital punishment. In Islam the

man is not required to marry the girl because a rapist would not be fit enough to marry a chaste woman. It is kind of like a reward for the rapist if he can rape a woman and then she would be required to marry him, which is more of an award to him rather than a punishment. In the Quran in chapter 24 it indicates that a person should not marry an unchaste person (a rapist would be considered an unchaste person).

Host: What are the positions of the scriptures in the case of a husband accusing his wife of adultery?

Jamal Badawi:

In the Book of Numbers 5:12-28 it describes this case in detail. It says that if a husband is motivated by jealousy and have any suspicion about his wife then he should take her to the priest and then it describes the detailed rituals. For example, it says that the priest takes bitter water and recites a curse on it and threatens the woman that if she is going to lie that her thighs will rot and her belly will swell. The priest threatens her and if she does not confess he gives her the bitter water and offers certain sacrifices and if she is truthful nothing will happen to her and if she is lying her thighs will rot and her belly will swell. The attitude here is to assume guilt in the woman until she is proven innocent instead of innocent till proven guilty.

In the case of Islamic law, it is found in the Quran in chapter 24 that if a husband accuses his wife of committing adultery all that he has to do is give a statement that he witnessed it and swear five times that he is truthful. The woman is assumed innocent till proven otherwise. The woman can make a rebuttal of that accusation and swear five times that he is lying. Even if the judge suspects that she is lying the mere fact that she swears five times against her husband that she is innocent it makes her innocent. The only thing that can happen after this is to separate them because their relationship after that would probably be senseless. There is no punishment for her, as it is her word against his. This is only in the case where the husband actually saw his wife committing adultery or had clear evidence of it. This is only the case in marital relationships. It is totally forbidden for a person to make this kind of accusation against a woman that is not his wife, without producing three other witnesses (accepted in the society for their piety and fairness and not known to lie). If he fails to come up with these witnesses the person who made the accusation is punished (with a minimum of eighty lashes even if he was truthful). The idea behind this is to preserve the reputation of woman and to prevent this hap hazard type of accusation and to establish the principle that the woman is innocent until proven otherwise.

Host: How is marriage viewed?

Jamal Badawi:

In the Dictionary of the Bible it says that *“The practically universal type of marriage was the Baal type, where the wife passed under the dominion of her lord.”* And it gives as evidence of that the Genesis 3:16. This verse says that after Eve committed the first sin God told her that she would suffer in childbirth and that her husband will rule over her. In Encyclopedia Biblica

edited by Cheyne it is described the nature of the marital contract and specifically the consent of the girl who is being married:

“The girl’s consent is unnecessary and the need for it is nowhere suggested in the law. Ordinary human affection would no doubt lead the parents, generally, to allow their daughters some voice in the matter.”

Then he quotes Genesis 24:58 which talks about the marriage of Rebecca and how there was some consultation regarding the matter. Then he goes on *“The arrangement of the marriage and especially about Mohair belongs to the province of the father or guardian.”* He again refers to Genesis 24:29-34. In other words it basically says that in Judaic law according to the Encyclopedia Biblica it was not required that the girl agrees to marry her future husband. In the Encyclopedia Biblica it talks about betrothal:

“To betroth a wife to oneself or eras meant simply to acquire possession of her by payment of the purchase money. The betrothed is a girl for whom the purchase money has been paid.”

It goes on later on the matter of divorce, which was an absolute right of man:

“The woman being man’s property, his right to divorce her follows as a matter of course.”

First of all, a woman or a wife in Islam is not regarded as a possession of the husband. Second, the consent of the girl for the marriage is regarded as a necessity and is one of the conditions for the validity of the marital contract! Third, the money that is given by the husband to be to the wife to be is regarded as a gift not a purchase money. The Quran uses the term *mihla* which means gift in (4:4). The matter of divorce has nothing to do with property rights but is a matter of possible incompatibility. A traditional Israelite prayer that is said in the morning by males is: *“Thank you oh Lord for not creating me a woman.”* The attitude in the Quran is totally different, there is no parallel to this attitude or prayer at all in Islam.

Host: Where does the New Testaments fall in with these comparisons?

Jamal Badawi:

I think it is useful to refer to the Old Testament because after all it is part of the Bible and part of the heritage of the New Testament. Many disciples and writers of the Gospel refer to the Old Testament at least in terms of the prophecies about the advent and life of Prophet Jesus (ﷺ). Why is the Old Testament a good resource for that point and not for other things? I realize of course that some people believe that the Judaic Law is no longer applicable. But even this matter is disputable because Jesus (ﷺ) himself said in Matthew 5:17:

“Think not that I am come to destroy the law, or the prophets: I am not come to destroy, but to fulfill.”

In any case, it is a useful background that we can use in an academic approach and review of how women were treated in ancient civilization and previous religions so that we may compare it with the change and reform Islam suggested. We will probably find out that this kind of attitudes were carried over even after Jesus (ﷺ) through Paul.

Host: What is the position and nature of women as perceived by Jesus and the New Testament?

Jamal Badawi:

There is a big difference between what Jesus himself taught and how things were interpreted after him (not only in the matter of women but also in matters of belief). The position of Jesus (peace be upon him) himself was not negative at all towards women. In all honesty I am not familiar with any statement in the New Testament quoting Jesus to have expressed the type of attitude that predominated in the Old Testament. In more than one Gospel we find that Jesus is quoted as rejecting the notion of eternal sin and as such women do not have to carry this responsibility. Indeed, we find that he expressed views that are a little different from the Old Testament. For example, in the Gospel of John chapter 16 he talks about the woman being pregnant and giving birth to a child but he does not refer to it as atonement for original sin. He simply says that when labor pains start a woman feels anguished and sorry but as soon as she gives birth she feels happy again. There is nothing here that can be construed as negative feelings towards women. One should remember that among the followers of Jesus (ﷺ) were women (none of them were of the twelve disciples but they were well known who followed him and who were accepted by him and some of them were witnesses to some of the important events in his life). He definitely had an honorable position towards women.

Host: Did the disciples of Jesus uphold the same views as Jesus?

Jamal Badawi:

Not all of them upheld it but the predominant attitude was that of Paul, who had the greatest influence on later Christianity. If we take a look at the first letter of Peter chapter 3, we see that even though Peter asks women to be submissive to their men he also asks men to be compassionate towards women. This does not totally reflect a negative attitude towards women. Paul, however, had a drastically different attitude towards women. His views not only on the question of women but even on matters of belief (like the divinity of Christ and so on) had greater influence on historical Christianity than the words of Jesus (ﷺ). If we look at the New Testament which is composed of 27 books total and we find that more than half (14 books) are written by Paul. There are more of the words of Paul than those of Jesus in the Bible. This is why many scholars consider Paul to be the second founder of Christianity. One of the interesting quotations from Paul in 1 Timothy 2:11-15 Paul says:

“Let the woman learn in silence with all subjection. But I suffer not a woman to teach, nor to usurp authority over the man, but to be in silence. For Adam was first formed, then Eve. And Adam was not deceived, but the woman being deceived was in the transgression. Notwithstanding she shall be saved in childbearing, if they continue in faith and charity and holiness with sobriety.”

A second quotation that shows his attitude is in 1 Corinthians 11:3 when he says:

“But I would have you know, that the head of every man is Christ; and the head of the woman is the man; and the head of Christ is God.”

Later, in verse 7-8 he says:

“For a man indeed ought not to cover his head, forasmuch as he is the image and glory of God: but the woman is the glory of the man. For the man is not of the woman: but the woman of the man.”

In other words, he regards man as the image or glory of God and woman is not the glory of God but of man. The attitude that he held led him to practice celibacy and even to invite others to practice to do so and some historians say that he was never married. A similar attitude is found in 2 Corinthians 11:3 where he repeats the whole myth of the serpent beguiling Eve. It is quite interesting for a man like Paul, who was never married, to make so many pronouncements about women. His attitude was quite different from that of Jesus.

Host: How can one reconcile this attitude towards women with the veneration of Mary?

Jamal Badawi:

Mary (ﷺ) was definitely an exception because in the view of theologians she is regarded as the mother of God (this is not the Islamic view). This veneration went so far as to consider her to be above human level. Some of the statues from some European cathedrals show Mary standing and holding the whole world in one hand and her son, Jesus, in the other hand. We discussed in the eleventh program of this series how the god mother did exist in ancient civilizations. The case of Mary was definitely an exception just like in the past, when they worshiped goddesses but still the overall attitude towards women was not good.

Host: Is there any indication that the view of women that was put forth by Paul continued to influence the position of the church throughout history?

Jamal Badawi:

There are many indications of this. For example, we find that Lahey, the famous historian, speaks of *“These fierce incentives which form so conspicuous and so grotesque a portion of the writings of the Fathers.”* Then he continues:

“Woman was represented as the door of hell, as the mother of all human ills, she should be ashamed at the very thought that she is a woman, she should live in continual penance on account of the curse she has brought upon the world. She should be ashamed of her dress for it is the memorial of her fall. She should be especially ashamed of her beauty for it is the most potent instrument of the devil.”

St. Augustine talked about similar things and that man alone is the image of God, and that women alone can't be an image of God. St. Chrysostom also said similar things. Perhaps one of the most scathing attacks on women was by St. Terterian who said

“Do you know that you are each an Eve, the sentence of God on this sex of yours lives in this age, the guilt must of necessity live too, you are the devil’s gateway, you are the unseals of the forbidden tree. You are the first deserters of the divine law. You are she who persuaded him whom the devil was not valiant enough to attack. You destroyed so easily God’s image, man. On account of your desertion is death, even the son of God had to die.”

The attitudes seem to have persisted, not according to the attitude of Jesus, but according to the teachings of Paul which opposed the views of Jesus (peace be upon him) towards women.

Position of Women in Islam (Spiritual Aspect)

Host: Could you begin by sharing with us your basic thesis on the position of women in Islam?

Jamal Badawi:

There is no religion that I know of, philosophy or way of life in the past or in the present that has dignified and restored to her, her humanity, dignity and rights more than Islam did. If there are any deficiencies in the practice of these teachings of Islam on the part of men, women or both it has nothing to do with the teachings of Islam. This is something that can't be documented from the scriptures of Islam which is like saying if people do not abide by the rule then the rule is wrong. The opposite of this is true; if Muslims as groups or individuals at any time or any place do not apply the rules then it is their problem and not a problem with the rule. Islamic Law with what the Quran and the Prophet (ﷺ) indicate about the position of woman cannot be superseded by any superior view. This has important implications for Muslim women in the Muslim world today who are seeking to improve some of the corrupt and improper practices or treatment that might not be consistent with Islamic Law. Once these women understand the nature of Islamic Law, the foundation of their reform calls should only be based on it and no other philosophy or way of life because Islamic Law provides the best solution to these problems.

Even non-Muslim women who might be confused in the conflicting shades of so called liberation might find the Islamic view to be interesting in the Islamic system which deals with women. This topic can be covered in a series that deals with the spiritual human aspect, the rights and position from an economic point of view or sociopolitical point of view. These are all various angles that can be explored to see if this thesis stands or not.

Host: Can we clarify the position of a woman in Islam from the spiritual point of view?

Jamal Badawi:

First of all, woman is not regarded as the one who is responsible for tempting Adam or the one to be blamed for the first sin. We will not repeat the view of Islam towards women when it comes to giving birth and their cycle, as we already covered this subject.

Up till the later part of the sixth century some religious conferences were held, including one in Rome. The major topic of discussion was:

1. Does the woman have a soul?
2. Should the woman be considered as part of human beings?

And that was a religious conference, which is not surprising in view of the attitude we discussed before about women in the Old Testament. But in the final resolution of the conference it says that after long and very heated discussion a small majority overtook in the decision to answer both questions positively: that woman does have a soul and she is part of humanity. Today it might sound strange that anyone might question whether a woman has a soul or if she is a human. But what is interesting is that in the middle of this kind of views (7th century) the Quran was revealed to Prophet Muhammad (ﷺ) less than thirty years after this conference was held. In (4:1) in the Quran it says:

“O mankind! Be dutiful to your Lord, Who created you from a single person (Adam), and from him (Adam) He created his wife (Eve), and from them both He created many men and women; and fear Allah through Whom you demand (your mutual rights), and (do not cut the relations of) the wombs (kindship). Surely, Allah is Ever an All-Watcher over you.”

When it says that its mate was created of the same nature it ended to all questions and arguments that could be made about the spiritual nature of women. It is clear, that just as man is a creation of God she is also a creation of God. In (7:189) it repeats:

“It is He Who has created you from a single person (Adam), and (then) He has created from him his wife (Eve), in order that he might enjoy the pleasure of living with her.”

When the Quran says **“from him”** it does not necessarily mean from the physical rib of Adam. There are three verses in the Quran, (42:11), (16:72) and (30:21), that show that *minha* does not necessarily refer to a rib because it is used in the plural. The Quran also indicates in (32:9) and (15:29) that when God created the human **“... He fashioned him in due proportion, and breathed into him the soul (created by Allah for that person) ...”** This shows that every human being is created by God and that God breathed into the human of Himself (not physically) as every human being has spirituality engrained in their pure innate nature. There is no distinction whatsoever between male and female.

Host: Is there any explicit indication in the Quran that a believing and righteous woman is rewarded in the same way as a believing and righteous man?

Jamal Badawi:

Absolutely. There are three explicit among many other explicit statements that are found in the Quran about this. For example, in (74:38) it establishes the basic rule that every soul (not every man or woman) will be held accountable for his deeds. This shows that in terms of responsibility before God there is no distinction between man and woman. Secondly, in (3:195) describing the believer it says:

“So their Lord accepted of them (their supplication and answered them), «Never will I allow to be lost the work of any of you, be he male or female. You are (members) one of another...»”

This shows absolute equality and notice the beauty of the expression “one of another” which means a woman proceeds from man (seed) and a man proceeds from a woman (being in the womb). Every man and woman have to go first through the womb of a mother which shows the significance of the role of the mother. The third quotation is even more explicit in (16:97):

“Whoever works righteousness – whether male or female – while he (or she) is a true believer (of Islamic Monotheism) verily, to him We will give a good life (in this world with respect, contentment and lawful provision), and We shall pay them certainly a reward in proportion to the best of what they used to do (i.e. Paradise in the Hereafter).”

The Prophet (ﷺ) said:

“Women are but sisters of men.”

Host: What about the spiritual manifestations in terms of religious duties, are they the same for the male and female?

Jamal Badawi:

Yes, they are basically the same with some concessions given to women. For example, concerning the Five Pillars of Faith (Testimony of Faith, Prayer, Fasting, Charity and Pilgrimage) there is no basic distinction between males or females. I said basically because there are cases where women are exempt or given certain concessions which are not given to men out of consideration of their female nature.

For example, the five daily prayers are required of both male and female under normal circumstances. In the case when a woman is going through her monthly cycle or is recuperating from childbirth (postnatal) a woman is not required to perform these five prayers. Also, during the month of fasting every Muslim, male or female, who is able should fast from dawn till sunset (no food, drink or matrimonial relations). In the case of a woman during her cycle, postnatal period or a suckling mother, she is exempt from fasting which she can make up at a different time (she doesn't have to make up the prayers, however). Jihad (in the broader sense this means struggle against evil in one's self, evil in society and evil in the world which may be battles in order to defend the country or remove tyranny) in the last case is a collective requirement which is compulsory for men but is not compulsory for women. A woman cannot be drafted according to Islamic teaching.

Host: Do these concessions create a hierarchy and a lower status for women? Why can't women worship God because of natural bodily functions?

Jamal Badawi:

If a woman fasts (not taking any food or liquids between dawn and sunset) while she is recuperating from childbirth is it putting her at a lower status or is it just a tender consideration of her pain and suffering? Again this is the same during the monthly cycle which effects the body physiologically and psychologically. If a woman is nursing a baby, medical doctors say she should consume a lot of liquids to help the milk flow, and if she doesn't what kind of state would she be in and what about the welfare of the child and herself? When people say "Why can't she worship God?" Who said that she can't worship God? The word worship *ibadah* in Islam means that all actions in one's life can be regarded as continuous acts of worship so long as they are done correctly within the boundaries that God has set. There is nothing that forbids the woman from doing acts of charity like paying charity to the poor. These restrictions in terms of prayer or fasting are related to the requirement and the specific nature of prayer and fasting. A woman in Islam is not prevented from prayer in the form of supplication. She is also not prevented from reciting Quran from memory. What confuses people perhaps is that prayer in Islam only refers to one specific type of prayer which is done five times a day with specific prerequisites and requires certain movements for both men and women. This specific ritual of prayer is the one where women is not supposed to practice while on her cycle or postpartum period. Men and women can't perform this prayer after intimate relations unless they take baths. This is really a concession rather than a restriction.

Host: How does Islam respond to the ordination of women?

Jamal Badawi:

In Islam there is no ordination of men either. In Islam there is no concept of church as the soul directive and as such there is no clergy. There are scholars of course, people who specialize in Islamic studies just as people specialize in chemistry or other areas who could be authorities in the field. Religious leaders in the Muslim world might be given different titles because of different cultures or places but essentially it is quite different from the common notion understood by the clergy.

Secondly, the question of ordination is irrelevant and has nothing to do with the view that was held for a long time (and is held by some) that a woman can't be ordained because she does not represent the image of God. For a Muslim there is no such thing as a male or female image of God. In the Judeo-Christian context the function of a priest is to conduct rituals and offer services and religious education to the community. In regard to the rituals we find that in the Islamic framework they don't constitute a major part of Islamic teachings and considering the format of these rituals (like the five prayers) they are not appropriate for a woman to lead. As far as the second basic function of religious teaching or services to the community of believers, in Islam I know of no restriction on a woman engaging in Islamic education at any point during her life.

Host: Why can't women lead the prayer and why do they have to sit in the back of the Mosque? Does this not mean that they are second class?

Jamal Badawi:

In the Muslim prayer people don't just sit and supplicate but it has special moves which involves prostration to the ground which leave us with three possibilities: women are in front of men bowing and going up and down, women and men mixed within the same lines standing shoulder to shoulder and foot to foot or that women are behind the men. In a highly spiritual act which include many movements and close body contact it would be out of the question for women to stand next to men and still concentrate on their prayer, or stand in front of men and bow down which would be uncomfortable. I suspect women themselves would prefer not to bow down to the ground and prostrate while men are watching behind them. The only logical place for women to stand is behind men. This is simply the etiquette and proper modesty that should be observed by both Muslim males and Muslim females. So it has nothing to do with status at all.

Host: Why were all of the prophets male? Does this suggest that religions were male oriented?

Jamal Badawi:

First of all, the Prophet did not select himself and was not selected by people. There is no question of male or female bias. The Prophet was selected by God who is neither male or female and has no interest in siding with either. Secondly, the Prophet is not just a person who has the gift of prophecy (nothing in Islam says that only men have the gift of prophecy) or God inspiring one to know what will happen in the future, which God can give to both men and women. In the Islamic context the Prophet has very important responsibilities beyond prophecy and that is to strive against evil in a society, to always mix with people and go in public and face all kind of mistreatment and opposition as we know from the history of all the prophets. A prophet is a leader of the believers in the rituals that we described (should be led by man not because he is better but because of the nature of the physical content), leads the believers in confrontation against their enemy (in the cases of Prophet Moses and Prophet Muhammad (peace be upon them), even sometimes in a battle field. Given these duties of a prophet it won't be quite easy for a woman to carry out this job. For example, a woman who is pregnant tries to invite non-believers to the faith and gets stoned as the Prophet Muhammad (ﷺ) got stoned when he went to the City of At-Taif and his feet were bleeding. Suppose that a pregnant prophetess who is subjected to this kind of abuse, torture and ill treatment. It is not that a woman is not qualified or does not have spiritual qualities as fine as man but it is simply because of the nature of the hurt and suffering that Prophets have to go through that requires a male to withstand it. Also, not every male can withstand this kind of job as God selects special males who have the fortitude to resist this opposition.

Position of Women in Islam (Economic Aspect)

Host: Does Islam recognize a woman's right to own property independently (independent of her husband)?

Jamal Badawi:

According to Islamic Law a woman has complete unquestioned right to own property in her name independently. This right does not change in case of marriage and it does not transfer to her husband (as we have seen in some laws before Islam and in some non-Muslim societies after Islam). A woman is eligible to dispose of this property in any way she wishes (bequeath it, sell it, rent it, invest it or any other form of disposal of property) without any permission or interference from her husband or anybody else. Among Muslim women, even till today, a woman does not take the name of her husband upon marriage which is a symbol of maintaining her personality and legal identity. Some Muslims who migrate or live in the West find it difficult and uncomfortable to refer to a wife as Mrs. so and so. In Islam a woman maintains her maiden name. These are not recent interpretations of jurists but are all rights which were established and entrenched in Islamic Law from as early as the seventh century.

Host: Could you compare the situation of Islam with the legal approach of the Western civilization after the industrial revolution?

Jamal Badawi:

According to Encyclopedia Americana, the international edition published in 1969, Volume 29, in page 108 it describes the approach of the English common law:

“All real property which a wife held at the time of a marriage became a possession of her husband. He was entitled to the rent from the land and to any profit which might be made from operating the estate during the joint life of the spouses. As time passed the English courts devised means to forbid a husband's transferring real property without the consent of his wife. But he still retained the right to manage it and to receive the money which it produced. As to a wife's personal property the husband's power was complete, he had the right to spend it as he saw fit.”

It appears that this kind of situation continued until the later part of the nineteenth century. To document this, we refer to Encyclopedia Britannica, the 1968 edition, Volume 23, page 624, it says:

“By a series of acts starting with the Married Women's Property Act in 1870 amended in 1882 and 1887 married women achieved the right to own property and to enter contracts on a par with spinsters, widows and divorcees.”

Indeed, Britain was ahead of many European nations. It is known that in French Law the right of women to own property was only recognized as late as 1938. Prior to that among the people who did not have the right to dispose of property were the minors, those under guardianship (not stable mental condition) and women. This means that many of the rights that were

recognized to women economically as late as the nineteenth and even twentieth century were already well entrenched and established in Islamic law as early as the seventh century which is almost a span of more than 1300 years of difference.

A French writer by the name of Maurice Gaudefroy-Demombynes translated to English by John P. MacGregor, wrote in a book with the title Muslim Institutions, published in 1950, that Quranic Law gave the wife *“a status which is in many respects more advantageous than that bestowed by modern European Laws.”*

Another writer also wrote that Islam was astonishingly ahead of its time and environment. This astonishment results from the fact that many of these writers look at these provisions in Islamic Law and they wonder how Prophet Muhammad (ﷺ) could say these things in a time when women were the object of inheritance. What they forget is that these laws are not written by Muhammad and the Quran was not written by him, but that it was divine revelation. God’s laws are not subject to the limitations of the time, pressure or environment.

Host: Under Islamic Law is the woman entitled to inheritance?

Jamal Badawi:

It is interesting to note that before Islam in Arabia in some cases the woman herself was the object of inheritance, part of the estate left by the deceased. Depriving a woman from inheritance was not uncommon not only in pre-Islamic Arabia but also in other parts of the world. In some cases, only males were entitled to inheritance and in some other cases (even in Europe) only the eldest son was entitled to it. The argument for this was that it preserves the wealth and aristocracy of the family rather than splitting it among so many children. The first and most important major reform that the Quran introduced was to establish the rights of both males and females, with no exclusions.

In the Quran in (4:7) we find:

„There is a share for men and a share for women from what is left by parents and those nearest related, whether the property be small or large – a legal share.”

This share was not determined by anybody, not even Prophet Muhammad (ﷺ) but was determined by God. Nobody has the right to change it or to deprive anyone from his or her legitimate inheritance. In Islamic Law even if the deceased made a will with the exclusion of any of the legitimate female heir that it would be void from the Islamic point of view. The reason of the revelation of this verse reflects that it was made to protect the female rather than the male.

It was said that the wife of a man by the name of Sa’ad went to complain to the Prophet (ﷺ) and said:

“My husband died and he left an estate which his brother took; I have two daughters and when they get married they will need these funds.”

So, this verse was revealed to Prophet Muhammad (ﷺ) that both males and females are entitled to inheritance. A unique way of revealing revelations was related to cases in society which show us how to resolve these problems.

The share of any heir depends on the degree of relation to the deceased. According to what the Quran says the heirs are a male and female in most cases the male inherits twice as much as the female. This is the case because of the variant financial responsibilities of males compared to those of females under Islamic Law.

Host: How would you respond to people who see this as being unjust to the woman involved?

Jamal Badawi:

To start with, as indicated before, the inheritance is not put down by a male (no bias towards males) but these are divine laws that have great wisdom and reason behind them. If we look at one aspect of Islamic Law pertaining to religious privileges or responsibilities, then one would probably come up with this conclusion of it being unjust and discriminatory. The error in this conclusion stems from the fact that one is taking one aspect of Islamic law out of context. Indeed, if one looks at it further finds that Islam favors the woman even though she inherits half as much as the male.

In the case of marriage, the woman is more on the receiving side than the male. First, during the period of engagement she gets all kinds of gifts. Second, at the time of marriage a Muslim woman is entitled to a marriage gift or *Mahr* which is hers and not anyone else's (like her father's). Usually the *Mahr* is consistent with the financial situation of the fiancée. Thirdly, if she had any property prior to marriage it remains hers and she has full freedom to dispose of it the way she likes. Fourthly, in Islamic Law, even if the wife is rich and has property she is not responsible to spend a single penny on the household. The full responsibility for her food, clothing, housing, medication, recreation and all her needs are entirely the husband's responsibility. Fifthly, if she earns any income during their marital life by way of rental, investment or income it is all entirely hers. In cases of divorce if there is any differed part of the dower, the marital gift, it becomes due immediately. She is entitled to complete maintenance during the waiting period and is entitled to child support if the child is in her custody.

If we put all these additional privileges that are given to women, and the fact that no matter how rich she is she does not have to spend a penny, we can see that she is not being degraded. In Islamic Law the man is responsible for all of the expenses in addition for his responsibility to care for his near relatives who are poor and needy. When things are put in proper perspective we can see the great financial privileges given to women in consideration for their need of protection and financial security.

Host: Is the woman entitled to seek a job and work in Islam and is she entitled to equal pay for equal work?

Jamal Badawi:

First, I know of no legal provision in the Quran or Prophetic Tradition that can be construed in any way to say that a woman is not entitled to seek a job or career. It should be added that in an ideal Islamic society some women must take certain jobs. For example, within Islamic teachings it is much more desirable for a woman to be examined by a female doctor. This automatically means that Islam presumes that there would be female doctors and nurses. In an Islamic society it is much more desirable to have a female teacher for females, which presumes females in a variety of disciplines. It is well known that females are much better with children in their early education. These are only examples that show that within the assumptions of Islamic Law there must be some women who have these type of skills. It should be emphasized however that a very important and major role for women in Islam is being a wife and a mother. These kinds of roles that relate to the upbringing of the new generation of humanity should take precedence over a career or job. Whenever there is conflict these basic roles should take precedence. The Prophet (ﷺ) said:

“Allah loves it when one of you does something that he tries to perfect it.”

If a woman has small babies that she is caring for, that requires her presence and not taking a job for a period of time then she is certainly making the right decision. In the case of living in non-Islamic societies where such guaranties and financial securities are not available to women and a woman has to work to earn a living or in order to care for her children (so long as the type of work and atmosphere is not contradictory to Islamic Law) there are no provisions to prevent her from doing so.

In Islamic Law there is no reason why a woman should not receive equal pay for work of equal value. There is nothing in Islamic law that says that a woman should be paid less because she is a woman. This is as old as the revelations of the Quran, 1400 years ago. It is consistent with the rules of Islamic Law that if a person is doing work (male or female) that they get paid for their work.

Host: Is seeking a job for women not encouraged unless there is a specific need for it? Some people would argue that a woman who does not have a career is not productive or fulfilled individual and that she does not contribute to development.

Jamal Badawi:

I don't know of any function that is more noble, more important and crucial in social development than motherhood. How do we define social development? Are we defining it in terms of dollars and cents? Or are we talking about social, moral, spiritual as well as material development? Once we expand our view of what social development is; what role could replace the role of motherhood? Why is it that we consider a career outside of the home a career but motherhood is not? Is working outside the home the only determinant?

Why is it that in a materialistic civilization like the present age if a woman cooks in a restaurant for strangers she is regarded as fulfilled but if she cooks for her beloved ones at home she is not

fulfilled? Why is it if a woman is sewing clothing in a factory for others she is regarded as fulfilled but when she sews for her own family she is not? Why is it that if a woman works as a secretary, organizing schedules for her boss she is regarded as fulfilled but when she looks after the engagements of the family she is regarded as inferior. Indeed, the biggest problem in contemporary thinking is to look down at the role of a mother or a wife as if it is something traditional old and not relevant and not important in society. From a purely materialistic point of view, if we were to put a price tag on the services of a wife and mother and if the husband were to pay her for those services he would go bankrupt. A mother is sometimes on call 24 hours a day and especially when she has small babies. Even in a materialistic sense a wife and mother's job is not worthless. I should reiterate however, that this does not mean that Islam makes it unlawful for a woman to have a job but it simply means that there are priorities. What fulfillment could be greater than a warm home, a happy husband, healthy and well reared children and a cherished and loved wife?

If something is traditional it doesn't mean that it is bad and if something is modern it does not mean that it is good. What is the price that society is paying today for these so called modern values? The family is breaking down and because of this, women seek employment to sustain themselves, which contributes to the problem of unemployment and that causes crime which discourages people from getting married. What price are we paying for these so called modern values versus the so called traditional values? What is wrong with this kind of warmth within the family circle that every man, woman and child publicly or secretly yearn for?

Position of Women in Islam (Social Aspect)

Host: What was the position of Islam regarding the birth of girls and how did this vary from the common practice before Islam?

Jamal Badawi:

The practice of female infanticide was quite common before Islam. The Quran made it clear that this inhuman act was nothing but murder. In the Quran in (81:8-9) we find out that on the Day of Judgement „... **the female (infant) buried alive (as the pagan arabs used to do) is questioned ~ For what sin was she killed?**”

In this verse it uses the term murder to refer to the method of her death. Aside from uprooting this practice, which Islam eliminated within a few years, the bias of happiness when a son is born and sadness when a girl is born (which is still practiced today) is criticized in the Quran. This is found in (16:58-59):

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

The attitude of Islam was not only to stop inhumanity but also to criticize the attitude of feeling happier with the birth of a boy rather than a girl. To put it in simple terms Islam regards the birth of both boys and girls as equally a blessing and a gift.

Host: Are there specific directives for people to be kind to females?

Jamal Badawi:

In one of the sayings of the Prophet (ﷺ) as narrated in Ahmad he says:

“Whoever looks after two girls until they grow up, he and I will come on the Day of Judgement like this” and he pointed to his two fingers.

This showed that that person would be as close as those two fingers to each other on the Day of Judgment. Indeed, there are certain texts in the Prophetic Tradition which shows that the bias did exist and that Islam came to change this. In another saying narrated in Ahmad, Prophet Muhammad (ﷺ) said:

“Whoever has a daughter, he did not bury her alive and he did not insult her and he did not favor his son over her, God will enter him into Paradise.”

Prophet Muhammad (ﷺ) gave in his own example and life the practical manifestation of these teachings. His extreme kindness in the treatment of his daughters to the point that he once said about his daughter Fatima:

“Fatima is a part of me, her happiness is of my happiness and her anger or hurt is my hurt.”

The Prophet (ﷺ) tried in words and deed his best under divine direction to move society away from these strange ideas or misogyny.

Host: Is the female entitled to an education in the same way as a male?

Jamal Badawi:

Perhaps we can make a cross reference here on the economic rights of a Muslim woman. We indicated that work is permissible unless there is a good reason why it is not permissible, but there is no text preventing women from seeking employment. In an Islamic society it is highly desirable to have females in medical, nursing and teaching professions (to name a few), then how can they do this unless they have an education.

The attitude of Islam towards learning is that is not simply a right but an obligation and responsibility. In a Hadith narrated in Al Baihaqi, Prophet Muhammad (ﷺ) said:

“Seeking knowledge is mandatory on every Muslim (Muslim as a generic for both male and female).”

The Quran in numerous passages speaks about the higher status that God endows on those who are knowledgeable as is also mentioned in the sayings of the Prophet. None of these make a distinction between male and female as meeting this responsibility is concerned.

Host: Are there any specific fields which are permissible for girls while others are not?

Jamal Badawi:

I am not familiar with any provision anywhere in the Islamic law that says that it is unlawful for women to engage in certain fields, which are only allowed to men. If there is any field of knowledge which is unlawful for women, then it is also unlawful for men. An example of this would be learning sorcery or magic, which is unlawful in Islam whether the person learning is male or female.

Even though it is always desirable to seek knowledge there is a minimum degree of knowledge that each Muslim must learn. For example, learning about fundamental beliefs, devotional acts of worship, moral teachings etc. In this area of absolute mandatory requirements, they are such for both male and female with no distinction.

It is fair to say that there are certain fields which are highly desirable for women to engage in which would help her to perfect her role (to enhance the capabilities that God created her with that in roles that men cannot perform as effectively). For example, various areas that deal with medicine and nursing, home management, health care (which would help her look out for her family), psychology and areas that help a woman fulfill the most noble career of being a wife and mother. Other than this all other fields can be classified in Islamic terminology as permissible so long as they are beneficial and there is nothing in the pursuit of the knowledge that is against Islamic law. It is implied when we say we need women teachers that we need them in all fields (it is desirable to have separate schools for girls in an Islamic society).

Host: What about the situation of the woman as a wife?

Jamal Badawi:

The way Islam views marriage is basically that it is a partnership. When a person gets married, they don't marry a slave nor a master. All human beings are servants of God, none of them are slaves or masters of anybody else. It is the basic, fundamental ideological of a Muslim that servitude belongs to God alone.

The Quran describes marriage very favorably and positively not as an inevitable evil. It is a blessing that God has endowed on humanity and a source of tranquility, peace, mutual love and affection and for these reasons we find that Islam requires the consent of both parties in order

for a marriage to be valid. Some of these aspects we can touch on when touch on the area of family law in Islam and how it is regulated. In terms of treatment not only of wives but of women in general the Prophet (ﷺ) was very clear as he echoed the Quranic teachings. As narrated in Ahmad he (ﷺ) said:

“The most perfect believers are the best in conduct, and the best of you are those who are best to their wives.”

There are tremendous volumes of Quranic verses as well as Prophetic Traditions which all point to the basic notion of full respect, affection and compassion in the marital relationship.

Host: Are there any special privileges that Islamic Law provides to a woman?

Jamal Badawi:

Islam does not forget a woman when she gets old. In fact, this practice of nursing homes to the Muslim sounds like a very cruel, inhuman and un-Islamic act. Indeed, the Quran ranks compassion and kindness to parents, especially when they are old, second to the worship of God.

An example of this is in (17:23) of the Quran where it says:

“And your Lord has decreed that you worship none but Him. And that you be dutiful to your parents...”

Even within the basic framework of kindness to parents which involves both mother and father, the Quran makes a special emphasis on kindness to the mother. In (31:14) we find:

“And We have enjoined on man (to be dutiful and good) to his parents. His mother bore him in weakness and hardship, and his weaning is in two years – give thanks to Me and to your parents. Unto Me is the final destination.”

The weakness is not regarded as divine punishment or anything of that sort but this is a struggle, sacrifice and qualifies her for an additional touch of compassion.

An incident took place in the time of the Prophet (ﷺ) where a man came to him and said **“Oh messenger of Allah, who among all people is the worthiest of my good company and kindness?”** The Prophet (ﷺ) answered **“Your mother.”** And the guy said: **“And who is next?”** And the Prophet (ﷺ) said **“Your mother.”** And for the third time he asked **“Who is next?”** And the Prophet (ﷺ) said **“Your mother.”** And the man said **“Yes but who is next?”** He (ﷺ) said **“Your father.”**

I used to tell my audiences that Muslim males have good reason to be jealous because three quarters of a person’s kindness goes to the mother and one quarter goes to the father. Of course this does not mean for one to be unkind to the father but the over emphasis on the mother then the father shows the importance of the mother. There is a very interesting and concise saying

of the Prophet which is widely quoted which was narrated in Ahmad, An-Nasa'i and Ibn Majah in which the Prophet (ﷺ) says:

“Paradise is at the feet of mothers.”

It is obvious that Islam did not only honor a woman in one particular category but honored her as a child, wife, mother, sister, and even if a woman is not related to an individual. Indeed, in one of the sayings of Prophet Muhammad (ﷺ) he says:

“It is only the generous in character who is good to women and it is only the wicked who insults them.”

In another saying he said something that could be translated in two ways:

“Women are but sisters of men” or “Women are like the other halves of men.”

Regardless of whether a woman is related or not to a person, Islam considers compassion, kindness and respect as one aspect of good Islamic behavior.

Host: Why do Muslim men require women to dress in one particular style of dress (all covered) and at the same time they are not subjected to any restrictions at all?

Jamal Badawi:

This does reflect a number of misconceptions that predominate in the West about certain stereotypes on Islam and Muslim women. First, Islam does not require a particular style of dress but rather it establishes standards. It doesn't say a woman has to dress in this design that was used in this or that country. It has established basic standards of coverage and modesty so as to keep the moral fiber of society and the family intact. Two, some people think that this type of dress is imposed on women by males who might have certain bias against females. In the case of Islam, the compliance of a female or male to the standards of modesty in dress and behavior should not simply be imposed by society, social norms, by the force of law and not even by the Prophet (ﷺ) because these are divine revelations with guidance that God has provided. When a male or female comply with these standards they simply feel that they are obeying God and are committed to Him, which is the meaning of Islam.

A second misconception is that some people think that Islam only legislates certain restrictions on women and has nothing to say about men. This is not correct either. In several programs that we covered under Moral Teachings in Islam we have seen that the question of dress and behavior is responsibility of both male and female. There might be a difference of the degree of modesty of the cover but the principle is there. It is not true that Islam allows men to wear anything that they like as there are certain restrictions on them.

Many viewers will be surprised to learn that in our age there are many incidents, not of men trying to make women cover but of them trying to make Muslim women who chose to cover themselves properly to uncover. Just a few weeks ago we heard of orders issued in Turkey,

Egypt and Syria that prevented women to some degree of complying with the Islamic dress. In a news piece that came from Syria it said that the government sponsored a militia group to stop women who cover properly in the streets and to rip off their cover. In this case it was heroic resistance on Muslim women's part who chose to comply with the Islamic dress.

Host: Some people depict the ideal Muslim woman as one who is confined to the home, is this the way it should be?

Jamal Badawi:

This is another one of those misconceptions. We have seen from previous points that we have made that it is totally illogical to think that Islam to stay at home, because she is required to learn and if she doesn't go out how can she do so. The misconceptions may arise because there is one verse in the Quran that praised the wives of the Prophet as examples for other women and it uses the term **“stay in your homes, and don't be so flashy outside like the days of ignorance.”** This must be taken in context of other Quranic texts and in regards to the Prophetic Tradition as it simply means that it is preferable that if one does not have a good reason to go out that it is better to concentrate on creating a warm and happy household. This does not mean stay at home and never go out. Some people may say that in a society where there is so much corruption, rape and attacks it is better to keep women from going out as protection. But we could say the same thing applies to men, and if we want to go to that extreme both men and women should never go out. The idea here is to minimize the risk and to take precautions but not to prevent a woman from going out.

There are texts that show us that the idea of a woman being totally secluded at home has nothing to do with Islamic teachings. First, the Prophet has indicated more than once that women should not be prevented from going to pray in the Mosque. Second, she is permitted to seek knowledge. Third, if she works which is permissible when there is a need for it and this requires her to go out. Even then in Bukhari the Prophet (ﷺ) said:

“God has allowed you to go out for your needs” without defining any restrictions.

This is the case so long as it is within the proper modesty of dress and behavior and within a proper Islamic framework.

Position of Women in Islam (Political Aspect)

Host: Is it permissible for the women of the community to participate in the political life of the community or nation?

Jamal Badawi:

First of all, the term has to be clarified when we touch on the political aspect. In essence when we talk about the political aspect we are talking about the public affairs of the community and the general issues that concern everybody in society maybe with special reference to government and administration. When we talk about Islam we are talking about a *deen* not a religion. The term religion is restricted as it is associated with certain rights and rituals but Islam as a *deen* has a much wider range and touches upon everything whether it is moral, social, political or economic.

It is quite obvious from the teachings of the Quran that maintaining a cohesive society and building a good society is the responsibility of both males and females. The Quran always speaks about cooperation in everything that is good and righteous and doesn't specify gender. The Quran introduces a unique concept of *willayah* that believing men and woman are *awliaya'a* which could be translated as friends, supporters and protectors of each other. This appears in (9:71):

“The Believers, men and women, are *awliaya'a* (helpers, supporters, friends, protectors) of one another: they enjoin (on the people) *al-ma'ruf* (Islamic monotheism and all that Islam orders one to do), and forbid (people) from *al-munkar* (polytheism and disbelief of all kinds, and all that Islam has forbidden); they perform *as-salat* (regular prayers), and give the *zakat* (regular charity), and obey Allah and His Messenger. Allah will have His Mercy on them. Surely, Allah is All-Mighty, All-Wise.”

This shows clearly that it is not a matter of a marital or parental relationship but that believing men and women are supposed to cooperate together to establish the way of life ordained by God.

In one of the early programs in this series when we discussed social responsibility in Islam we indicated that one of the duties of the Muslim, male or female, is to enjoin or ordain the good and forbid the evil. Again the verses that talk about this in the Quran do not make any exclusions of females from fulfilling this duty in society. The Prophet (ﷺ) said that whoever doesn't care about the affairs of Muslims is not one of them (applies to males and females). In the collection of hadith made by Muslim the Prophet said that **“*Ad-deenul Nasihah*”** which means true way of life is sincerity in advise given to Muslims (whether they are in a public office or not). From all of these steps it appears that the duty of the Muslim regardless of them being male or female is not to lock themselves out of what goes on in society but rather to participate in the affairs of society which also have to do with the political and public affairs.

Host: Is it permissible for a Muslim woman to express her views on social and legal issues?

Jamal Badawi:

The best models to refer to regarding this subject would be when Muslims were really true to their faith during the life time of Prophet Muhammad (ﷺ) as well as the four rightly guided Caliphs that came after him. During the days of Prophet Muhammad (ﷺ) there was a woman who came to him arguing with Prophet Muhammad (ﷺ) about some issues she had with her husband. In the Quran in (58:1) a verse was revealed saying:

“Indeed Allah has heard the statement of her (Khaulah bint Tha’labah) that disputes with you (O, Muhammad) concerning her husband (Aus bin As-Samit), and complains to Allah. And Allah hears the arguments between you both. Verily Allah is All-Hearer, All-Seer.”

The point is that she expressed her views and did not know what to do until the revelation was revealed to Prophet Muhammad (ﷺ) to resolve the issue she was worried about.

During the rule of the four guided Caliphs we find that this basic participation and expression of opinion was practiced. For example, during the Caliph Uthman’s time (third after the Prophet) we find that Aisha, the wife of the Prophet, had so many reservations about some of his decisions and she used to criticize him and he never said anything about her gender and why she interfered in the policy. He used to get angry in some cases but he did not say that she had no right to express her opinions.

Even during the Caliphate of *Ali* (fourth after the Prophet (ﷺ)) it is well known that *Aisha* strongly objected to his selection and even some of the very close companions of the Prophet sided with her and accepted her opinion. Again, no one said “Who are you to object to the selection of the Caliph.” It is however true that after that incident *Aisha* regretted what she did but she did not regret that she practiced her right as a Muslim female to voice her opinion about public issues. She regretted her bad judgement in opposing his position as Caliph. As a devoted Muslim woman and a wife of the Prophet, she would have never practiced this right had it been that a woman was not allowed the right to voice an opinion, as she would have been displeasing Allah and the Prophet after his death.

There were other incidents also that took place with other women. For example, once *Uthman* was sitting with *Marwan Ibn al-Hakam* and *Marwan* was giving him political advice on important political decisions (he was an advisor of the Caliph). *Uthman*’s wife was also there and objected to the advice given by the high ranking fellow. So, *Marwan* told her to keep quiet and that it was not her business. The Caliph said “*Let her speak because she is sincerer in her advice to me than you.*” This shows that he did not put her down but rather that he appreciated her advice and opinion. There are many other examples that are similar to this which show that Muslim women did participate in public affairs and practiced this right during the strongest period of Islam.

It is true that the primary interest of a woman in Islam is to be a home maker, but this does not mean she should be deprived from expressing her opinion.

Host: What is Islam’s position regarding voting rights for women?

Jamal Badawi:

Again we can go back to the early model which followed closely Islam’s presets. We find that they did not follow the exact format of voting that we have today (which is not to say that Islam is against this format as it is not the only format). Fourteen hundred years ago they used a method called *Bai’ah* which means an oath of allegiance. People would give their oath of allegiance so long as the ruler followed the rule of God. This makes *Bai’ah* a political activity.

We find that there is evidence in both the Quran and behavior of Prophet Muhammad (ﷺ) which make it clear that women did actually engage in *Bai'ah*. This evidence is found in the Quran in (60:12):

“O Prophet! When believing women come to you to give you the *Bai'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 (by making illegal children belonging to their husbands), and that they will not disobey you in *ma'ruf* (Islamic monotheism and all that which Islam ordains), then accept their *Bai'ah*, and ask Allah to forgive them. Verily, Allah is Oft-Forgiving, Most Merciful.”

If *Bai'ah* is a political activity what could be more clear than the Quran mentioning it in respect to women. Second, it does not say that the Prophet (ﷺ) has the choice to accept it from them but it is a command to the Prophet to accept their allegiance. In this sense we find that *Bai'ah* is the closest thing to our modern day elections.

In the Sunnah of the Prophet (ﷺ) we find incidence where *Bai'ah* was taken from a joint group of men and women as in the *Bai'ah* of Aqaba. The *Bai'ah* that is found in the Quran in (60:12) was called the Oath of Allegiance of Women and at later times the Prophet (ﷺ) accepted allegiance from men in the same way as the Oath of Allegiance of Women. If we compare this with the Suffrage of women to vote which was obtained in the West almost 1200 years after Islam established the right of women to participate. In Switzerland it was not till the 50s or 60s that women were given the right to vote.

Host: Some argue that this oath of allegiance was not related to a matter of politics but had more to do with the question of belief and moral behavior and that it was given by these women to the Prophet in his capacity as a prophet. How would this be addressed?

Jamal Badawi:

The allegiance was not only given to the Prophet as a prophet but it was also given to the head of the Muslim community who later became the head of an Islamic State. It is true that the verse in chapter 60 addresses issues of behavior and moral teachings. We have indicated that in the Muslim view moral, spiritual, social, political and economical are all inter related issues because Islam is not divided into compartments. When Islam deals with moral aspects with respect to property and sex it is related to a legal aspect which is related to criminal law in Islam. To make this separation is different from the overall approach of Islam towards life. An interesting point is that in the verse (60:1) in addition to it mentioning all the moral acts it says:

“... and that they will not disobey you in *ma'ruf* (Islamic monotheism and all that which Islam ordains)...”

This is a catch all statement which means that any other command that you give as a leader of men and women they will accept you. This includes decisions of political or military aspects.

Host: Can Muslim women be elected to offices of leadership or participate in the process of law making?

Jamal Badawi:

We have to go back to the format and the essence of this subject. It is true that the exact format of elections was different but this does not mean that the essence of selection and participation (which we call democracy, it is not exactly equivalent) isn't there. When we talk about the legal aspect we are talking about *shurah* which means mutual consultation. The way that mutual consultation was practiced was not like we have now with a formal building, parliament, where people are elected in a certain way with specific schedules etc. I am not saying this method is bad but it just did not suite the particular circumstances at the time. The essence of participation was there. The Caliph or ruler used to invite people to participate and give advice on issues. It was more an informal process of consultation. We find that after the death of the Prophet (ﷺ) a concept grew in the Muslim community which was known as *ahlul hal wal-akd* which means the people who have the power and right to tie and untie. This means to bring forth people who really have talent and ability to deal with political matters. In addition to this we find that during the life time of the companions of the Prophet many of the prominent women who had experience and knowledge were consulted (in their homes). We don't know of any resistance regarding the consultation of women.

The only restriction is that any participation of this nature should be within the proper Islamic framework and manners that Islam enjoins on males and females.

Host: Can you give us some specific examples of women providing input in legislation?

Jamal Badawi:

There is a very famous incident which took place during the reign of *Omar* (the second Caliph after the Prophet). He noted that some people were exaggerating the *mahr* (the marriage gift given by the husband to the wife). He went up to the *minbar* (the place where the leader gives speeches) and he said:

"I would like to forbid from paying any marriage gift that exceeds 400 dirhams and if anyone pays more than that I will take the rest and put it in the public treasury."

Upon his saying a woman stood up in the back of the mosque and said:

"You have no right to say that."

He asked her:

"Why is that?" and she said:

“Because if you go to the Quran it says (about the marriage gift) “if you give your wife to be a ton of gold then you cannot take anything back from it” how can you then take it by way of oppression and injustice. If God permitted a rich husband to give his wife a ton of gold who are you to say something different from what Allah determined in His Book?”

If it is true like some think that a Muslim woman should not express or have a say in politics, they would have heard people throughout the mosque objecting to her. But not a single person objected. The ruler himself stood up and said:

“The woman is right and Omar is wrong! (in humility he added) Everybody is more knowledgeable than you Omar.”

It is known that Omar was a very strong, devoted Muslim who tried to implement Islam in its purity and who would not have approach any problem with any hesitation or non-sense and whatever was right he enforced it and forbade whatever was wrong. If it was wrong for a woman to speak up in a matter of “high government decision” he would have objected to her speaking up. This situation shows that this situation was analogues to parliament nowadays.

Host: On what basis are you using this analogy?

Jamal Badawi:

Firstly, when *Omar* stood in the mosque and said that people are exaggerating and that they should not exceed 400 dirhams it is likened to a government decision or a proposed bill. Secondly, in those times the venue for these discussions was the mosque. What is forgotten is that for a Muslim the mosque is not just a place of worship or prayer but is a place that has been traditionally used in the days of the Prophet and shortly afterward as a place for discussion of social issues, political issues, army gathered and sent off from here, major issues were discussed and emissaries from other countries were received. This is analogous in my understanding.

Thirdly, the fact that *Omar* said that in public implies that anyone could express their opinion or objection to that decision or bill. What difference is that from the current parliament? Four, it was like an open parliament because anyone could express their opinion as in the example of the lady who objected and her basis for this objection is called today contradiction of the bill to the constitution. To a Muslim the *Quran* is the constitution and no word or decision of any human being supersedes the word of God. When the lady objected she said: *“You are setting an upper limit but the Quran did not”* and she quoted the verse. She was basically telling him that he was out of order which is just like an objection that is presented in Supreme Court or in front of parliament. *Omar* said *this woman is right and I am wrong*, which is just like a ruler withdrawing a bill or revoking a decision.

The narrator said *“a woman stood from the back”* and it was common for narrators to mention the lady’s name if she was well-known but the fact that the narrator only said *“a woman”* implies that she was a common woman not even one of the prominent women of the time.

A second observation is that the mosque was full of worshipers and companions of the Prophet who learned Islam directly from him and were definitely well versed with Islamic Law and none of them raised the objection that she was a woman and why was she interfering in politics.

Omar, who was known to be very meticulous about the implementation of Islamic Law did not object to her voicing her concern. In this sense we can make the analogy and the only difference is in terminology not in the essence of the situation.

This by no means was the only incident in which Muslim women participated in political decisions. It was reported that after the martyrdom of *Omar*, the second Caliph, consultations were taking place in order to find someone to succeed him and finally *Abu Rahman Ibn Oaf* was given the mandate to ask people which of the two candidates (*Uthman* or *Ali*) they accept to be the next Caliph. It was reported (as mentioned in *Al Bidaya wa Al Nihaya*, a book by *Ibn Kathir*, a very famous Muslim historian) that among the people who were consulted were women. Again if we go back to the purity of Islam and the best model in which Islam was implemented we cannot find any evidence of restrictions on women from participating in these type of affairs.

Host: Does Islamic Law object to women holding positions of leadership or public office in the community?

Jamal Badawi:

First we have to define leadership. Some people are used to leadership in a company or more formal setting. However, leadership connotes positions which are important, positions which carry responsibility and positions which involve supervising or guiding others. We have indicated (in previous programs) that in an ideal Muslim society it is not only permissible but desirable to have women serving in positions such as doctors, nurses and teachers (not just in the primary grades but in higher grades because it is preferable to have separate schools for girls). Are these not important positions? Are these not positions which carry a certain amount of responsibility? Are these not positions which involve directing and guiding people? If not what is?

On the other hand, suppose a woman is not employed and might be busy with an infant. Who can say that the position of a mother at home does not involve leadership? She directs the upbringing of her children and has great responsibility. Anyone who is familiar with what mothers and wives go through knows that their responsibility is as grave as anyone who is employed in a mine, factory or office. What could be more important to society than leading the new generation on the right path? It is the lack of this kind of leadership that is causing society to suffer today. We find a beautiful saying Prophet Muhammad (ﷺ) which was narrated in Bukhari and Muslim in which he says:

“Each of you is a shepherd and each of you is responsible for his flock. The amir (ruler) who is over the people is a shepherd and is responsible for his flock; a man is a shepherd in charge of the inhabitants of his household and he is responsible for his flock; a woman is a shepherdess in charge of her husband's house and children and she is responsible for them; and a man's slave is a shepherd in charge of his master's property and he is responsible for it. So each of you is a shepherd and each of you is responsible for his flock.”

The text of the Prophetic Tradition indicates that every woman (even if she is not employed out of her home) has a leadership role.

If we are referring to leadership roles that have to do with public office, again there is no specific text in *Sharia'a* (words of Quran and Prophetic Tradition) which establish a rule that a woman should not serve in public office. Indeed, there are even justification of women carrying some senior responsibilities in society in a variety of institutions if there is a genuine need for it and if the nature and environment of the job does not contradict other aspects of Islamic Law. As a rule, it is permissible.

The only exceptions from that rule would have to have solid text. The only solid text that makes any restrictions on a woman being in public offices is one that deals with being head of state. Most jurists (not all) by analogy say that she should not be a judge or commander of an army by analogy. The text only mentions head of state.

Host: What text is used to substantiate this particular exception and what are the reasons for it?

Jamal Badawi:

First, there is an authentic text (no text in the Quran) which is narrated in Bukhari, Ahmad, Tirmithi and Nasai'i when Prophet Muhammad (ﷺ) was told that Persians (before Persia became Muslim) selected the daughter of their diseased King to be their Queen he (ﷺ) said:

“No people will ever prosper who entrust their leadership (wallaw) to a woman.”

Jurists have interpreted the word *wallow* that the Prophet used to refer specifically to the headship of state, he was not talking about a woman occupying any other position of responsibility.

This rule applies within the boundaries and framework of Islam not within an alien type of structure or society. In Islam the head of state is not just a figure head he is the thinking mind of the state with lots of responsibilities and duties. He is the spokes person of his people, he is required to lead the prayers (especially in big congregations, Friday and at festivals) and he leads the army on the battlefield whenever it is necessary to do so. We have seen in previous programs in terms of leading prayers there is bowing and it is not appropriate for a woman to stand in front of men while doing so. In terms of leading an army and a war in our liberated society, show me any significant examples where woman liked to serve as a chief or commander of the army. If women become just like men in terms of militarism and making decisions involving bloodshed and wars, life would lose the best part of it, which is the kindness and compassion of women. God has provided a certain balance in creation.

In addition, in Islam headship of a state is not a prize that people fight for. Indeed, it is something that people who are cognizant of its responsibility should shy away from and escape from it. In Islamic rules a person is not supposed to seek public office unless people seek him or offer him the position because of his qualifications. This is a position that offers a great deal of sacrifice not one that would get all of one's relatives in positions and bribery. We can see throughout Islamic history that rulers lived very simple and sacrificial lives which were much harder than their lives prior to accepting these kinds of responsibilities. The point here is that this is not a major issue, even women in the West would not be overly anxious to be presidents

or heads of state. In the world now with four thousand million people how many men are in the position of headship of state? There are many reforms that could be focused on instead of worrying about this issue.

Host: What about the situation now where women serve as judges?

Jamal Badawi:

This is not an issue where there is unanimity among Muslim jurists. First, those who claim that by analogy a woman should not serve as a judge consider being a judge as a form that has significance and similarity to the role of the ruler. Second reason they give is that in Islam the man is supposed to be the head of the family and they say that if the man is supposed to be the leader of the household then by analogy a woman should not serve as a judge which is more important than being head of a household. This is the position of the majority of Muslim jurists.

However, the famous jurist At-Tabari differs with this when he says that there should be no restriction on a Muslim woman serving as a judge. He says that there is a fault in making this type of analogy. He said that the Prophetic Tradition which objected to a woman being head of state only specified headship and this analogy should not be made to extend to other areas.

A third position took the middle ground of the famous jurist Abu Hanifa (famous leader of one of the major schools of *Fiqh* in the *Sunni* tradition) said that if the Quran indicated that a woman can be a witness in financial dealings then she should also be eligible to be a judge in the same matter. If we accept somebodies witness (a sense of responsibility) then a person is equipped and qualified to be a judge in these matters.

Host: Under Islamic Law one male witness requires two female witnesses. Does that imply that women are half as good or they are second class?

Jamal Badawi:

Absolutely not. This is like the law of inheritance where it appears so on the surface but turns out not to be the case. First, if she was considered second class Islam could have rejected her being a witness, and in the in the 7th century it was too much for them to accept a woman as a witness (it was quite normal for people at the time to reject a woman as a witness). This question has nothing to do with status. If we go back to the verse in the Quran in (2:282) which specifies witnesses for financial dealings and contracts, it says:

“And get two witnesses out of your own men. And if there are not two men (available), then a man and two women, such as you agree for witnesses, so that if one of them (two women) errs, the other can remind her.”

Some translations use forgets instead of err as a rough translation for *tadil*. It might be asked in this situation why do we worry about women forgetting and not men?

Again the problem arises because of the translation as the word *tadil* doesn't mean forget in terms of memory (some women have better memory than men) but from within Islamic framework a woman who is busy centering her life as a wife and mother would be so involved in this very important role that she may not necessarily be present at the time when financial contracts are negotiated. Also, if she is present she may not be as experienced on the whole because she was not involved as much or as perceptive of all the financial details. Thus, her witness may not be totally accurate even though she really intends to give a clear and correct witness. The purpose is not to lower her status but to make sure that in financial matters (which are very sensitive matters for people) Islamic Law guarantees extra precautions. Until today most women are not involved into this and thus this precaution is taken. Of course we cannot generalize as some women can be better brokers (there are always exceptions) but on the whole especially within the Islamic framework women would not be as involved as men in this matter.

Muslim Women in History

Host: Is it acceptable for a Muslim woman to be a witness in matters other than financial dealings?

Jamal Badawi:

We find many scholars like *Abu Hanifa* and *Ibn Alkime* who hold the view that a woman's witness is accepted in all areas excluding criminal law. Some jurists try to explain that the sight of the crime which might involve blood shed may be too much of a shock for most women (who are emotional by nature) which might result in inaccurate perception of what went on which might affect the life or death of the accused. Even then this is not a universal view that is held by all Muslims jurists. We find that other famous Muslim jurists like *Al-Zurhri* and *Al-Awzai* as quoted in "*Criminal Law in Islam*" by *Abdul Kathir Oda*, second volume, page 215, in which he refers to these jurists as holding the view that the witness of a woman is to be accepted in any matter or any dispute including the issue of criminal law. There is a difference of opinion on this matter which has to do with interpretation as there is nothing conclusive in the Quran or the words of the Prophet that restrict the Muslim woman from this particular activity.

Whether the rule that the witnesses are two men or two women and one man extends to matters past financial law is again a matter of interpretation. There is nothing conclusive about it even though the majority of jurists extend it to apply to other areas. There are questions pertaining to the methodology of that analogy. In my humble opinion this analogy suffers from weaknesses on the basis of the Quran, Prophetic Tradition and on the basis of the overall spirit of Islamic Law. In the Quran we find at least seven places where the witness (in dealings or disputes) and in only one of them has the requirement that the witnesses should be either two men or two women and one man, found in the verse quoted before (2:282). This is the only case where the witnesses are given a specific gender. In another verse in (24:6-9) we find that the witness of a man is equated with that of a woman. This was in the case when a spouse accuses the other spouse of committing adultery. In the remaining five verses we find that the Quran does not specify if the witnesses should be men, women or both. These verses are found in (4:15),

(5:109), (24:04), (24:13) and (65:02). I also mentioned that the requirement of two women for one man seems in all other cases seems to contradict the Prophetic Tradition.

For example, in several references of Prophetic sayings in Muslim, Abu Dawood, An-Nasa'i and Tirmidhi it was reported that Prophet Muhammad (ﷺ) in a dispute decided on the outcome with one statement under oath and one witness without specifying the gender of that witness (which gives a fifty, fifty possibility). Furthermore, we find in numerous sayings of the Prophet, particularly in Abu Dawood and Tirmidhi, where Prophet Muhammad (ﷺ) rejected the witness of a person who was untrustworthy, a person who was jealous of the person (he was being a witness against) and a person who was subordinate to another (who might be doing so to please his boss). In all of these cases he mentioned male and female gender. Finally, in my humble understanding it seems to contradict the spirit of Islamic Law because according to the Quran to give a witness is not a right or a privilege, but a duty. For example, we find in (2:282) in the Quran:

“The witnesses should not refuse when they are called (for evidence).”

In (2:283) it says that concealing truth or a witness is a sin. In (65:2) it says that one should come forth as a witness for the sake of God. All of these show that it is one's duty.

Suppose that that there was an incident and the only witnesses were one man and one woman or even two women would it be conceivable under the spirit of Islamic Law to stick to technicalities and say no we need a man or another woman which would then result in the loss of the rights of others and lack of justice?

Host: Are there specific examples of prominent Muslim women in Islamic history in matters of faith?

Jamal Badawi:

One of the greatest tributes that Islam made to pious Muslim women is that the very first Muslim who embraced Islam after Prophet Muhammad (ﷺ) was given the mission was a woman, his wife Khadija. According to Islamic history when he (ﷺ) would contemplate in the cave of *Hira*, before he (ﷺ) received the command (he (ﷺ) used to go for as long as one month to this cave just outside of *Mecca* to contemplate, meditate in order to discover the truth) his wife did not object or stop him. Many times she would visit him and provide him with supplies. When the first revelation came to him, he (ﷺ) was alone and he was very scared when came down from the mountain. He (ﷺ) did not know who the person who was claiming to be Angel Gabriel was and he thought it might be an evil spirit. He (ﷺ) was trembling and he was in a very fearful state and ran to his home, and instead of questioning or accusing him his wife Khadijah immediately comforted him. When he (ﷺ) said could that have been an evil spirit that came to me in the cave she would say no. Some of her beautiful words went:

“By the name of God, God will never let you down after all you are kind to your relatives, you help those who are weak, you are charitable, you speak the truth, you are hospitable to your guest and you comfort those who suffer.”

In other words, she concluded from his character that what happened to him can never be an evil spirit and that God would not let him down. When a person goes from this state of tension and finds these comforting words from his beloved one it helps one persevere and carry their responsibility. The belief of Khadijah and the honor of being the very first person to accept Islam as completed through Prophet Muhammad (ﷺ) was not just a matter of faith or belief in the heart; she shared with him all his suffering, difficulties, and sacrifices in his struggle against evil, falsehood and the persecution of his own people and relatives. Whenever he (ﷺ) faced all of these difficulties outside of his home, he came back home to find a kind heart, support, comforting words and encouragement from his wife Khadijah. Her role was crucial in helping him carry out his responsibilities. Even when the going became very tough and the pagans put a siege on the Muslims (boycotting them and not selling them any food) Khadijah (who was very rich and could have separated herself from it) but joined her husband and the other Muslims in their suffering, hunger, thirst and deprivation. This shows that she was really living with her heart, mind and physically with the hardships and sacrifices of the Prophet.

Host: Was there any recognition of Khadijah's strong faith?

Jamal Badawi:

The highest recognition came from God Himself. It was narrated in Bukhari that one time Angel Gabriel came to Prophet Muhammad (ﷺ) and said to him:

“Here is Khadija coming to you with a dish of food or a tumbler containing something to drink. Convey to her a greeting from her Lord (Allah) and give her the glad tidings that she will have a palace in Paradise built of Qasab wherein there will be neither any noise nor any fatigue (trouble).”

This is an interesting description of her abode in Paradise because as some scholars explain it is described as a house wherein there is no noise because Khadijah never raised her voice at her husband and she suffered from the noise made by the unbelievers. Second, this house did not have any suffering because she never caused any fatigue or suffering to the Prophet as she was a very sincere and comforting spouse to the Prophet (ﷺ).

Host: Did Prophet Muhammad (ﷺ) recognize her support?

Jamal Badawi:

First, during their marital life the amount of love and affection that Prophet Muhammad (ﷺ) showed towards his wife, Khadijah was exemplary. It suffices to say that when they got married Prophet Muhammad (ﷺ) was twenty-five years old and Khadijah was forty years old (15 years older). She was his only wife for 25 years, she was 65 and he was 50 when she died. This marriage despite the difference in age proved to be a very happy, successful and stable marriage. It was built upon mutual appreciation of human qualities rather than other things in their lives. In some of the Prophet's sayings about women who achieved perfection he

mentioned Asia the wife of Pharaoh, Mary the mother of Jesus and Khadijah. In another version he also mentioned Fatima his daughter.

It is quite interesting in the first version that he mentions three very perfect women (as is humanly possible) who played very significant roles in the life of three major prophets and three major religions, Judaism, Christianity and Islam. Asia, the wife of the Pharaoh, acted as the foster mother for Moses. Mary, the mother of Jesus, played a crucial role in bringing up her child. Khadijah played a very important role in the life of her husband the last Prophet Muhammad (ﷺ). In fact he repeated this appreciation so much that even after her death he was very faithful to her memory. He used to be generous to her relatives and friends and sometimes when he slaughtered an animal he would send part of it to a such and such lady because she was a friend of Khadijah. His praise was so continuous that Aisha said:

I did not feel jealous of any of the wives of the Prophet (ﷺ) as much as I did of Khadija though I did not see her, but the Prophet (ﷺ) used to mention her very often, and whenever he slaughtered a sheep, he would cut its parts and send them to the women friends of Khadija. When I sometimes said to him, "(You treat Khadija in such a way) as if there is no woman on earth except Khadija," he would say, "Khadija was such-and-such, and from her I had children."

They had two boys and four girls: Al-Qasim, Abd Allah (At-Taib and At-Tahir), Ruqayyah, Zainab, Umm Kulthum and the youngest Fatima (another very prominent woman in Islamic history).

Host: Are there examples of prominent women in Islamic History who's faith was independent of their spouse's faith?

Jamal Badawi:

Yes, there are cases of women who were independent of their husbands, fathers and brothers which shows their independent personalities in the matter of faith. We will look at three examples which appear in the books of Hadith and in *Tabakat Ibn Sa'ad* and *Al-Isabah fi Tameez as-Sahaba*. The Prophet's daughter, Zainab, became a believer but her husband Abu al-Aas ibn al-Rabee was not a believer. She did not care that he was not a believer and was separated from him because it was not permissible for her to live with him. We find that Umm Habibah (daughter of Abu Sufian) became Muslim while her father was not a believer and she believed that the bonds of faith were more important than the blood relationships. We find the example of Fatima, the daughter of Al-Khattab, who was Omar ibn Al Khattab's sister (who later became a Muslim and the second Caliph). Before he became a believer he once went to his sister's house and found her reciting the Quran and he was very angry (was not a believer yet) and he beat her and when he saw the blood on her face he felt ashamed of himself and asked to read the Quran and his heart was touched and he became a believer. This shows that despite the toughness of her brother and his disbelief, at the time, she was still a Muslim. There were even Muslim women who migrated (leaving behind their families) to protect their faith, like Umm Kulthum the daughter of Ukbah after the Hutibia treaty she migrated to Madinah leaving behind her folks.

Host: Are there any records of Muslim women being subjected to torture and other kinds of suffering?

Jamal Badawi:

Khadijah was the first to become a Muslim and the first person to sacrifice their life for the sake of Islam was also a woman: Sumayyah, mother of Ammar ibn Yasir, one of the great and prominent companions of Prophet Muhammad (ﷺ). When they became Muslims in the early period of Islam in Mecca when Muslims were persecuted, Sumayyah, her husband and her son were severely tortured by the pagans and especially by Abu Jahl. At one point he got so frustrated because of her perseverance and patience under all the different forms of torture that he stabbed her in her lower abdomen with his spear and she was the first martyr for the sake of her faith.

There are other examples of women who were tortured and punished also by Abu Jahl and similar ignorant people. One woman was tortured to the point that her sight was lost and she was taunted by saying “Our idols were responsible for the loss of your eye sight.” She responded that they are lying because the idols could do no good or harm. It was reported that God restored her sight to her.

But even the women who were not directly tortured suffice that they saw their beloved ones: fathers, children, husbands and brothers being tortured but they never cracked and they persevered and provided comfort and encouragement for their faithful relatives. Some of them accepted some very dangerous assignments which put their lives in jeopardy.

Host: Can you give us a quick illustration of the exposure to danger?

Jamal Badawi:

When Prophet Muhammad (ﷺ) and his companion Abu Bakr were migrating from Mecca to Madinah, the pagans were very angry and were demanding he be brought to them alive or dead. They had a generous reward for anyone who could kill him. Prophet Muhammad (ﷺ) went to a cave called Thaur which was south of Mecca (to evade the pursuers). The pagans lead by Abu Jahl went to the house of Abu Bakr and his daughter, Asma'a, came out. They asked her where her father was and she said she did not know (she knew) so they slapped her to the point that her earring came out, but she still never cracked or told. In fact, she carried the very dangerous responsibility of carrying food supplies secretly and the latest news to Abu Bakr and the Prophet while they were hiding in the cave. If she were caught she would have probably paid for it with her life.

Fatimah, the daughter of the Prophet, used to defend him so much when he was attacked by others. It was narrated that one time he was making his prayers and someone brought intestines of a slaughtered camel and put it over his head, and Fatimah rushed to him (despite the danger) to clean it off his back. There are numerous examples on the part of Muslim women being exposed to danger.

Host: Are there any examples of women playing crucial roles in the propagation of the faith?

Jamal Badawi:

The obligation of a Muslim to communicate the message of Islam is not just a privilege or right but is a duty. There is no reference in the Quran or Prophetic Tradition that exclude women from this laudable act. Historically speaking, we find that Urwah, the daughter of Abd Al Muttalib, used to publicly support the Prophet even in the most critical of times. She was also quite outspoken in urging people to believe in him and to give him their support.

Another example is Umm Salim, the mother of a very prominent companion of the Prophet who was young at the time, Anas Ibn Malik. After the death of her husband a rich man came to Umm Salim by the name of Abu Talha to seek her hand in marriage and she told him:

“By Allah, a man like you is not to be rejected, O Abu Talha, but you are a disbeliever and I am a Muslim, and it is not permissible for me to marry you. If you become Muslim, that will be my dowry, and I will not ask you for anything else.”

In fact, he did become Muslim, and was a very good one too. This again showed how women propagated faith even on a personal level; when the future of a woman as a possible wife is at stake from very good individual. Faith was very important to her and so she spread it through these means.

Umm Sharik is another example, that even in the most critical time for Muslims when they were tortured and even killed she never hesitated to go around secretly visiting other women and inviting them to the truth of Islam and asking them to give up all their pagan practices and she succeeded with many of them.

Host: Did women distinguish themselves in the area of knowledge and scholarship?

Jamal Badawi:

In various points of Islamic history this has been the case. One of the most prominent examples is Aishah, the wife of Prophet Muhammad (ﷺ), and she was regarded as a very important source of Prophetic Tradition. This also can relate back to the question we discussed in a previous program about women being witnesses. My wife brought this to my attention when we were discussing this topic and she mentioned that if a woman is accepted as a source of Prophetic Tradition which is the basis of Islamic Law how could her witness be rejected in other minor disputes. Aishah, Umm Salamah and other women were sources of Prophetic Tradition.

Abu Musa Al Asha'ari, one of the prominent scholars of Islam, put it very humbly as narrated in Tabaqat ibn Sa'ad *“Whenever we had any complex problem pertaining to Islamic law we*

used to go to Aisha and ask her and we always found that she had some knowledge of it.” She used to give what we call today fatwah or verdicts according to Islamic teachings.

Another example is Asma’ a Bint Yazeed, an Ansari woman from Madinah, who made *Bai’ah* (oath of allegiance) to the Prophet and she learned a lot from him and proved to be a scholar in her own right. It was narrated that many future scholars learned through her; she was like a professor an educator to many other important jurists. There are so many bright examples like this. And as far as Islam is concerned there are no barriers.

Host: What about women’s involvement in social service and charitable activities?

Jamal Badawi:

Charitable activities from an Islamic perspective is perhaps one of the most suitable areas where women can excel more than men even because of the nature of compassion, kindness, concern and self sacrifice they can do a much better job with this. In fact, if we go back to the early (near perfect) era of Islamic practice we will find very touching examples.

After the death of Prophet Muhammad (ﷺ), when Islam spread to different lands and wealth increased, Abd Allah ibn Zubair, who was a relative of Aishah (wife of Prophet Muhammad (ﷺ)), brought her a hundred thousand dirhams, and she immediately distributed the entire amount to the poor and needy. That day Aishah was fasting (and one can only break their fast after sunset) and when it was time to break her fast she discovered that she did not have any food at home to break her fast on. From this we can see the amount of self sacrifice; when earlier that day she had a massive amount of wealth which she distributed.

Another interesting example took place during the lifetime of Prophet Muhammad (ﷺ) and the heroin was Fatimah (the Prophet’s daughter) who was so close to her father that they used to call her “her daddy’s daughter” and he used to love her so much. She was married to his cousin Ali, who was a poor person.

It is reported on the authority of Ali that Fatimah had corns in her hand because of working at the hand-mill. There had fallen to the lot of Allah's Apostle (ﷺ) some prisoners of war. She (Fatimah) came to the Prophet (ﷺ) but she did not find him (in the house). She met Aishah and informed her (about her hardship). When Allah's Apostle (ﷺ) came, she (Aishah) informed him about the visit of Fatimah. Allah's Messenger (ﷺ) came to them (Fatimah and her family). They had gone to their beds. 'Ali further (reported):

We tried to stand up (as a mark of respect) but Allah's Messenger (ﷺ) said: Keep to your beds, and he sat amongst us and I felt the coldness of his feet upon my chest. He then said: May I not direct you to something better than what you have asked for? When you go to your bed, you should recite Takbir (Allah-o-Akbar) thirty-four times and Tasbih (Subhan Allah) thirty-three times and Tahmid (al-Hamdu li-Allah) thirty-three times, and that is better than the servant for you.”

Compare this to many rulers today who spend and squander millions of dollars just on a wedding of their son or daughter. Here is the Prophet (ﷺ) who has command over all that wealth refusing to assign a servant to his own beloved daughter, despite the fact that they needed it. Both Fatimah and Ali reported that they never left this practice. This shows that this spiritual elation and worship was better in the mind of the Prophet, Fatimah and Ali than having a more comfortable and more luxurious life.

Not only were women participating in charity by just helping the poor but some of them even participated in consumer protection. One of the ladies was known as Umm Ash-Shifa'a, the daughter of Abd Allah, who was so wise and liked that Omar used to give her opinion a lot of weight. One time it was reported that he appointed her in the market place in order to supervise and make sure that nobody was cheating.

Host: How were Muslim women involved in war efforts?

Jamal Badawi:

It is quite evident historically, from a variety of sources, that Muslim women did volunteer in many of the battles that Muslims had to fight in order to defend themselves and their faith. They participated in logistical services such as providing food, drink, nursing those who are wounded and carrying them back to the city. They helped by providing whatever help they could to support the fighting men. It is interesting to notice that in the most authentic collection of Prophetic Tradition in Bukhari there is a chapter about the women's' participation in the warfare.

In Bukhari and Ahmad, it was reported that a lady by the name Ar-Rubayyi 'bint Mu'auwidh Narrated:

We were in the company of the Prophet (ﷺ) providing the wounded with water and treating them and bringing the killed to Medina (from the battle field) .

In another narration in Ahmad, Muslim and Ibn Majah another lady by the name of Umm Atiya, an Ansari woman, said:

“I went to seven battles with Prophet Muhammad (ﷺ)...”, and she described similar duties that they used to perform like getting them supplies, making food for them and looking after those who were injured.

Even Aishah, the wife of the Prophet (ﷺ), was reported to have carried water in a water bag along with another woman Umm Ayman to give drinks to people in the front lines.

There are literally dozens of them and these are only the women who took the lead in leading other women to support the fighting men. This does not cover the multitudes of Muslim women to provide the best help they could to support the men on the battle field.

Host: Are there case of Muslim women who were actually involved and participated in the battle field and actually carried arms?

Jamal Badawi:

Yes, there were examples of that also. We mentioned earlier the name of a prominent woman Umm Salim who was married to Abu Talha in the battle of Hunain when Muslims were in great danger she did not depend on men to protect her and wore a dagger on her waist and she mentioned to her husband that if someone gets close to me or tries to violate me I will not hesitate to use the dagger in defense. When the Prophet (ﷺ) heard of this he simply said **“Allah has already protected us from the danger”** but he did not object that she was careful and tried to defend herself.

When Muslims were in great danger, and the tide was against the Muslims and the Pagans started all attacking with the aim of reaching the Prophet (ﷺ) and killing him and getting rid of Islam, one of the ladies by the name of Nusaybah Bint Ka'b while providing logistical support she felt that there was a great deal of danger on the life of Prophet Muhammad (ﷺ). So she threw everything and she took a sword and started defending the Prophet (ﷺ); she put herself in the face of the pagans in order to protect the life of Prophet Muhammad (ﷺ). In fact, it was reported that she received twelve injuries while defending the Prophet (ﷺ). I don't know of many women who have that kind of courage and perseverance.

Earlier we mentioned Asma'a Bint Yazeed, an Ansari woman, who was not only a scholar in her own right but was also a very courageous woman who participated in battles. Many historians refer to her participation in the battle of Yarmouk initially to nurse the injured and give them water. But at one point when the Roman army was attacking the Muslims she took the pole of her tent and it was reported that she succeeded in killing nine of the enemy who tried to attack the Muslims.

Similarly, we find that Safiyyah bint 'Abd al-Muttalib was left in the battle of Al-Khandak (The Trench) and Hassan ibn Thabit was with them trying to guard them. At one point she was in danger and she immediately got rid of the soldier who was near her. So there are several examples of women being in the position of having to fight or participate in the battle field.

Host: Many argue that these examples are not applicable today because they occurred in the very early days of Islam and when they were in grave danger under exceptional circumstances. How do we respond to this view?

Jamal Badawi:

To use this argument to bar a Muslim woman from the battle field, even if she wanted to volunteer does not have any definite and solid support. The Prophet (ﷺ) consented to this. In case one wants to raise the issue of the danger to which Muslims were exposed to in the early days then the same argument would be applicable to any other time after the Prophet where similar danger may arise. Muslims are being persecuted in a variety of places around the world, with internal oppressive regimes and external occupying forces. Till this day we hear about the heroic struggle of Muslim women in Egypt, Syria, Afghanistan and Iran. If the argument is

based on danger, danger does not know any specific time or place. To be fair however we must say that women are not obliged to participate in the front lines of the battle field. In other words, a woman cannot be drafted in the Muslim army. The primary responsibility falls on men when it comes to this point. To say that God relieved her from the possibility of being drafted because of many reasons (has small children at home) is one thing and saying that women are prohibited from participating in war efforts if need is another.

Some people refer to a saying of Prophet Muhammad (ﷺ) when women asked him if they are obliged to engage in jihad (struggle in the path of God, which is also used for battles) and his answer was that their jihad is a good pilgrimage. Again this does not mean that they can't participate but simply that if one is not able to participate in the battle field that God will give her as much reward as he gives men when they do jihad when a woman does other types of worship like pilgrimage. This was a compensation factor rather than prohibition. In any case one has to indicate that Islam does not ask a woman to leave her children at home simply to participate in the battle field. Those who are able to should be allowed to participate if they wish to do so (especially with logistical support).

I should mention one text that people might use to say that women should not participate about a lady known as Umm Kabsha, which is narrated in Ahmad, Abu Dawood and Al Nasa'i, went to the Prophet (ﷺ) to take his permission to participate in the battle of Hunayn and the Prophet (ﷺ) said **"I am afraid that if I allow you that it will become an established practice."** This text does not mean that women should be forbidden but it could mean that he was afraid that Muslims would interpret it as a regular pattern and that Muslim women would be forced to participate in the battle fields against their wishes. The fact that these things happened with the approval of the prophet shows that even in the issue of participating in the battle field women were not barred from this.

Host: In the last few programs you seemed to focus on the early period of Islam, was there a reason for that?

Jamal Badawi:

First, the early days of Islam perhaps represented the most perfect model of the correct implementation of Islam. In the early days, people used to stick more closely to the precepts of their faith and especially during the days of the Prophet Muhammad (ﷺ) because he was guiding them.

Second, it is interesting to refer to the early days because it shows how the teachings of Islam restored the dignity, rights and independent personality of the Muslim woman. This is something completely different from the spirit of the time and it was not a result of calls for liberation or pressures from political groups. This proves that the source of Islam is divine.

Host: What do we know of the situation of Muslim women of a later time?

Jamal Badawi:

It is wrong and inaccurate to imply that because of Islam, in terms of its teachings in the Quran and Prophetic Tradition, the practice of Muslims throughout the 1400 years was perfect and women were treated like queens. But we can say that, beyond this early stage when the model for the treatment of women was implemented quite closely, the status of Muslim women in the following centuries has gone up and down (sometimes it was close to the model and sometimes it was not). At times Muslim women were subjected to oppression and disregard of her rights according to Islamic Law. These variations were not a constant trend, as it varied from time to time and place to place.

Today Muslims constitute the majority in nearly 57 countries which are all widespread from Asia, Africa, Middle East and some Western countries like Albania or Turkey which have a majority of Muslims. It is very difficult to assume that the local cultures and traditions in this variety doesn't influence the behavior of Muslims. After all Muslims are humans and are not perfect in the way they adhere to their faith. I can say in general that the status and treatment of Muslim women seems to go up and down along the same line of progress or decline of Islamic Civilization.

Host: What in your opinion are the reasons for this taking place?

Jamal Badawi:

Decline happens when there is a decline in the commitment to faith by Muslims. When faith becomes a form of lip service or a formalistic aspect of life then decline takes place. Islam has to start from the heart and as the Quran says **“God will not change the lot of a people until they change themselves.”** When Muslims followed the teachings of Islam they change for the good and when they did not they deviated from Islam, which starts in the heart.

The decline in the lack of sincere commitment to faith obviously results in the decline of the Muslim civilization which in turn results in ignorance or lack of proper information and knowledge about the nature of Islam and its true teachings. Even though the question of ignorance in the declining period of Muslim civilizations affected both males and females, but usually the oppression which effects both usually affects females to a greater extent and ignorance affected them to a greater degree. In a way the result of this was that Muslim men did not give Muslim women their equitable rights given to them in Islamic Law and Tradition. One should also say that women carry part of the blame because they have the foundation of Islamic Law on their side and they should have resisted any attempt to deprive them or lessen the rights that God has given them in accordance with Islamic Law.

Host: Could you give us specific examples where Muslim women were deprived of their rights as guaranteed by Islamic Law? Why are these points contrary to Islamic teachings?

Jamal Badawi:

The list is quite extensive but I will refer to four examples. First, the restriction or prevention of women from going to the Mosque which might remain in some areas of the Muslim world. Second, is the practice of giving daughters in marriage without their consent, which is against Islamic Law. Third, was the *pardah* or seclusion of women so they are not seen regardless of the circumstances. In some cases, people say that it is unlawful for a Muslim man to hear the voice of a female.

To take the question of women going to the Mosque: we find that in the Bukhari collection of Prophetic Tradition there are several indications that the Prophet (ﷺ) said very clearly **“Do not prevent the servants of Allah from going to the Mosques of Allah.”** During the Prophet’s lifetime, there are lots of narrations of women saying that they used to go to the Masjid (even for the Dawn prayer which was at night). In the series on the Pillars of Islam when we dealt with prayer we go into detail about this, women are allowed to go to the Mosque and no one has the right to restrict them. A second aspect was the question of marriage which we will cover in the discussion about family in Islam. In Islamic Law marriage requires the consent of both the bride and groom or it won’t be a legitimate marriage and is actually void.

The other aspect of *pardah*: it is important to note that many writers about Islam associate *pardah* with Islam. The fact is that *Purdah* (looked up in the Webster Dictionary) is a practice of Hindus not Muslims. It says it’s a practice of the seclusion of women which is part of Hindu practice. In the Quran or Prophetic Tradition, the word *pardah* does not even appear. In fact, etymologically the word *pardah* is an Indian-Persian term which is not even Arabic term (which is the language that the Quran was revealed in). Some historians say that this practice was not only common among Hindus but also among the Zoroastrian Persians and among the wealthy people in the Byzantine empire. In other words, this practice existed before Islam and has no connotation or sanction in Islamic teachings. This is quite different from Hijab which simply means modesty in dress and behavior and restriction of loose mixing between the sexes for the purpose of protecting public morality and the women themselves from molestation and injury. This is quite different from *pardah* as it does not imply locking women up and preventing them from going out.

Another related word is *harem*. This comes from the word *haram* which refers to exclusive quarters for the ladies of the house and foreign men were not permitted into these quarters, to preserve the privacy of women. Historians report that *harem* was not a prison but very nice quarters with fountains, vegetation, plantations. These were quarters that women left for parties (in the Islamic way), celebrations or other functions. But a *harem* as expressed in many of romantic novels referred to the corrupt practices that crept into the houses of some of the Muslim rulers throughout history where they had women and concubines is something that has nothing to do with Islam. In fact, it is totally contrary to the teachings of Islam. The whole notion of *pardah* or *harem* has no foundation in Islamic teachings.

We find positive evidences from Islamic teachings that mixing between men and women within the boundaries of Islamic Law (certain restrictions of modesty) has taken place in a variety of forms: worship, pilgrimage, education and even in the battle field.

Host: Are there any citations in the Quran or Prophetic Tradition which would support this point?

Jamal Badawi:

The whole notion of women being totally secluded and locked in is contrary to what the Quran teaches. For example, in (33:59) it talks about the command to Muslim women to draw their cloaks on their person when they go out in order to protect themselves from being molested or attacked by perverts.

The very fact that it says that a woman should use this cloak means that they are allowed to go out. After the verse was revealed in the Quran which with additional restrictions on the household of the Prophet because his wives were regarded as the mothers of the believers and their reputation should have been kept beyond reproach. Also, the household of the Prophet was a place where many people came whether they were good or bad.

It was narrated in Bukhari that **Sauda (the wife of the Prophet) went out to answer the call of nature after it was made obligatory (for all the Muslims ladies) to observe the veil. She was a fat huge lady, and everybody who knew her before could recognize her. So `Umar bin Al-Khattab saw her and said, "O Sauda! By Allah, you cannot hide yourself from us, so think of a way by which you should not be recognized on going out. Sauda returned while Allah's Messenger (ﷺ) was in my house taking his supper and a bone covered with meat was in his hand. She entered and said, "O Allah's Messenger (ﷺ)! I went out to answer the call of nature and `Umar said to me so-and-so." Then Allah inspired him (the Prophet) and when the state of inspiration was over and the bone was still in his hand as he had not put in down, he said (to Sauda), "You (women) have been allowed to go out for your needs."**

In the collection of Bukhari we find that Prophet Muhammad (ﷺ) said to his people:

"Beware! Avoid sitting on the roads (ways)." The people said, "There is no way out of it as these are our sitting places where we have talks." The Prophet (ﷺ) said, "If you must sit there, then observe the rights of the way." They asked, "What are the rights of the way?" He said, "They are the lowering of your gazes (on seeing what is illegal to look at), refraining from harming people, returning greetings, advocating good and forbidding evil."

The first condition is interesting because it says one can sit around provided that they don't stare at women that are going and coming which implies that they are allowed to go out or else there would be no sense of mentioning this at all. In addition, we find that even family visits which involve both females and males (within the boundaries of Islam in terms of dress and behavior) took place with the consent of Prophet Muhammad (ﷺ) and during his lifetime. In both the collection of Bukhari and Muslim it was narrated that the Prophet (ﷺ) once went to a wedding and in the house of the bride she herself poured the pot for the prophet to drink from which means they were in the same place as the other people.

In Abu Dawood, At-Tirmidhi, and Ibn Majah it was said that the Prophet (ﷺ) once visited a lady by the name of Ar-Rabi' Bint Ma'uth, whom we mentioned previously as one of the most knowledgeable Muslim scholars, and her husband and it was reported that he asked her to bring him water for ablution before prayer, which again means they were all sitting in the same place.

In numerous other sayings it is mentioned that the Prophet (ﷺ) visited with other people and prominent Muslim ladies were there or they were eating together. There is nothing that says that there should be some partition and that ladies should never be present.

There is one interesting case which was narrated in Bukhari, Muslim as well as Abu Dawood that one time a woman came to Prophet Muhammad (ﷺ) and she wanted to ask him a private question, not in the presence of others, and he simply told her to find any street in Medina and he would meet her there and talk to her privately. The idea here is that a street is an open place where there is no total and absolute privacy which is not allowed in Islam. But again she had sufficient amount of privacy to ask him whatever questions she had in mind. It is obvious from this that the notion that a Muslim woman should never be seen does not have support in the Quran or Prophetic Tradition.

Host: Earlier you mentioned that it was incorrect for some to claim that a woman's voice is unlawful for the male to hear, how do you support this?

Jamal Badawi:

This can be supported from both the Quran and the Prophetic Tradition. For example, if we refer to the Quran in (33:32) it addresses the wives of Prophet Muhammad (ﷺ) in terms of their treatment of others which reveals that it is not forbidden for others to hear the voices of Muslim women. It says:

“O, wives of the Prophet! You are not like any other women. If you keep your duty (to Allah), then be not soft in speech, lest he in whose heart is a disease (of hypocrisy, or evil desire for adultery) should be moved with desire, but speak in an honorable manner.”

In other words, it did not say do not speak because a male cannot hear the voice of a female but it simply says that when you speak do so with the normal tone and not too softly.

In the Quran in (58:1) is about a woman who came to the Prophet (ﷺ) to argue and complain about her husband, again how could the Prophet (ﷺ) allow himself to hear a woman if the voice of a woman is unlawful and he is our example. In the Prophetic Tradition we find multitudes of Prophetic sayings mentioning a woman coming to ask him about such and such or to suggest such and such which again shows that the voice of a woman in itself cannot be regarded as unlawful. We have mentioned before that many of the companions of Prophet Muhammad, later on, learned a great deal about Islam from women like Aishah (wife of the Prophet). How could that have happened if a woman's voice is forbidden.

When I used to address this at seminars for Muslim women they would complain that some of their Muslim brothers feel uncomfortable and uneasy when they pass by them; as if it is a sin to talk to them or to greet them. If we refer to authentic traditions of the Prophet in Abu Dawood, Asma'a the daughter of Abu Bakr, reported that she was sitting with some women and the Prophet (ﷺ) passed by and she said **“he greeted us with Salam.”** This shows that there is nothing wrong with this and that they can reply to it.

In Bukhari, many of the companions reported that after the congregational prayer on Friday they used to go to an old woman who used to make soup and gave it to them after the prayer and they used to feel very happy with this. So long as these interactions between males and females are within Islamic boundaries there is no text that opposite genders should not interact with each other.

Host: What are the arguments and basis for the unduly strict implementations of this?

Jamal Badawi:

It is important to note that in the case of Islamic teachings the texts that are conclusive and clear are the book of Allah, Quran, or the authentic Prophetic Tradition which no one has the right to change. In Islam a conference of jurists cannot come together and supersede the word of God. This fortunately made some of the fundamental rights of Muslim women as sanctioned in those references unchangeable.

In some other more detailed issues there have been differences between Muslim jurists (with due respect to their knowledge) are after all human beings and some have been influenced by their environment and customs that are prominent in their time. Some jurists spoke against the oppressive practices and some tended to have a stricter interpretation. Some of the foundation for this is the exaggeration of the purity of the immediate generation that was living in the time of Prophet Muhammad (ﷺ) and they say that those people were so pure but now we aren't thus we can't allow the same interactions to take place. We forget as find in the Quran in (24:60) it speaks of the existence of people who deviated during the time of the Prophet.

Another aspect is the over generalization of some of the texts in the Quran that deal with the special restrictions on the wives of the Prophet because of their status and reputation as mothers of the believers which is not for everyone else. Some of these do include everyone but some were specifically for the Prophet's wives.

Finally, some used the rule in Islamic law that says that one can restrict permissible things if there is fear of temptation, problems or molestation. Some people say that today things are not secure (also in that time things were not very secure). How far does one go with this precaution? If we really want to be cautious, then men, also, should not go out. There has to be limits; we have to look at Islamic Law in terms of protection as well as benefits from interactions that are done under Islamic Law. In other words, it all comes back to moderation of the application of Islamic Law.

Muslim Women in Recent and Contemporary History

Host: Can you shed some light on Muslim women in recent history?

Jamal Badawi:

I would categorize this into three basic trends: one, was total westernization, second, was to uphold the status quo and not to try to change the present and third, is the approach of Islamic revivalists.

The trend towards westernization took place during the late 19th century and early 20th century and it came at a really low point of the Muslim civilization in Muslim history. It came at a point of decadence and backwardness when virtually all of the Muslim world was under some form of colonialism: Russia, British, French, Italians or Dutch. This period seemed to coincide with the rising power of the Western nations. As a result, the colonial powers that occupied the Muslim world tried very hard to convince Muslims, with the help of missionaries and Orientalists, that the main reason for their backwardness or the reason they suffered from moral or social decay was their religion. They tried to convince Muslims that the only way out of that dilemma was to reject Islam and to adopt Western manners in a whole sale fashion. These efforts definitely had results. We find that some Muslims responded (especially those who were not very familiar with their faith) favorably to this call. However, we find that many of the people who supported this kind of movement, had a history of collaboration either with the occupying army to establish its colonial power or people who were collaborators with the corrupt court of the monarchy in Egypt which ended with King Farouq (who was dismissed in 1952). However, we find decades of practical experience showed that total uncritical westernization is not the solution to this dilemma.

Host: Why was this approach unsuccessful?

Jamal Badawi:

Even though there was a feeling that reform and improvement were needed, in order to be successful these changes must be based on religion, beliefs and the values of the people. This way, the movements of reform can gain wider support and sponsorship on the part of the population. Secondly, the principle of adopting, in a wholesale fashion, other cultures and other practices without any rational process of selecting what to take and what not to take depending on one's needs is in itself evidence of ignorance and decadence. Only a nation which is in a state of decay can adopt without being critical and just imitating others blindly.

Thirdly, as far as Islam is concerned there is nothing wrong with adopting reformist ideas as long as a Muslim is always in a state where he can critically choose to establish the process of change, improvement and reform within the boundaries of the faith. There is no reason whatsoever why reformation and liberation should be done against God when they can be done from within the faith.

On the other hand, it is important to clarify that the solution to all of these dilemmas and problems faced by Muslims and particularly the case of Muslim women were problems whose solutions do exist within the boundaries of the teachings of Islam. So instead of importing ideas why not apply what we have. Islam does protect within its legal framework the rights and dignity of women. If there is a deficiency on the part of Muslims not implementing those teachings, the logical thing is to get them to apply it rather than to support something different.

Host: What is the view point of the second major trend you described relating to those who believe that the status quo should be maintained?

Jamal Badawi:

This particular trend seems to have emerged as a reaction to the attempt to impose alien and foreign values and ways of thinking and beliefs on a population which was largely a Muslim population. So many people felt that the reforms were not steaming from the faith but rather something that is imposed and different from their heritage and their beliefs.

Second, some people had justifiable worries because along with the wholesale adaptation of western ways, not only were the ideas of adaptation and fairness adopted but also many other practices which were contrary to Muslim beliefs and behavior. Being too lax on moral issues, proper cover, and free mixing with no restrictions are a few examples which caused many people to feel a great threat to the moral values of the Muslim society, to the cohesiveness and integrity of the family (which is breaking down as a basic unit in society). They did not fear reforms but they feared the approach of reform which mixed good ideas with counterproductive practices.

It is fair however to say that some of those who were leery about reforms did so partly because of their lack of appreciation of the vitality of Islam and its ability to face all kinds of challenges in different places and times without deviating from its framework. In some cases, some had misgivings and probably even misinterpretation of some of the sayings of Prophet Muhammad (ﷺ) that they interpreted as putting women in less position than that of man.

Host: Could you comment on the Hadith by Prophet that says that if a woman prays, fasts, is chaste, and obeys her husband then she will enter Paradise?

Jamal Badawi:

It is true that there is a Hadith narrated by Anas and it is found in a book called Al-Hilya, by Abu Na'im, in which the Prophet (ﷺ) says that if a woman observes her five prayers, fasts during the month of Ramadan, maintains her chastity and honor and obeys her husband she will be told to enter from any door of Paradise. Some people misinterpret this to mean that this is all that a Muslim woman is required to do and that this is an exclusive list of what the involvement and obligations of the Muslim woman should be. There are two reasons why I would say that this is not a correct interpretation.

First, everybody knows that there are five basic pillars of Islam that include belief and things that are not mentioned in the above Hadith, such as charity and pilgrimage. Nobody differs that these are absolute requirements of both males and females. These items were not mentioned in that Hadith so does it mean that a woman does not have to pay charity, make the pilgrimage, have faith in God or perform other religious duties? The point to remember here is that the text

of the Hadith is not meant to be exclusive to those points alone but is rather an example of some of the more significant behavior on the part of the Muslim woman.

Second, we have seen in several programs in this series (Social System in Islam) how Muslim women during the lifetime of the Prophet (ﷺ) were heavily involved in a variety of economic, social and political activities. Again one needs to look at this from within the total concepts of Islamic teachings.

Host: Is it true that Prophet Muhammad (ﷺ) expressed his fears that men would be tempted by women after him? What are the implications of this saying?

Jamal Badawi:

In both Bukhari and Muslim there is mention of the fear of the Prophet (ﷺ) that women might be a source of temptation for men. In the original it uses the word *fitnah* in Arabic, which is sometimes translated into temptation but this term also means test or trial. I can give two sources in the Quran where *fitnah* means trial not temptation in (8:28) and (64:15). In both of these it says **“Your possessions and your children are but a *fitnah*.”** *Fitnah* here doesn't mean temptation but it could mean a test.

These things which are called *fitnah* are not necessarily negative whether they are wealth, women or children. We find that the Quran in many places speaks about having spouses, children and wealth as one of the blessings of God and there is nowhere in the Quran or Prophetic Tradition that say that these things are forbidden or negative in themselves. *Fitnah*, temptation or trial here in a sense that when God blesses us with women, children or wealth they should not keep us away from the remembrance of Allah; He above all gave us these things and we should not forget Him.

This also reminds us that in our pursuit of wealth, in our pursuit of satisfying our instinctive needs (the need for woman on the part of man and for man on the part of a woman) and in our pursuit of having children or big families we should try to do so within the boundaries of what is permissible rather than doing it in a forbidden way. There is no negative connotation with the use of the term *fitnah* because everything in our life can be regarded as a test.

Host: There is a quote by Prophet Muhammad (ﷺ) that says that women are at a disadvantage than men in matters of religion and mind, could you explain the context of this saying and what it means?

Jamal Badawi:

There have been many misunderstandings regarding this specific Hadith. The context of that Prophetic Tradition is in the area of exhortation of women to do good deeds. When we talk about exhortation many times allegories are used which should not be interpreted in a restrictive and literal sense but rather as encouragement. Second, this test does not speak about the

inferiority or superiority of either men or women but it addresses the natural differences between men and women. Natural differences created by God can never be regarded as a source of inferiority or superiority of either of the two sexes. Third, this Prophetic Tradition explains what is meant and shows that the meaning is very restrictive rather than how people try to over generalize out of it. For example, women asked the Prophet (ﷺ) “*At what point would women be at a disadvantage from a religious practice point of view?*” And his answer was simple that during the monthly cycle a Muslim woman doesn’t pray (in the specific form of the five daily prayers). The point here is that in Islamic Law a Muslim woman is not permitted to pray (there are certain requirements of *taharah*, minimum degree of cleanliness before prayer, if a man or woman is bleeding it is regarded as a reason why they can’t perform prayers) until cleansed. If we interpret this Prophetic Tradition as saying that Muslim women are less religious we would contradict the Quran. If we say that she is deficient because she doesn’t pray during her cycle, how can we blame her for this when Islamic Law doesn’t allow her to do so? This is totally contradictory to the overall spirit of Islam. We need to go back to the context of the Prophetic Tradition and that he was appealing to women to make up for their missed prayers, which they are not required to do, are highly encouraged to engage in acts of charity.

The other aspect that people say that women are deficient in *aql*. There is a great misunderstanding of this because the very Hadith does not speak in the context of one sex or the other being more intelligent nor does it speak about the power of reasoning, which God has endowed to both men and women, but it specifically addresses one issue which the Prophet (ﷺ) explains when he was asked what is this disadvantage in *aql*. He (ﷺ) said that in matters of financial dealings the requirement is to have two males or one male and two females. This is a matter that we have explained in several programs in great detail so we can differ to that. The point here is that it has nothing to do with the integrity of the woman, her intelligence or reasoning, but the relative extent of exposure to the business world within the Islamic context and the comparative experience that an average woman may have in financial dealings which may require this additional precaution in order to make sure things are not misinterpreted. *Aql* doesn’t mean, that a person doesn’t have a mind it means the degree of understanding or depth of experience in certain areas of life. I should emphasize, this was mentioned specifically under the context of goodness and being charitable. It should not be taken in a literal sense which would contradict both the Quran and the Prophetic Tradition.

Host: Could you explain the Prophetic Tradition that says a woman is like a bent rib?

Jamal Badawi:

First of all this particular tradition has different versions. In one of them it might appear that the woman was created from a rib but it doesn’t mean physically from a rib as we explained in previous programs, because in other versions of the same tradition it says a woman is like a rib. This doesn’t mean that she is a physically created from a rib, but she has some characteristics which are similar to the bent rib. What does bent mean? If we look at a rib we find that it is curved which means it has inclination, tendency or curvature. In the context of this saying the Prophet (ﷺ) says that if one tries to make the rib straight, will break it. In that sense he is not talking about a deficiency on the part of a woman. It says that women have a particular nature and if a man becomes so intolerant to the peculiarities of women and try to force them against

their own nature by making the rib straight then you will break it. In the explanation of some jurists they say that breaking of the rib is divorce which again is an appeal to the Muslim male to be tolerant toward his female companions whether they are wives, mothers, sisters, daughters and so on.

The biggest evidence of the validity of this meaning is that in the very saying of the Prophet's saying of a woman being curved or bent rib, begins and ends with **istowso bi alnis'a** which means **"I commend you to be kind and considerate to women because they are created like a curved rib and if you try to force it you will break it. So I commend you to be kind and considerate to women."** In this context we are really talking about consideration for women rather than regarding them as crooked or bent.

It is just like other Prophetic Traditions where the Prophet (ﷺ) likens a woman to a prisoner. It doesn't mean that she is a prisoner or that she should be a prisoner but it means that one should have sympathy to women who are tied to you, your family and your children.

Host: How do we know that the interpretations that you have given are valid within the framework of Islam?

Jamal Badawi:

This is a methodological question. To start with, in discussing or trying to understand any aspect of Islam or Islamic Law, everybody agrees that the primary sources are first the Quran, word of God, and the Prophetic Tradition, sayings of the Prophet (ﷺ). Within this framework, the Quran is regarded as the direct word of God as dictated to Prophet Muhammad (ﷺ) with the Prophetic Tradition as a sort of elaboration and explanation. Secondly, if one goes through the entire Quran one cannot find any verse that implies in any way that Muslim women are inferior to men or that men are superior. If there is anything like that then there is a mistranslation of the original wording of the Quran. Third, as a basic methodology of the interpretation of Islam, no text of Prophetic Tradition can be interpreted in a way which contradicts the word of God in the Quran or contradicts other Prophetic Traditions. So one has to put all the texts together with the primary importance to the word of God in the Quran, then collect all the sayings of the Prophet (ﷺ) in a given topic, then try to understand them in that context rather taking pieces from here and there. We have already seen that the Quran emphasizes that whomever does good deeds (men or women) God will give them their full reward. In (33:35) **"Indeed, the Muslim men and Muslim women, the believing men and believing women, the obedient men and obedient women, the truthful men and truthful women, the patient men and patient women, the humble men and humble women, the charitable men and charitable women, the fasting men and fasting women, the men who guard their private parts and the women who do so, and the men who remember Allah often and the women who do so - for them Allah has prepared forgiveness and a great reward."** it shows the complete spiritual equality between men and women in Islam.

Host: In what way does the third approach differ from the previous two approaches and what does it call for?

Jamal Badawi:

First, it calls for awareness. Early Muslim women in the past were quite involved in the affairs of Islamic society and during the period of decline this was not the case. As such, it calls first of all for the restoration of this active involvement and role of Muslim women in Muslim society, within the limits of Islam. Second, any reform or improvement of the status quo must emanate from the word of God and the teachings of Islam and the Prophetic Traditions, more particularly the exemplary behavior of Prophet Muhammad (ﷺ) in his treatment of women. Reform or improvement does not take place on the basis of rejection of faith or uncritical imitation of others. In fact, a Muslim should be an initiator not an imitator because one of a Muslim's function being here on earth is to guide humanity unto the path of God rather than just to imitate various fads and fashions which come and go. The aspiration of Muslim women and their pursuit of happiness, respect and dignity are all ingrained in the very teachings of Islam if they are properly understood.

Third, the main problem that Muslims faced were not problems that emerged from the inadequacy of Islamic Law itself or injustice which were inherent in the law (there is nothing like this) but the main problem lies with the application of the law. If Muslims go back to the original pristine teachings, then all of these problems could be resolved without any need to adopt. So the deficiency is in Muslims not in Islam itself.

Host: Is there a broad program that can help in accomplishing the objectives that you have just indicated?

Jamal Badawi:

For any reformist movement, which is religiously based, to succeed it has to first start with faith in God. This is the very basic foundation for any improvement. By this we mean specifically the preparedness on the part of the Muslim, male and female alike, to receive the guidance of God, to accept His divine plan in organizing the lives of human beings on the individual and collective level.

The intellectual part involves the proper understanding of true Islam through its pristine, authentic sources with an attempt to try to avoid extremes and excesses. One should not try to twist Islamic teachings to make it fit with the various pressures of time, place or culture. One should not be apologetic about Islam or try to appear modern, aristocratic or try to fall under any other title that people might use. One has to take the values provided by God not by humans as their basic distinction between what is right and what is wrong. In the meantime, true understanding of Islam requires also that Muslims should not rigidly adhere to the status quo and try to justify it on an Islamic basis even though it contradicts the letter and spirit of Islamic teaching.

Beside the spiritual and intellectual part of the program there is also the practical element which tries to implement Islam in its purity, in letter and spirit, without being enslaved by local cultures or practices which may not be consistent with Islam or based on its teachings.

Host: How would you respond to some people who argue that custom is an acceptable source of Islamic Law?

Jamal Badawi:

Customs is a source but it is not an unconditional source. In fact, the basic condition for accepting local customs as part of the process of Islamic Law is that they should not contradict the teachings of Islam. The relationship between the customs in a given place and the teachings of Islam as ingrained in the Quran and the Prophetic Tradition can be either positive, neutral or negative. It can be positive if the local customs are based on the teachings of Islam and are influenced by the teachings of Islam.

For example, if one goes to virtually any Muslim country they would find that among committed Muslims there is an attitude of generosity and hospitality. This is based on Islam and is encouraged by Islam and thus we can say the correlation between custom and Islam is positive. There are some customs which have no correlation with Islam. In different countries different people like different types of food depending on where they are from (Indonesia, Morocco, Sudan, Nigeria etc.). This relates in neither a positive nor a negative way to Islamic teachings as there is nothing that says one must eat a specific type of food or not, so long as it is permissible. So, there is no relationship there and it is neutral.

There are also some local customs that are found amongst Muslims in Muslim countries which are thought to be related to Islam but, in reality, they are contrary to the teachings of Islam. An example is the case where the father or mother do not get the approval of their daughter when they give her in marriage. Some people might think that this is consistent or related with the teachings of Islam but it has no relation whatsoever and is actually contrary to it. So here the correlation between local customs and Islam is negative. One has to identify what kind of correlation there is between culture and religion: if it is positive it is fine, if it is neutral one can do it or not do it but if the local custom among Muslims in any Muslim country (or any other country) are contrary to the teachings of Islam, no matter how widely practiced they are, they cannot be used or applied. Customs can be followed if they do not contradict with Islamic teachings.

Host: What is the role of the contemporary Muslim woman?

Jamal Badawi:

To start with, any change or social development would have to start on an individual level, with the awareness of the individual and the Muslim woman. More specifically, a Muslim woman (who is no less than any male) should understand and be totally aware that she is also the trustee of God on earth and that she carries a grave responsibility. She needs to be aware that her life is important (no less than any male), meaningful and that she has a specific mission to fulfill while she is here on earth. Women need to ultimately understand that they can't escape responsibility before God just like any male because on the Day of Judgment she will have to give account as to how productive a Muslim woman she was, how she conducted her life and how she contributed to the overall good of the Muslim Ummah and community. In order for her to fulfill this responsibility successfully, she has got to start from self purification (applies

to males as well). She should have firm unshakable faith and certitude in the validity and wisdom of the teachings of God as ingrained in the word of God, Quran, and Prophetic Traditions. This requires that a Muslim woman would not place her personal preferences above the will of God and the clear and explicit directions that God provided. This is basically the meaning of Islam, which applies to both males and females; to submit to the will of God consciously, willingly and lovingly.

A Muslim woman should approach Islam as a complete and total way of life, not just by believing and having certitude, but through her own behavior and trying to deepen her own commitment to Islam and God; she should try to avoid the things that God has forbidden in dress, behavior, manners and all aspects of human life; she should try and follow God's directives and demands and to inculcate and strengthen her personal individual relationship with God through various acts of worship (prayers, fasting, charity, recitation of the Qur'an, remembrance of God). It also requires a Muslim woman to try and equip herself with all the skills, abilities and knowledge that would enable her to play a more active and involved role within the boundaries of Islamic Law.

A woman should not only acquire Islamic knowledge but she should obtain other knowledge that would help make her an effective mother, wife and an effective and useful member in society at large. She should also try to work with perseverance and patience, without the spirit of contention and conflict to convince other Muslims (males and females) that they should accept the legitimacy of her involvement, the legitimacy of her role within the boundaries of Islam and that they should not be enslaved to the local customs if they are contrary to the teachings of Islam. I think that if a Muslim woman starts from this basic individual level with this understanding and motivation it could pave the way for development and improvement both on the individual and collective levels.

Host: How can the Muslim woman contribute to social development through family involvement?

Jamal Badawi:

This is perhaps the most potential (I don't mean exclusive) area of contribution of a Muslim woman. The way a Muslim woman as a youth, an unmarried daughter, relates to her mother, father, brothers, sisters and relatives could contribute a great deal to create an atmosphere which is as close to the teachings of Islam as possible, where people can find comfort and warmth. This cannot be achieved simply by undue militancy or conflict but rather through perseverance and good example.

If she is married she can also contribute by acting as a truly Muslim wife, carrying her responsibility and demanding her rights, encouraging and aiding her husband to perform his activities and to contribute to the good of the family and society at large and not to stand as an obstacle or barrier. If she begets children, this could be one of the most noble function that she can perform by being an ideal Muslim mother. She should realize that her duty is not simply to feed or change her child but that she is the first school for her child. She should inculcate values and spirituality in the child. This is a very important and noble function that is a full time job which makes the home a school from which heroes of the future graduate before they even begin regular school.

Host: What is the role of a Muslim woman in the broader social context?

Jamal Badawi:

Beyond the individual and family level, the Muslim woman should always regard her role as a sister to other Muslims (both males and females). She has a duty to remind them to do good, to correct them when they make errors and to encourage them not to do evil and indecent things. This is not only a duty that is limited to either males or females. Indeed, one beautiful verse in the Quran in (9:71) says that **“The believing men and believing women are allies of one another. They enjoin what is right and forbid what is wrong and establish prayer and give zakah and obey Allah and His Messenger. Those - Allah will have mercy upon them. Indeed, Allah is Exalted in Might and Wise.”** Social concern and the duty to forbid evil and enjoin the good are duties which are not limited or restricted to male or female and every Muslim has this duty.

A Muslim woman should try to bring Islam to the lives of Muslims by participating in the spiritual awakening of other women (or men) who, because of the period of decay and decline, have accepted to act only on the fringes of society without being totally involved in the affairs of Islamic society. She should remind them that they do have the potential to serve God as men do and to inculcate in their heart and mind trust in God and trust and confidence in their own abilities to contribute and improve the total social environment.

There are lots of educated Muslim women who carry an additional responsibility as many live in areas with illiteracy, ignorance and disease are paramount. These sisters have a responsibility to be active and not only follow but to initiate activities in the area of education. A woman should be active in the area of health, in order to help other take care of their children and to know basic health rules for their family.

The area of charity and social services is also important. There are endless ways in which a Muslim woman can contribute within the boundaries and framework of Islam. Above all, the best contribution is for her to be a good example in her behavior and activities which would inspire other women and men also.

Host: Is there any role that men have in assisting the development and growth of the sisters?

Jamal Badawi:

As I indicated in the answers of the previous questions, many responsibilities are shared. On the individual level, the duties of a Muslim male are identical to those of a Muslim female.

A man's role at a family level involves several things. Basically, they are required to treat the Muslim woman as Islam required that she be treated as a sister, mother, wife or daughter. A Muslim male should accept a Muslim woman as an independent person with her independent personality who is responsible before God, that she has her own identity and as such would

inculcate in her self confidence in her ability to do things on her own, within the boundaries of Islam. Many Muslim males may behave in a way which would make them an obstacle in the way of their wives in the Islamic world. I think they should revise this attitude and they should not only condone them but encourage them to be involved in the ways that Islam requires. They need to understand that their role extends beyond the role of the family. A Muslim woman is not only supposed to be a good wife and mother but she is supposed to be a good Muslim, member of society and a good human being. Thus he should not only encourage religious learning but also more administrative and organizational learning that would help her be more effective in that role. Above all, they should remember the constant reminders of Prophet Muhammad (ﷺ) that women should be treated kindly and in a compassionate way.

We should remember two things. First, a Muslim woman should be a *dai'ah*, actively involved in calling other people unto the path of truth, even if they are not Muslim. Second, both men and women should remember a verse which appears in (33:35) **“Indeed, the Muslim men and Muslim women, the believing men and believing women, the obedient men and obedient women, the truthful men and truthful women, the patient men and patient women, the humble men and humble women, the charitable men and charitable women, the fasting men and fasting women, the men who guard their private parts and the women who do so, and the men who remember Allah often and the women who do so - for them Allah has prepared forgiveness and a great reward.”**