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Response to the lies and distortions of christian missionaries about the position of women in islam



Part 3, Written by Kevin el-Karim

"The most perfect of believers are those most perfect of character; and the best of you are the best of you to your spouses." Tirmidhi, Ibn Hibban

"None but a noble man treats women in an honourable manner. And none but an ignoble treats women disgracefully" At-Tirmithy

He wrote:

Imaam al-Muwaffaq Ibn Qudaamah said: "For this reason the Prophet and his successors and those who came after them never appointed a woman to be a judge or a governor of a province, as far as we know. If it were permissible, it should have happened."

Imaam al-Ghazaali said: "The position of leader could never be given to a woman even if she possessed all the qualities of perfection and self-reliance. How could a woman take the position of leader when she did not have the right to be a judge or a witness under most of the historical governments?"

Response:

Among the first generation of Muslims, women were involved in the transmission of Prophetic reports as well as the development of legal doctrine. The most prominent of these women was Aishah. The fact that Aishah was a wife of the Prophet gave her privileged status as a transmitter of religious doctrine. It was her own qualities as an individual, however, that afforded her the authority to interpret law. Female participation in the production and reproduction of the religious sciences did not cease with the demise of the first generation of Muslims. Evidence of female participation in the public transmission of the hadith can be found in many diplomas (ijazas) containing women's names and in the manuscripts that mention women as teachers and as students. There is some evidence that women also participated in the more speculative branches of the religious sciences, such as positive law and speculative legal philosophy. Al-Hattab, a North African jurist of the 16th century CE, mentions the names of his teachers, his teachers' teachers, and the chain of authorities (isnad) that linked him to the authors of the various books that he had studied in his legal career. Two women appear in this chain of authorities, Zaynab bint al-Kamal al-Maqdisiyya al-Musnida and Umm al-Hasan Fatima bint Khalil al-Katani (or al-Kinani).¹

This fact of women's recognised participation as intellectuals created awareness of the contradiction between the epistemological equality women enjoyed in the production and transmission of knowledge and their marginalised position in political contexts, whether as a witness or as a judge in a court of law. It also lessened the plausibility of any argument that sought to ground discrimination in the nature of the female

There are arguments in medieval Islamic legal discourse that defend the gender-based distinction against women in the political contexts by ultimately locating the source of this discrimination not within the woman, but rather in specific social circumstances and the role that women played within those social circumstances.²

A witness's testimony and a judge's verdict are both political because the consequences of each are immediate, tangible and binding.³

Al-Qarafi's argument noted the difficulty courts have in enforcing the law. This institutional argument is compounded by the fact that men (including himself) in his 13th century CE Egyptian society viewed women as being generally inferior to men. Subsequently, there is a greater likelihood that the losing party will not respect the court's decision. Al-Qarafi's second argument, that women are inherently deficient in reason and religion, is described as weak by Ibn al-Shatt (d.1323 CE), because if one accepts this argument, this deficiency must also be present when a woman acts as a narrator of hadith.⁴ However, women are recognised as narrators of hadith, and also as mufti. It is therefore possible to extend this argument by saying that if there is a society in which men would respect the decisions of the court and comply with court verdicts regardless of the gender of the witnesses or the judges, there is then no reason to exclude qualified women from being appointed as judges.

Women as Mufti and Qadhi

Interpretation of revelation was free of gender restrictions. A woman's legal opinion (fatwa) was just as valid and morally binding as the legal opinion of a man. Thus a woman could legitimately be a mufti, a legal expert whose task it was to communicate legal rules to non-specialists including, at times, judges and other holders of political power. There was complete agreement among Sunni jurists that women could be mufti. It was as a result of the law's acceptance of women as mufti, moreover, that al-Tabari was led to argue that a woman could be a judge in all areas of the law⁵

There are also a number of historical instances about the exercise of jurisdiction of qadhi by women without any objection by the ulama' of that age. The oldest example is of the mother of Muqtadar Billah who presided at the High Court of Appeal⁶

Sources:

1:

Fadel, Mohammad (1997), "Two Women, One Man: Knowledge, Power, and Gender in Medieval Sunni Legal Thought", *Int. J. Middle East Studies* 29: 191. , page 191

2:

Ibid, page 191

3:

Ibid, page 188

4:

Ibid, page 192

5:

Ibid, pages 189, 190, 200

6:

Tarikh al Khulafa by Sayuti, cited in Aftab Hussein (1991) *Status of Women in Islam*, Lahore: Law Publishing Company, p. 229

Ibn Hazm comments:

Umar, the second head of state after the death of Prophet Mohammad, appointed a woman named Al Shafa bint Abdullah ibn abd Shams as the manager over the market of Medina.⁷

If a woman was appointed as manager over the market of Medina by the famous companion of the prophet and Caliph Umar Ibn Khattab, then why can't she be a judge? There's no hadith or Qur'anic verse that forbids this. On the contrary, the Quran supports the view that women can be judges in Islam. Secondly, the Qur'an also tells us in Soerah 27:23-44 the story of the Queen of Sheba, she ruled over the most wealthy and well-known people in the history of Arabia. She was asked to accept Islam, but not to give up her rule.

Women's Participation in Politics

Islamic history is filled with women who undertook various forms of political activism. Unfortunately, much of this history has been ignored by some. The website quoted by the Christian missionary clearly ignores this history. Moreover, social responsibility in Islam is derived from the Qur'anic verse which states:

Qu'ran 9:71

And [as for] the believers, both men and women - they are friends and protectors of one another: they enjoy the doing of what is right and forbid "the doing of what is wrong, and are constant in prayer, and render the purifying dues, and pay heed unto God and His apostle. It is they upon "whom God will bestow His grace: verily, God is almighty, wise

Surah al-Taubah 9:71 is the final verse to be revealed on the male/female relationship. In it, men and women are said to be each other's awliyya, which means protectors or protecting friends and guardians. And it also talks about the obligations of both men and women in Islam, including enjoining what is just and forbidding what is evil. The references in the verse to the activities required, e.g. enjoining the right, prayer, etc. show that both women and men are to take an active role in society rather than merely a passive one. Political involvement is a means to fulfill one's obligations to society. Involvement in the political system can take many forms, from voting in elections, to holding a position as a legislator or a judge, to being a head of state. Islamic history provides precedents for each of these roles for women.

Aftab Hussein comments:

Taubah 9:71 mentions “believing men (mu’minun)” and “believing women (mu’minat)” as being awliyya over each other. Revealed in 8 Hijrah towards the end of the Prophet’s life, Surah al-Taubah 9:71 sums up the spirit of equality and mutuality that the Qur’an preaches in the relationship between men and women.

To enjoin the right and forbid the wrong is primarily the duty of the State, which is in a position to discharge it effectively. The verse makes women as much protecting friends of men as men are of women. It further orders women to discharge the duty of enjoining good and forbidding wrong which can be discharged effectively by the ulil amr (person in authority) who symbolises the State. The verse paves the way for women to become the repository of State authority, including the authority of the Head of the State

Source:

Hussein, Aftab (1991) , Status of Women in Islam, Lahore: Law Publishing Company, Page. 228

Aisha, Mother of the believers:

Aisha, a wife of Prophet Muhammad, was also politically active. In the year 658 A.D. (36 A.H.) she played a major role in the armed resistance against Ali, the fourth successor after the death of Prophet Muhammad. Aisha went to mosques and rallied people to take up arms against Ali. (Ibid). Aisha, the only woman on the battlefield, led thousands of men into the "Battle of the Camel." (Ibid). Aisha was clearly an influential leader as shown by the following statement made by Hasan the son of Ali after Aisha traveled to Basra with Talha and al-Zubayr, members of Ali’s opposition, to rally support. Hasan, in a speech made in Kufa, stated, "I swear by God, surely she is the wife of your Prophet, in this life and the hereafter. But it is a test from God to know whether you will obey Him or her."

Source:

Abdelhalim Abu Shaka, The Emancipation of Woman at the Time of the Prophet, 1990, p. 151 (citing Bukhari)

Conclusion:

There is no specific and direct injunction in the Qur’an and Sunnah concerning women as judges. There are only conflicting opinions of the jurists. However Islamic history, quranic verses and scholars in the past clearly show us that women too can become judges in islam and hold leadership positions, except the position of head of the state. Some scholars aslo had the view that a woman also could become head of the state, for example Imam tabari and Imam Malik had this view. This is supported by the story of Queen Sheba in the Qu’ran.

Indonesia, which follows the Shafii school, has appointed over 100 women judges in the syariah courts following the enforcement of the Marriage Law of 1974. Other Muslim countries, including Pakistan and Bangladesh also have women judges in the family courts. There is no hadith nor quranic verse that forbids women to be judges or head of a company. Moreover the quran supports the option for women to become judge. The traditional Islamic scholar Ibn Hazm was of the opinion that women could be judges in all cases. Ibn Hazm cites the verse:

Quran 4:58

Behold, God bids you to deliver all that you have been entrusted with unto those who are entitled thereto, and whenever you judge between people, to judge with justice. Verily, most excellent is what God exhorts you to do: verily, God is all-hearing, all-seeing

Ibn Hazm argues that this verse is addressed to both men and women and that there is no reason to discriminate between a man or woman (or a free person or a slave) as to who can judge between people.⁸ Likewise, Imam al -Tabari believed that women could be judges in all cases.⁹ Imam Abu Hanifa believed that women could be judges on issues related to family law. In addition, Umar, the second head of state after the death of Prophet Mohammad, appointed a woman named Al Shafa bint Abdullah ibn abd Shams as the manager over the market of Medina.¹⁰

Sources:

7:

Ibn Hazm, Al-Muhalla bil Athar, vol. 8 Dar Al-Kitab Al-Ilmiya 1988, p.527

8:

Ibn Hazm, Al-Muhalla bil Athar, vol. 8 Dar Al-Kutub Al-Ilmiya, 1988, p. 528

9:

M.H. Sherif, The Muslim Woman Between the Truth of Sharia and the Fallacy of Falsification, Dar al Marifa al Jamiyya, 1987, p. 142

10:

Ibn Hazm, Al-Muhalla bil Athar, vol. 8, Dar Al-Kutub Al-Ilmiya, 1988, p. 527

He wrote:

Imaam al-Baghawi said: "The scholars agreed that women are not fit to be leaders or judges, because the leader needs to go out to organize jiidah and take care of the Muslims' affairs, and the judge needs to go out to judge between people, but women are 'awrah and it is not right for them to go out. Because of their weakness, women are not able to do many things. Women are imperfect, and the positions of leaders and judge are among the most perfect of positions for which only the most perfect of men are qualified." (Question 3285)

Response:

The scholars never agreed about this issue (see page 2 t/m 6). Further the comment that women are imperfect is a very biased personal view which has no support in the qu'ran nor in the authentic sunnah. Further such a view would be an insult to Allah, who made his creation of mankind (both men and women) perfect. If women are imperfect, then men would also be imperfect since Allah swt created mankind in pairs, called men and women:

Qu'ran 51:49

And all things We have created by pairs, that haply ye may reflect

Mankind is created in pairs, called men and women. Both together form mankind and therefor none can be imperfect compared to the other, since both form mankind and mankind as creation cannot be imperfect. Secondly both men and women are created from the same nafs, which means soul / living entity / spirit. Therefor men and women are equal spiritual in islam, since both are created from the same soul. Since both are spiritual equal, it's impossible to say that women are imperfect and men not.

Qu'ran 4:1

O mankind! Be conscious of your Sustainer, who has created you out of one living entity, and out of it created its mate, and out of the two spread abroad a multitude of men and women.

And finally the prophet, peace be upon him, called men and women twinhalves of each other. A twinhalve can never be imperfect to the other halve. Therefor men and women are equal in worth and perfection. Moreover since they are twinhalves of each other, it means they are also equal as human beings and persons in islam !

Narrated by al-Tirmidhi, 113; Ahmad, 25663

“women are the twin halves of men.” Classed as saheeh by al-Albaani in Saheeh al-Tirmidhi

Moreover perfect persons are persons who are given as an example for mankind to follow. The qu’ran gives both men and women as examples for the believers to follow. Allah has made this clear in the Glorious Qur’an, by stating shining examples of some women for the believers– male and female- to emulate. Which clearly proofs that women are not regarded as ‘less perfect or imperfect’ in islam:

Tahrim: 11-12

And Allah citeth an example for those who believe: the wife of Pharaoh when she said: My Lord! Build for me a home with thee in the Garden, and deliver me from Pharaoh and his work, and deliver me from evil doing folk; and Mary, daughter of Imran, whose body was chaste, therefor We “breathed therein something of Our Spirit. And she put faith in the words of her Lord and His Scriptures, and was of the obedient

Further the statement that women cannot go out because they are awrah is also not true. This view is based on a wrong interpretation of one hadith. The hadith question is:

Narrated by al-Tirmidhi, 1173

The woman is ‘awrah and when she goes out the Shaytaan stares up at her

Shayk Gibril Fouad Haddad in his explanation tells us that the devil is here an euphemism for depraved men. Secondly the hadith applies to the uncovered woman who might allure such men. Similarly the `awra here is not literal but figurative, signifying all that should remain private. The hadith in question in no way deprives women from going out, or having a leaderships position. As long as a women covers her awrah / private parts, she can go out and hold these positions. Therefor when going out a muslim woman should observe the muslim code of dressing. The Muslim dress for women, as well-known, covers the whole body save for the face and the hands. It is neither tight nor light in a way that describes the features of the body. Moreover it’s important that woman's employment should not be at the expense of her principal work, namely caring about her children and husband. If these conditions are met, and as long as the women does not work in places where she will be in privacy with non-mahram man, women can be judges, ministers or head of a company or president of a Muslism Student Association.

Muhammad Asad stated:

The Quran, sunnah, and Islamic history provide ample evidence of women undertaking various forms of political involvement from the bai'ah to fighting in battles to influencing political decisions. Ignoring the contributions of Muslim women deprives our Islamic heritage of valuable role models while continuing the stagnation of Islamic thought. To exclude women from political involvement simply because they are women is an act of tribalism based on gender. The Prophet stated: "He is not of us who proclaims the cause of tribal partisanship..."

Source:

Muhammad Asad, *The Principles of State and Government in Islam*, Dar Al-Andalus, 1980, p. 32 (citing Abu Dawud)

He wrote:

Their opinion is not an isolated one, but one found throughout the hadith literature:

Narrated AbuHurayrah, Allah's Messenger (peace be upon him) said, "When your commanders are your best people, your rich men are your generous people and your affairs are conducted by mutual consultation, the surface of the earth will be better for you than its interior. But when your commanders are your worst people, your rich men are your niggardly people and your affairs are in the hands of your women, the interior of the earth will be the better for you than its surface." Tirmidhi transmitted it, saying this is a gharib tradition. (Al-Tirmidhi Hadith, Number 1439)

Response:

Before we discuss the authenticity of this hadith, it's first important to notice that this hadith nowhere mentions anything about women's intellect, skills or status. None of these things are mentioned in the hadith, so the opinions of the extremists quoted by the christian missionar are not even found in this hadith. Further the hadith mentions a combination of certain things together. It mentions 'bad commanders', 'rich men who are niggard' and 'affairs are in the hands of your women'. If all these things together are found in the society, then in a figure way of speech the interior of the earth will be better for the poeple than it's surface according to this hadith. So the hadith in question does not solely refer to women, but also to men. Further the phrase 'you affairs are in the hands of your women' could refer to the situation in the family, where Allah swt tells us that men are the protectors and maintakers of women. The husbands take care of the affairs after mutual consent with their women. So the hadith could refer to a situation where the society/government fails to help men in supporting their function as protector and maintaker of the family. Instead of mutual consultation, all the affairs and burdens are passed down to the women by the society, who already carry the heavy burdens of being a mother and looking after her husband and childeren. All these carriers are around the clock. So if women alone were given all the responsibilites and affairs in their hands, then things could get out of hand and chaos could occur. Notice how the hadith speaks about 'mutual consultation' as a good thing, which means both men and women should be working together !

Quality of the hadith:

Commenting on the quality of this hadith, Imam Tirmidhi writes: "This is a Gharib Hadith (i.e. a hadith that had been narrated by only one person in each era until the codification period) - we do not know it except from Salih-al-Murriy. There are some strange facts in the narrations of Salih in which he is unique (mutafarrid). He is however, a pious man."

So here we see that the person in question who has narrated the hadith is not trustworthy, since his narrations contains strange facts, for which he is well known. Moreover the hadith is classified as gharib.

Gharib = unfamiliar – strange- doubtfull. The narration is strange and not reported by others or differs from the versions narrated by others. Secondly a hadith is termed gharib when only a single reporter is found relating it at some stage of the isnad, which is the case here.

Ahmad b. Hanbal said:

"Do not write these gharib Hadith because they are unacceptable, and most of them are weak" (al-San'ani 2:409)

So qualified scholarship tells us that this hadith is unacceptable, and forces us not to accept this narration. However for the sake argument , i gave an explanation in the beginning of my response. But it should be clear that a hadith which is classified as 'unacceptable' should not even be a matter of discussion in a debate. However christian missionaries do not care about this, which shows how ignorant and arrogant they are in debates. Finally we will discuss the rights given to women in christianity, and compare them to islam.

1 Timothy 2:1-14

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.

In other words women according to the bible cannot teach men and cannot have any leaderships positions which would give them authority over men. The verse and it's context are clearly general, which is confirmed by renowned classic bible commentaries, which i shall quote now.

John Darby's Synopsis of the New Testament , 1 Timothy Chapter 2

Paul has plainly now laid the foundations, and he proceeds therefore to details. Men were to pray everywhere, lifting up pure hands, without wrath, and without vain human reasonings. Women were to walk in modesty, adorned with good works, and to learn in silence. A woman was forbidden to teach or to exercise authority over men; she was to abide in quietness and silence. The reason given for this is remarkable, and shews how, in our relations with God, everything depends on the original starting-point. In innocence Adam had the first place; in sin, Eve It was she who, being deceived, brought in transgression. Adam was not deceived, guilty as he was of disobeying God. United to his wife, he followed her, not deceived by the enemy but weak through his affection.

Source:

<http://bible.crosswalk.com/Commentaries/DarbysSynopsisofNewTestament/dby.cgi?book=1ti&chapter=002>

John Wesley's Explanatory Notes on the Whole Bible The Book of 1 Timothy Chapter 2

2:12

To usurp authority over the man - By public teaching.

2:13

First - So that woman was originally the inferior.

2:14

And Adam was not deceived - The serpent deceived Eve: Eve did not deceive Adam, but persuaded him. "Thou hast hearkened unto the voice of thy wife," Genesis 3:17. The preceding verse showed why a woman should not "usurp authority over the man." this shows why she ought not "to teach." She is more easily deceived, and more easily deceives. The woman being deceived transgressed - "The serpent deceived" her, Genesis 3:13, and she transgressed.

Source:

<http://bible.crosswalk.com/Commentaries/WesleysExplanatoryNotes/wes.cgi?book=1ti&chapter=002>

So according to the bible only eve, as a woman was in transgression and not the man ! Therefore all women are viewed as inferior and less intelligence then men and therefor cannot teach men, since teaching requires intelligence and wisdom. Women in the bible are viewed as the gender whose easily deceived and therefor not fit to teach men ! Compare this to islam which allows women to be a mufti and teach men ! Read and compare this gift given to women in islam with the curse given tot hem (to be in silence and forbidden to teach men) by paul in christianity. Women in islam were scholars and teached men, see:

<http://www.islamfortoday.com/womenscholars.htm>

http://www.answering-christianity.com/karim/womens_education.htm

Moreover the bible even views it as a shame for women to speak in the church or in public assemblies, which moreover proofs that women in christianity never can hold any position of leadership or teacher. In christianity women are not given this right

1 Corinthians 14:34-35

Let your women keep silence in the churches: for it is not permitted unto them to speak; but [they are commanded] to be under obedience, as also saith the law. And if they will learn any thing, let them ask their husbands at home: for it is a shame for women to speak in the church.

Matthew Henry Complete Commentary on the Whole Bible , Chapter 14

Verses 34-35 Here the apostle,

1.

Enjoins silence on their women in public assemblies, and to such a degree that they must not ask questions for their own information in the church, but ask their husbands at home. *They are to learn in silence with all subjection; but,* says the apostle, *I suffer them not to teach,* 1 Tim. 2:11, 12. There is indeed an intimation (ch. 11:5) as if the women sometimes did pray and prophecy in their assemblies, which the apostle, in that passage, does not simply condemn, but the manner of performance, that is, praying or prophesying with the head uncovered, which, in that age and country, was throwing off the distinction of sexes, and setting themselves on a level with the men. But here he seems to forbid all public performances of theirs. They are not permitted to speak (v. 34) in the church, neither in praying nor prophesying. The connection seems plainly to include the latter, in the limited sense in which it is taken in this chapter, namely, for preaching, or interpreting scripture by inspiration.

And, indeed, for a woman to prophesy in this sense were to teach, which does not so well befit her state of subjection. A teacher of others has in that respect a superiority over them, which is not allowed the woman over the man, nor must she therefore be allowed to teach in a congregation: I suffer them not to teach. But praying, and uttering hymns inspired, were not teaching. And seeing there were women who had spiritual gifts of this sort in that age of the church (see Acts 22:9), and might be under this impulse in the assembly, must they altogether suppress it? Or why should they have this gift, if it must never be publicly exercised? For these reasons, some think that these general prohibitions are only to be understood in common cases; but that upon extraordinary occasions, when women were under a divine afflatus, and known to be so, they might have liberty of speech. They were not ordinarily to teach, nor so much as to debate and ask questions in the church, but learn in silence there; and, if difficulties occurred, ask their own husbands at home. Note, As it is the woman's duty to learn in subjection, it is the man's duty to keep up his superiority, by being able to instruct her; if it be her duty to ask her husband at home, it is his concern and duty to endeavour at least to be able to answer her enquiries; if it be a shame for her to speak in the church, where she should be silent, it is a shame for him to be silent when he should speak, and not be able to give an answer, when she asks him at home.

2.

We have here the reason of this injunction: It is God's law and commandment that they should be under obedience (v. 34); they are placed in subordination to the man, and it is a shame for them to do any thing that looks like an affectation of changing ranks, which speaking in public seemed to imply, at least in that age, and among that people, as would public teaching much more: so that the apostle concludes it was a shame for women to speak in the church, in the assembly. Shame is the mind's uneasy reflection on having done an indecent thing. And what more indecent than for a woman to quit her rank, renounce the subordination of her sex, or do what in common account had such aspect and appearance? Note, Our spirit and conduct should be suitable to our rank.

The natural distinctions God has made, we should observe. Those he has placed in subjection to others should not set themselves on a level, nor affect or assume superiority. The woman was made subject to the man, and she should keep her station and be content with it. For this reason women must be silent in the churches, not set up for teachers; for this is setting up for superiority over the man.

Source:

<http://bible.crosswalk.com/Commentaries/MatthewHenryComplete/mhc-com.cgi?book=1co&chapter=014>

John Darby's Synopsis of the New Testament, 1 Corinthians Chapter 14

Women were to be silent in the assembly: it was not permitted to them to speak. They were to remain in obedience and not to direct others. The law moreover held the same language. It would be a shame to hear them speak in public. If they had had questions to ask, they might inquire of their husbands at home.

With all their gifts, the word did not come out from the Corinthians, nor had it come unto them only; they ought to submit to the universal order of the Spirit in the assembly. If they pretended to be led by the Spirit, let them acknowledge (and this would prove it,) that the things which the apostle wrote to them were the commandments of the Lord: a very important assertion; a responsible and serious position of this wonderful servant of God.

Source:

<http://bible.crosswalk.com/Commentaries/DarbysSynopsisofNewTestament/dby.cgi?book=1co&chapter=014>

Anyone with common sense can see that women in the bible hardly have any rights, women in the bible are viewed as inferior to men. They were not allowed to teach men or to have any leaderships position. Islam on the other hand allows women to teach men and to become judges. Also Muhammad's wife Aishah has been known to have corrected Abu Hurairah in respect of traditions which were in conflict with the Qur'an. She was consulted on her knowledge of the Sunnah by the believers. Imam Zarkashi (born in 745 Hijrah), one of the greatest scholars of the Shafi'i school in his time, devoted a book dedicated to Aishah's particular contribution in this field, entitled "Collection of Aishah's Corrections to the Statements of the Companions" (Al-'irada fi ma istadrakathu 'A'isha 'ala al-sahaba).