

# LEGALFOXES LAW TIMES

## FEMINISM IN ISLAM

By Aaratrika Bal

### Condition of Muslim women before the wave of feminism

First, we can discuss about how women's lives were before Islam. The condition of the women in Pre-Islamic Arabia was very bad, pursuant to the Iranian influence and the local tribal culture, the general perception of the women was such that they were often considered as property of men<sup>1</sup>. To understand the condition of a person from a particular religion, we must always look at the original source of that religion and must always interpret the religion from that perspective. When Islam was introduced by Prophet Muhammad, it was revolutionary in nature in terms of rights of people. It was a highly dynamic religion that led to one of the most massive social engineering even in the history of humanity.

Before proceeding towards understanding about the revolution that Islam had brought, it is imperative to discuss the condition of women in pre-Islamic Arabia, so that we could understand the context in which the Qur'anic verses empowered the women later.

Islam was revealed to Prophet Muhammad, through Angel Jibrel in what is today known as Saudi Arabia.<sup>1</sup> But however, before all this, the then Arabia consisted predominantly of nomadic tribes that did not per se have any unified culture<sup>2</sup>. They used to indulge in a lot of inter-tribal wars, there used to be plundering of the tribal areas. Hence the condition of human society was very bad at that time, and there was neither food security due to its geographical location nor was there a common code of honor that would ensure that the law and order is maintained in the area<sup>3</sup>. The women in Prophet Muhammad's life had a very positive impact on Him, and they were indirectly responsible for the later emancipation of the women through Islam. True to His

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<sup>1</sup> "Women in Pre- Islamic Arabia", "<http://www.arabhumanists.org/arab-women-pre-islam/>", accessed on 10 September 2020.

<sup>2</sup> "Ancient World History", "<http://earlyworldhistory.blogspot.com/2012/04/pre-islamic-arabia.html>", accessed on 10 September 2020.

<sup>3</sup>*Ibid.*

fear, when He had initially started preaching to the general public, most of the people ignored Him.<sup>8</sup> Those who were open minded and who joined the Prophet were discarded from their tribes, yet the people slowly started to join the Prophet when they realized that the Prophet was speaking the truth.

Later there were severe opposition against the Prophet, and finally like all revolutions, there was a clash of ideologies between the tribal and the supporters of the Prophet and finally there was a consensus reached in the whole Arabia that the Prophet was speaking the truth all along.

This could be said as the largest disruption in the history of Arabia, the whole culture was changed for good within a span few years. Within one generation the women were emancipated, there was a proper unified legal system that was instilled and substantial equal rights were granted to the women of Arabia.

Discussions related to Muslim women had often been a matter charged with ideological commitments, even when the scholars would come up with logical and objective observations. There had been dilemma on the part of the scholar while doing the research, on one side, the scholar does not want to indulge in the prevalent preconceptions and stereotypes about Islam community but also can not totally ignore the problems and hurdles that the women have to face. This dilemma can be addressed in three different ways<sup>4</sup>. The first one is to just consider that Muslim women are no less deprived as compared to non- Muslim women. Second way is to believe that there lies social issues and gender inequalities, but that is mostly due to the wrong interpretation of the holy Qur'an; had the holy book been actually studied the way it was supposed to be read, such inequalities would never have existed. The third way is a more aggressive one, since it is to believe that gender inequalities and social hindrances for women is just a "feature" of this particular religion; these issues would not come to an end unless a radical change is made in the whole belief system of the religion<sup>5</sup>. Research has revealed that compared to non-Muslim areas, gender differences in the Muslim society have become more prevalent in the present than what it was in the past.

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<sup>4</sup>Nikki R. Keddie, "The Past and Present of Women in the Muslim World",  
"<https://www.jstor.org/stable/pdf/20078457.pdf>", accessed on 10 September 2020.

<sup>5</sup>*Ibid.*

In the Mediterranean and near eastern societies, women started getting guarded and controlled. The first known text that had talked about veiling was an Assyrian legal text that could be dated back to as early as the thirteenth century. Veiling was a symbol of higher status then and in few centuries after that. The higher class and respectable women were supposed to be veiled, while the so called “lower” starts or the prostitutes were refrained from the practice. This became controlling and suppressive in nature in Islam because, veiling was not a choice given to the women. It was more of a compulsion. Cases of female infanticides also spiked then, although that had been a global problem since ages. Divorce became a threat given to the women. Marriage was considered to be just a mere contract and not a sacrament. Both man and woman had their specific roles in marriage. Thus, the condition of women was not really pleasant then, until a wave of feminism came to the scene. Basically, women were deprived of various social and legal rights. In the Indian context, we can see that this principle of not treating unequal equally has also been interpreted by the Supreme Court of India under Article 14 of the Constitution<sup>6</sup>. The two most celebrated worldwide feminist movements were that of the Prophetic women’s liberation movement in the seventh century and that of the western feminist movement in the eighteenth century. During the beginning of Islam in the seventh century, changes in women's privileges influenced marriage, separation (divorce) and legacy. Prior to Islam, Women were not given such lawful status in Arab societies and the west.

### **Islamic feminism**

The concept of “feminism” has raised eyebrows amongst the Islam community of those countries where the women were deprived of their basic rights. “Islamic feminism” is not a mere event of feminism that began in the Muslim countries. This was more drawn to the core of Quranic teachings based on equality between all human beings<sup>7</sup>. Researchers say that women have begun the feminist movement but they have done it by keeping the traditions in consideration. The initial movements of Islamic feminism began in the nineteenth century. Táhirih, an Iranian poet, had been one of the first few women to begin the movement. Fatema Mernissi, a Moroccan sociologist as well as a writer, is considered another significant figure in this movement. According to Margot Badran, “Islamic feminism derives its understanding and mandate from the

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<sup>6</sup> E.P Royyappa vs State of Tamil Nadu, 1974 AIR 555.

<sup>7</sup>Rachelle Fawcett, 28 March 2013, “The Reality and Future of Islamic Feminism”,

“<https://www.aljazeera.com/indepth/opinion/2013/03/201332715585855781.html>”, accessed on 11 September 2020.

Qur'an, seeks rights and justice for women, and for men, in the totality of their existence". In February 2003, Musawah (meaning "equality" in Arabic) emerged as a global movement which claimed equality as well as justice in family laws primarily. This movement was led by Islamic feminists who were seeking to "reclaim Islam and the Qur'an for themselves"<sup>8</sup>.

Different feminist movements began in different countries with purposes of their own. Some of those have been stated below in details with respect to some particular countries where feminism in Islam happened.

### 1. Iran:

Iran saw its first women's rights movement in the year 1910. It continued till 1933. This movement came to action again after the Iranian revolution in 1979. As a part of Mohammad Reza Shah's "White Revolution", this feminism movement got women right to vote and they were also given a right to participate in public offices. In the year 1975, women were given new rights by the Family Protection Law (this included custody rights to women and lowered polygamy). Feminists in Iran were categorized into two classes. One class firmly believed that Islam laws had deprived women since ages and that is because of flaws in the core of the religion. The other class believed that the Islamic law was dynamic in nature and this allowed a wave of feminism in Iran. The women's movement in Iran, as in most other parts of the Middle East and North Africa (MENA), has been intertwined with nationalism and also anti-colonial or anti-imperialistic sentiments<sup>9</sup>.

### 2. Iraq:

Iraq is another male dominated nation. In 2011, 11 women's rights groups in Iraq joined together to form the "National Network to Combat violence Against Women in Iraq". Another such non-governmental organization is the OWFI (Organization of Women's Freedom in Iraq) which was established in the year 2003. The primary purposes of this organization are to fight against gender bias in educational institutions, abolishing mandatory veils, promoting freedom to wear any dress, etc. in Kurdistan, women have been subjected to various forms of violence including murders, sexual offences, genital mutilation, honor killings to name a few. Iraqi women enjoyed

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<sup>8</sup>Elizabeth Segran, 4 December 2013, "The Rise of Islamic feminists", <https://www.thenation.com/article/archive/rise-islamic-feminists/>, accessed on 14 September 2020.

<sup>9</sup>NayerehTohidi, Decemeber 2016, "Women's Rights and Feminist Movements in Iran", <https://sur.conectas.org/en/womens-rights-feminist-movements-iran/>, accessed on 12 September 2020.

a pretty liberal life and played an important role in economy and politics of the country. Historical references regarding feminist movement in Iraq are not a very researched section. “The Awakened: Women in Iraq” by Doreen Ingram is usually referred to while studying about women rights movement in Iraq. The wave of feminism in Iraq mainly happened by an individual called Qasim Amin, also known as the father of Arab feminism<sup>10</sup>. Recently in February 2020, Iraqi feminists had been spotted in purples and pinks organizing rallies in the cities of Baghdad, Nasiriyah and other significant cities in defiance to claims that participation of women in protests is immoral<sup>11</sup>.

### 3. Afghanistan:

Rights of Afghan women have seen various phases since the 1960s. In 1964, as per the then Constitution, women had loads of rights in all sectors, equality was prioritized. An organization called “Revolutionary Association of the Women of Afghanistan” (RAWA), founded in 1977, by an activist named Meena Keshwar Kamal. The main purpose of this organization was to promote equality in rights and the concept of secular democracy as well. This was one of the first organizations to have a feminist vision<sup>12</sup>. Situation changed when rulers changed. During Taliban era in 1990s, women lost almost all of their rights. When Gulbuddin Hekmatyar became the Prime Minister of the Afghan state in 1996, more restrictions were imposed on the women (especially those going out to work). Women were kidnapped and killed mercilessly during the civil war, gradually Taliban took control over Kabul. Time passed, and women ended up losing most of their rights, until 2004 when the new Constitution was passed. “Ruidad Weekly” was one “newspaper” that got published for the sake of promoting feminism amongst the Afghan women. It looked like a pamphlet but it contained such content asking women to speak up for themselves. This was started by a woman named Heleena Kakar and was one of the first waves of feminism movements in Afghanistan.

Similar movements of Islam feminist movements had taken places in various other nations in order to safeguard women’s rights.

### **Modern feminist thinkers in Islam**

<sup>10</sup>Noga Efrati, November 2004, “The other ‘Awakening’ in Iraq: The Women’s Movement in the First Half of the Twentieth Century”, <https://www.jstor.org/stable/pdf/4145506.pdf> , accessed on 12 September 2020.

<sup>11</sup>LujainElbaldawi, 14 February 2020, “Iraqi Protests Blush Pink as feminists flood streets”, <https://www.al-monitor.com/pulse/originals/2020/02/iraq-protests-feminism-women.html>”, accessed on 12 September 2020.

<sup>12</sup>Jennifer L. Fluri, 2008, “Feminist-nation building in Afghanistan: an examination of the Revolutionary Association of the Women of Afghanistan (RAWA)”, <https://www.jstor.org/stable/pdf/40663959.pdf>”, accessed on 15 September 2020.

Feminism and Islam are intertwined concept that are mutually inclusive to each other. Islam has had various prominent feminist thinkers, who have mastered the Quranic exigency and interpret Quran from a predominantly feministic lens. If we just look at the history, then we can see that the most prominent feminist in the life of the Prophet was His wife Aisha. After the demise of the Prophet, it was Aisha that everyone looked up to due to her phenomenal understanding of Islam and leadership ability.

Since the ancient period, till today; many Islamic feminists have come to the scenario fighting for women's rights. Some very proficient Islam feminists all over the world are mentioned below along with their activities and roles.

1. Safia Ahmed – jan (Fought for rights of Afghan women)
2. Jamila Afghani (Came up with the first gender sensitive workshop/ training for Imams in Afghanistan)
3. Meena Keshwar Kamal (Founded RAWA)
4. Fatema Mernissi (Studied Islamic jurisprudence)
5. Malala Yousafzai (Stood for promoting education of girl child and was shot due to the same)

There are numerous other feminist thinkers in Islam, they are breaking the stereotype that the concept of religion and feminism are rather mutually exclusive things by proving that a person could be entirely be religious and yet feminist. Therefore, we can conclude by saying that the religion is no a cause of patriarchy, rather it is the culture that is cause and that it is entirely possible to remove patriarchy from the religion since the concept of feminism and religion are inclusive concepts.

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