

# ISSUE BRIEF **10.02.18**

## **Women as Religious Authorities: What A Forgotten History Means for the Modern Middle East**

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Although the history of Islam includes numerous examples of women transmitting *hadith* (i.e., sayings of the prophet), writing authoritative scholarly commentaries on the Quran and religious law, and issuing *fatwas* (rulings on questions of Islamic law), women rarely perform such actions today. Most Muslim countries, including those in the Middle East, do not allow women to serve as judges in Islamic courts. Likewise, few congregations would turn to women for advice on matters of Islamic law, or invite women to lead prayer or deliver the sermon (*khutba*).

For decades, Sudan and Indonesia were the only countries that permitted female judges to render decisions on the basis of the Quran and hadiths (which are usually conceived as a male prerogative only). And only recently have religious seminaries in Turkey, Morocco, Iran, and pre-war Syria opened their highest degree programs to women, thus enabling them to develop the expertise in Islamic law required to issue *fatwas*.

Given the dearth of women exercising Islamic authority, one might be forgiven for assuming that for most of Islamic history, women were not granted the right to gain expertise on questions of religion and religious law and that these realms of knowledge were the near-exclusive domain of men.

Yet a look into Islamic history suggests otherwise. In the early periods of Islam, women had great prominence in transmitting the *hadith*, and female

family members of the prophet were frequently consulted on questions of Islamic guidance. This practice was not limited to the prophet's family and descendants. As Islamic scholar Khaled Abou El Fadl notes, "certain families from Damascus, Cairo, and Baghdad made a virtual tradition of training female transmitters and narrators, and... these female scholars regularly trained and certified male and female jurists and therefore played a major contributing role in the preservation and transmission of Islamic traditions."<sup>1</sup>

Women's role in transmitting *hadiths* was modeled after 'A'ishah, the prophet's youngest wife, who had been such a prolific transmitter that Muhammad is said to have told followers they would receive "half their religion" from a woman.

In his overview of the history of women as *hadith* scholars—*Al-Muhaddithat*—Oxford scholar Mohammad Akram Nadwi observes that, "in the formative period of Islam... women scholars are not only great in number but also great in prominence [and] great in their authority. Men go to them to learn, and doing so is normal."<sup>2</sup>

Research by Islamic studies professors Irene Schneider and Jonathan Berkey indicate that Nadwi's observation was not only true for the formative period of Islam; in later centuries, too, the great scholars of Islam learned from both male and female teachers. Knowledge seekers traveled far and wide, from Damascus and Cairo to Baghdad and Nishapur, to study with female jurists. The 12th century Sunni scholar Ibn 'Asākir



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(d. 1176) noted that he studied under 80 different female scholars.<sup>3</sup> Among the 172 teachers of Taqi al-Din al-Subki (d. 1370), 19 were women. The Shafi'i scholar Ibn Hajar al-'Asqalani (d. 1448) named 53 women with whom he studied. Al-Sakhawi (d. 1497) noted that he learned from 68 women,<sup>4</sup> and Al-Suyuti (d. 1505) listed 33 women among the 130 scholars on whose authority he recited traditions.<sup>5</sup> Even Ibn Taymīyah (d. 1328), a leading Hanbali jurist known for his stern approach to gender relations, listed two women among his teachers.

Schneider's account of female scholars in Nishapur, Iran, between the 11th and 13th centuries is extraordinary, as she not only offers examples of women who taught in official madrasahs (rather than in the privacy of their homes, as was customary in Cairo, for example),<sup>6</sup> but also detailed descriptions of seating orders, which suggest that religious scholars were not spatially segregated by gender but that men and women—teacher and student—occasionally sat side by side.<sup>7</sup> The common conception, by contrast, is that if women taught at all, they did so from behind a curtain. Schneider's findings set Nishapur apart from discussions of Cairo and Baghdad, where women are usually assumed to have taught from behind a curtain.

In addition to being prevalent among the group of esteemed hadith transmitters, women also issued fatwas, legal recommendations based on Islamic law, a service that would be requested of only the most distinguished scholars of Islamic law. As El Fadl notes, "a careful reading of biographical dictionaries reveals a large number of women who are described as jurists (*faqīhāt*), and who are asserted to have attained a level of competence that qualified them to issue fatwas."<sup>8</sup> Among the earliest known examples is the Damascene jurist Hujayma bint Ḥuyay al-Awtābiyya (d. 701), "who is said to have taught numerous men, and who enjoyed the confidence of the caliph 'Abd al-Malik b. Marwān (r. 685–705). [She] used to meet with him regularly when they would sit together in the back of the Damascus mosque."<sup>9</sup>

Examples abound in subsequent centuries and are not confined to a particular center of learning or a particular *madhab*

(school of jurisprudence). Women jurists can be found from Timbuktu to Cairo, from Damascus to Baghdad, and from Isfahan and Nishapur, from the 700s to the 1500s and across the Hanafi, Hanbali, Maliki, Shafi'i, and Shia schools of law. Nor is there evidence that women transmitted or taught only on gender-specific themes.<sup>10</sup> The Shafi'i jurist Amīnā bint al-Ḥusayn al-Mahāmīlī (d. 987) was particularly expert in the law of inheritance.<sup>11</sup> The Hanbali jurist Fatimah bint 'Abbas ibn Abi al-Fath al-Baghdaḍiyyah al-Hanbaliyyah (d. 1333) became a renowned scholar of the Quran, and her contemporary, the great Islamic scholar Ibn Taymiyah, acknowledged her as an equal in knowledge and expertise. 'A'isha bint 'Abd al-Hadi al-Ba'uniya (d. 1516) excelled in Arabic grammar and rhetoric, Islamic law, theology, and mysticism.

Apart from these leadership roles in Islamic scholarship, women also often played noteworthy roles as founders and benefactors of *madrasahs*, with the authority to appoint teachers and other functionaries. Even as controllers of the endowment, they could greatly influence the sphere of religious teaching and learning.<sup>12</sup>

## A “MODERN ABYSS” FOR FEMALE RELIGIOUS AUTHORITIES

With the rise of modernity, the profound transformations in statecraft, the adoption of European legal systems, the diminished role of religious authorities across the Muslim world, and the rise of political Islam, knowledge of the multifaceted ways in which women were central to the development of the Islamic tradition, Islamic law, and scholarship faded into distant memory. It is not entirely clear why modern religious authority in Islam was in most places reshaped to include men only, or why it was forgotten that women, too, could become muftis and that their interpretations should have authority for both female and male believers.

While modern educational systems that focused on men's preparations to eventually become breadwinners as well as the militant anti-colonial struggle that propelled men to

political leadership and relegated women to the private sphere both played a role in this development, the reasons behind this trend are multifaceted and vary across the Muslim world. Still, the schism between the period spanning the seventh and 16th centuries on one hand, and the 17th to 20th centuries on the other is extraordinary. In a sense, one can speak of a “modern abyss” for female religious authorities; women Islamic scholars, muftis, and judges are the great exception. Even public opinion surveys indicate that most believers today, irrespective of gender, do not wish to follow women religious leaders and do not trust a woman’s interpretation of the Quran, even if she has proven to be equally qualified.<sup>13</sup>

## NEW INITIATIVES: WOMEN ADVISING WOMEN

Fortunately, several recent developments indicate that the tables may be turning once again.

In 2006, the Moroccan government began to train female religious counselors (so-called *murshidat*) to be assigned to mosques around the country and tasked with responding to religious inquiries.<sup>14</sup> The main role of the counselors is to provide legal guidance to women so that female believers are not compelled to consult men on health and women-specific issues. The program has since grown and become very popular, with hundreds of women being trained as *murshidat* each year.

In Syria, prior to the civil war, female graduates of some Islamic law colleges were being trained to become assistant muftis able to offer gender-specific advice to women.

Since 2005, the Turkish Directorate of Religious Affairs (i.e., the Diyanet) has appointed female assistant muftis who may issue fatwas on women’s issues.<sup>15</sup> And since 2006, it has certified hundreds of women as “*bayan vaizler*”—Diyanet personnel who give lessons at mosques three times a week and may lead pilgrimages to Mecca.<sup>16</sup> More recently, the Diyanet has also begun to send female *vaizler* abroad to mosques in Europe and Asia that are funded by the Turkish government. Currently, there are 13 female

*vaizler* in Germany at mosques administered by the directorate’s foreign office.<sup>17</sup>

Iran has been the most proactive in training women as religious authorities. Since the 1990s, hundreds of religious seminaries have been set up across the country to train women in Islamic sciences. An estimated 40,000 female students presently study in Iran’s theological seminaries.<sup>18</sup> Similar to the Moroccan program, they are not trained to become scholars of Islamic law (which might prompt them to generate re-interpretations), but rather to give lessons at mosques and schools, respond to female believers’ queries, and to lead pilgrimages to Mecca and other holy sites.

In most of these recent initiatives, women are trained to respond to the inquiries of female believers only, not as authorities for the *umma*, as such. The Turkish and pre-war Syria programs train women to issue fatwas. But they do so only with regard to women’s issues and in response to women’s questions. This is, remarkably, despite the fact that all four Sunni schools as well as the Twelver Shia school of jurisprudence recognize women’s eligibility to serve as muftis not only regarding issues of particular relevance or interest to women, but on any issue on which a believer might seek advice.<sup>19</sup>

Ahmed al-Haddad, the Grand Mufti of Dubai and head of the Islamic Affairs and Charitable Activities Department, in 2009 issued this important reminder: “In many Muslim countries, women are already involved with the issuing of fatwas, or legal rulings, but frequently these are confined to ‘female issues.’ However, a woman who is learned and trained in issuing fatwas is not limited in her role to issuing fatwas that relate to women only, but rather she is qualified to issue on matters of worship, jurisprudence, morality, and behavior.” Al-Haddad went on to say that Islamic tradition was “rich in examples of highly learned women acting as muftis and issuing decrees on all matters,” and added that “women, too, can order acts of virtue and ban acts of vice just like a man can...which is what female contemporaries of the Prophet have done as well as the women who came after them.”<sup>20</sup>

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In this regard, al-Haddad is entirely right. It is time for women to reclaim their historical role and for believers to remember that for centuries, Islamic authority was less gender exclusive than the modern era.

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### LOOKING AHEAD

Training more women in the interpretation of Islamic sources does not mean that such interpretations will overnight become more inclusive or more gender sensitive. But educating young women about female role models in the Islamic tradition such as the women teachers of Ibn Taymiyah or the Damascene jurist al-Awtābiyya, whom the caliph consulted on legal and political questions while sitting with her in the back of the mosque, is incredibly important. Seeing a woman in a leadership position can have a transformative effect on an individual's aspirations and open up new horizons and career goals previously not considered. Many Muslims are familiar with the pivotal role played by Aisha and Fatimah, but these were women in the prophet's family, which made their trajectory beyond reach. In a way, their towering image is part of the problem, as it elevates the example of female religious authority to unreachable heights. Instead, the image of women's religious authority needs to be "normalized" once again.

Generations of women from the seventh to 18th centuries sought Islamic knowledge and became qualified as jurists, hadith transmitters, and scholars of Islam to whom male students would travel across the Muslim world. The historical evidence discussed above clearly illustrates that the women of the prophet's family were not unique in taking on religious leadership roles. Many women across time emulated their model and contributed to a strong tradition of female Islamic authority, which is probably stronger comparatively than in the other Abrahamic religions.

A change in perception is needed to re-normalize women's religious authority. If women are to be trained as religious authorities on all matters and for all believers (not only women), then attitudes toward women in religious leadership positions need

to change as well among educators, students, and the general public. Religious leaders are only leaders if they have a following, as women muftis have repeatedly demonstrated.

An important mechanism for changing perceptions is memory-making. Memories can be reactivated by:

- sponsoring programs in popular culture that revive the tradition of women jurists in Islam, such as visual culture projects like cartoons, videos, and films about such women, which some NGOs in Iran have produced to this effect;
  - generating exhibitions, children's books, games, and toys that elevate the memory of outstanding women jurists and hadith transmitters; and
  - supporting local research on examples of women religious leaders.
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### ENDNOTES

1. Khaled Abou El-Fadl, "Legal and Jurisprudential Literature: 9th to 15th Century," in *Encyclopedia of Women & Islamic Cultures*, Suad Joseph, general editor (Brill Online, 2012).

2. Mohammad Akram Nadwi, *Al-Muhaddithat: The Women Scholars in Islam* (Oxford/London: Interface Publications, 2007).

3. Nadwi, *Al-Muhaddithat*.

4. See Renate Jacobi, "Der Gelehrte und die Dichterin. Eine Seelenfreundschaft im mamlukischen Ägypten," in *Studien zur Semistik und Arabistik. Festschrift für Hartmut Bobzin*, Otto Jastrow, Shabo Talay, and Herta Hafenrichter, eds. (Wiesbaden: Otto Harrassowitz, 2008), 183–203; and Renate Jacobi "Gelehrte Frauen im islamischen Spätmittelalter," in *Nonne, Königin, Kurtisane: Wissen, Bildung und Gelehrsamkeit von Frauen in der frühen Neuzeit*, Michaela Hohkamp and Gabriele Jancke, eds. (Königstein: Ulrike Helmer Verlag, 2004), 225–246.

5. See Jonathan Berkey, "Women and Islamic Education in the Mamluk Period," in *Women in Middle Eastern History*, Nikkie Keddie and Beth Baron, eds. (New Haven: Yale University Press, 1991) 143–57, 151.

6. On women in religious education during the Mamluk period (1250–1517), see Jonathan Berkey, *The Transmission of Knowledge in Medieval Cairo, A Social History of Islamic Education*, (Princeton: Princeton University Press, 1992), 170f. Berkey writes that women were not in a position to become teachers in madrasahs during the Mamluk time, but often taught men and women outside the formal madrasah system.

7. See Irene Schneider, “Gelehrte Frauen des 5./11. bis 7./13.Jh.s nach dem biographischen Werk des Dahabi (st. 748/1347),” in *Philosophy und Arts in the Islamic World. Proceedings of the 18th Congress of L’Union Européenne des Arabisants et Islamisants held at the Katholieke Universiteit Leuven (Sept. 3–9, 1996)*, U. Vermeulen and D. de Smet, eds. (Leuven: Peeters Publishers, 1998), 107–121. The biographies of women discussed here amount to 2 percent of all biographies al-Dahabi reviewed, most of which were of male contemporaries of the Prophet. None of the 20 women surveyed by Schneider served in official offices, such as administrators or judges.

8. See Abou El Fadl, “Legal and Jurisprudential Literature.”

9. Ibid.

10. Nadwi, *Al-Muhaddithat*; Abou El Fadl, “Legal and Jurisprudential Literature”; Schneider, “Gelehrte Frauen.”

11. Nadwi, *Al-Muhaddithat*, 112.

12. On women who functioned as nazirat (female controllers), see C. F. Petry, “A Paradox of Patronage during the Later Mamluk Period,” *The Muslim World* LXXXIII, no. 3–4 (1983). See also Jonathan Berkey, “Women and Islamic Education in the Mamluk Period,” in *Women in Middle Eastern History*, Nikkie Keddie and Beth Baron, eds. (New Haven: Yale University Press, 1991), 143–57, 144. Gawhar Shad Bigum (d. 1457), the female ruler of Herat, ordered the construction of the Friday Mosque and the *madrasah* of Herat. In Safavid, Iran Shah Bigi Bigum, the favorite wife of Safavid Shah Isma'il I (r. 1502–1524), as well as her daughter Mahin Banu (1519–1562), set up endowments for religious schools in Shirvan, Tabriz, Qazvin, Ray, and Isfahan.

13. For example, a recent survey conducted by the Baker Institute in the Middle East sheds light on this issue. Survey available at: <https://www.bakerinstitute.org/carnegie-project>.

14. See Souad Eddouada, “Cinquante mordichades par an,” (unpublished manuscript, n.d.); Souad Eddouada and Renata Pepicelli, “Maroc: vers un ‘féminisme islamique d’État,’” *Critique Internationale* 46, Jan–March (2010): 87–100; and Margret Rausch, “Women Mosque Preachers and Spiritual Guides: Publicizing and Negotiating Women’s Religious Authority in Morocco,” in *Women, Leadership and Mosques: Changes in Contemporary Islamic Authority*, Masooda Bano and Hilary Kalmbach, eds. (Brill Publishers, 2011).

15. Overall, the Diyanet employs 81 muftis across the major cities of Turkey. Since muftis in Turkey often function as regional managers who oversee Diyanet projects, personnel, disputes, etc. in their assigned provinces, most legal inquiries from believers are in fact answered by the assistant muftis. I thank James Gibbon for pointing out this division of labor to me. On the political (in)significance of fatwas in Turkey’s entirely secular legal system, see Samil Öcal, “From ‘the Fetwa’ to ‘Religious Questions’: Main Characteristics of Fetwas of the Diyanet,” *The Muslim World* XCVIII, April/July(2008): 324–234.

16. See, for example, Mona Hassan, “Women at the Intersection of Turkish Politics, Religion, and Education: The Unexpected Path to Becoming a State-Sponsored Female Preacher,” *Comparative Islamic Studies*, 5, no. 1 (2009): 111–130.

17. Ulrike Hummel, “Female Imams in Germany. The Call of the Muezzin Women,” *Qantara.de*, November 7, 2008, [http://en.qantara.de/wcsite.php?wc\\_c=8123](http://en.qantara.de/wcsite.php?wc_c=8123), accessed April 13, 2011. In total, the state of Turkey, through DITIB, employs 800 imams in Germany.

18. Mirjam Künkler, “The Bureaucratization of Religious Education in the Islamic Republic of Iran,” in *Regulating Religion in Asia: Norms, Modes, and Challenges*, Arif A. Jamal, Jaclyn L. Neo, and Daniel Goh, eds. (Cambridge: Cambridge University Press, 2018).

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19. Karen Bauer, "Debates on Women's Status as Judges and Witnesses in Post-Formative Islamic Law," *Journal of the American Oriental Society* 130, no. 1 (2010): 8.

20. See "The first female Mufti in the Arab world," *Siasat Daily*, November 4, 2009, <http://www.siasat.com/english/news/first-female-mufti-arab-world>; "A giant leap forward for Muslim women," *New Statesman*, November 11, 2009, <http://www.newstatesman.com/blogs/the-god-blog/2009/11/female-muftis-women-islam>; "Female Muftis Aren't Making Headlines. What a Surprise," *Patheos*, November 23, 2009, <http://www.patheos.com/blogs/mmw/2009/11/female-muftis-aren%e2%80%99t-making-headlines-what-a-surprise>; "Women muftis by end of 2010," *The National*, November 3, 2009, <http://www.thenational.ae/news/uae-news/women-muftis-by-end-of-2010>; and "Mufti of Dubai: Women can issue fatwa," *UPI*, March 6, 2009, [https://www.upi.com/Top\\_News/2009/03/06/Mufti-of-Dubai-Women-can-issue-fatwa/17091236381103/](https://www.upi.com/Top_News/2009/03/06/Mufti-of-Dubai-Women-can-issue-fatwa/17091236381103/).

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