

Social Scientist

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Source: *Social Scientist*, Vol. 15, No. 2 (Feb., 1987), pp. 62-65

Published by: Social Scientist

Stable URL: <http://www.jstor.org/stable/3520438>

Accessed: 21-07-2015 19:01 UTC

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Women in Islamic Ideology

THE UNPRECEDENTED attention drawn by the Shah Bano case can be seen as a manifestation of demands following from the problems faced by women in contemporary society. The discussion of the religious issues involved suggests that religion need no more be treated as the language of theologians alone. Rather, the matter now has reached the people, involving them in an authentic dialogue, based on facts drawn directly from life. Asghar Ali Engineer, in his new Urdu title *Quran Mein Aurat Ka Darja*¹ sets himself the goal of elucidating and analysing this dialectical interaction between empirical fact and religious revelation. The author begins with the formulation of a theoretical system that can liberate the believer from religio-legal bonds. The wisdom of the Quran lay in its dynamism, that took into account the challenges of genuine temporal requirements and sought to ensure justice and a better life. This cannot be reconciled with the rationale of *taqlid* (i.e., rigid following) advocated by the custodians of religion, which, according to Engineer amounts to breaking away from the Divine Spirit. The author argues that faith (*imam*) is neither a form of refuge nor subjugation to divine authority ; rather it is an ideology internalised in a manner that accommodates the evolution of norms in society. Hence, to do away with the routinised staleness of the Quranic system, it is necessary to give a fresh perspective to verses that carry the stamp of their own time and space.

Based on this approach, the author calls for an identification of the human situation in its totality, before reflecting on the Quran. Otherwise, we are warned, modern man will be dismayed, rather than benefited, by the wisdom of his religion. Engineer's entry into the subject of the Shariat begins with these premises. He then refers to the different phases in the development of Islamic jurisprudence since Mohamed Al-Khizri, emphasising those social and personal prejudices introduced in the course of history. The latter were the dominant ideas of particular periods, and were therefore oriented towards supporting the dominant interests in society in the periods concerned. Not surprisingly, given the inevitable differences in human situations and therefore opinion, there were, according to Engineer, at one point of time, a hundred schools of Islamic jurisprudence.

It is with this background that the author approaches the question

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of women under the Islamic system. Since the Quran took pre-Islamic Arabian society as its spatial context, the book abounds in references to the exploitation of women in patrilineal, polygamous and extended familial arrangements. However, there is no effort at pinpointing the precise connection between social factors and the situation of women, resulting in ad hoc references to the absence of divinely ordained values and ideologies in lieu of an explanation. The discussion, therefore, fails to focus on the roots of women's subordination. Nor does it provide the perspective needed for a proper understanding of estranged gender relations.

Undoubtedly, the Quran provided its followers with prescriptions for a complete way of life, which were not merely the basis for an ideal society but also principles of conduct that often went against popular customs and preferences. But the end envisaged by this divine wisdom could not be realised, because it could not ensure the necessary changes in social structure. Engineer has made a significant omission by not taking into account the relations within the family, which would have been essential for a proper treatment of the subject he has chosen.

Instead, quoting a few verses from the Quran, the author focuses his attention on the dimensions of the economic, social and spiritual justice bestowed on women by Allah. And in doing so, the book enters the realm of abstraction.

According to Engineer, the Quran does not emphasise gender as a basic factor in the division of labour. Rather, the dominant status of the male in family relations can only be explained by the socio-economic and geographical context in which they emerged and persisted. From the point of view of the Quran: "They (women) have rights similar to those (men) over them in kindness and man are a degree above them." According to Engineer 'men are a degree above' because they produce subsistence for the family—the dominant economic motive of the family in reference. And women rank subordinate because of their work in the household, which is distinct from productive work. One can no doubt ask whether the growing of food in the field, processing in the yard and cooking in the kitchen are just three different stages of one unified process or each one a complete process in itself. Besides locating the sphere of production outside the household, Engineer also ignores the role of women in reproduction. He could not escape the prejudices of conventional wisdom which tend to obscure the value of women's work and irrationally consider the productive domain as a male prerogative. He thereby misses the occasion provided by the above verse to discuss the reflection of the social ethos in the Quran and explains it away by holding that while the Quran accorded equal status to women, in its wisdom it chose not to permit it in its own social context.

The implication should be clear. Even today, the social situation does not permit a change in status to be accorded to women. The bulk

of India's Muslim population belongs to the peasantry, the artisanry and the merchant class. A great majority lives in extended families, sharing mutual economic and emotional obligations. Even in large cities like Delhi, this family structure has been retained. And wage earning, which is the main device to support the family, is still predominantly a male pursuit. Would all this call for the subordination of women even within today's social order? Further, with the predominant economic motive of the Muslim (extended) family being the control and consumption of familial labour, a daughter ranks below a son; while the former has to be married out, the latter brings labour in the form of a wife into the family. These factors account for the gender situation, which remains unaffected by indices of change like modernization and urbanization. The need of the hour, therefore, is not to wait for women to break loose from the powerful bonds of housework as the basis for gender equality—the focal theme of the feminist movement—but to fight the prejudices which enter when accounting for her productive role within the household.

Engineer, while discussing the social status of women under Quranic authority draws a clear distinction between the divinely ordained and the socially prejudiced. In a reference to the position of the Quran on the question of *purdah*—a significant issue in the contemporary situation—the author suggests that the wisdom of Allah intended to uphold the individuality and dignity of the women by ensuring that her body did not invite the attention of people. In the words of the Quran: "O Prophet! Tell thy wives and thy daughters and the women of the believers to draw the cloaks around them (when they go abroad). That will be better, so that they may be recognised and not annoyed."

Commenting on this verse the author notes that there is no mention of veiling the face and that it was not an obligatory order for all time. In fact, emphasises Engineer, even men were warned that they should lower their gaze when confronted by women.

Interestingly, this plea for dignity has been used to confine the woman to her home, eliminate opportunities of work for her and control her activities. What explains these features and how are they related to the dynamics of family relations during the feudal period in Abbasia? These questions remain unanswered.

Similarly, while discussing social institutions Engineer attempts to underplay the significance of the practice of polygamy. According to him, polygamy for the Arabs was a practice with economic implications. In pastoral societies, where food production hardly goes beyond food gathering, the Arabs used to entice away helpless but rich orphan girls on the pretext of marriage, so that possession of the bride's assets could be ensured. This practice was in vogue within and across families. But the author points out that the Quran deals with the issue of polygamous marriages with special reference to orphans, with the intent of according justice to them. It declares: 'Give to the orphans their wealth and do

not exchange their good properties for your bad ones, nor consume their properties by mixing them with yours But if you cannot do justice to orphans then you marry from among (orphans) women such as you please . . . two, three, four. If, however, you feel you cannot do justice (among your wives) then marry only one or women slaves.” Hence, given the changed circumstances, Engineer does not hesitate to call for a ban on the practice.

With reference to the position of the Quran on divorce and the obligations of the husband to his divorced wife—the focal point of debate in the Shah Bano case—Engineer emphasises the importance of the process of ideological transcendence. Taking account of new problems arising from an ever changing environment, it is necessary to rethink the matter, rather than seek refuge in the historical position on religio-legal inheritance.

The author notes the most widely prevalent form of divorce in India, i.e., the husband pronouncing the word ‘*talaq*’ thrice in one sitting, draws its legitimacy neither from the Quran nor from the Sunna (practice of the prophet). It can be traced to a specific eventuality during the time of the second Caliph, Hazrat Omer. The Quran, which endowed Muslims with the right to innovate and adapt, nevertheless prescribed three menstrual periods during which divorce is pronounced, becoming irreversible only after the third menstrual period. It is clear that the present position with regard to divorce, which dates back to the second caliphdom, was the product of innovation and substitution through *tjma* (consensus) over time. Engineer draws the attention of those who emphasise the Quran and the Hadith and requests them to act accordingly, for the good of Muslim women.

The Quran clearly prescribes certain obligations of husbands towards their divorced wives. They are warned to be just and benevolent. To cite a verse from the Quran: “Lodge them where you dwell according to your wealth and harass them not so as to straiten life for them. And if they were with child, then spend for them till they bring forth their burden. Then if they ask of you, give them due payment and consult together in kindness”. The point that Engineer makes is noteworthy—that the Quran exhorts men to look after their wives in the same manner as they look after themselves, rather than throw them out with a pittance.

It is true that the Quran does not prescribe any period for the maintenance of a divorced wife. But this must be understood in its context. In Arabian societies, divorce was no stigma for a woman. She could remarry or even revert to her parents’ home. The contemporary situation is different. A divorcee today is a curse upon herself as well as her family. Which father, not to talk of kin, is known to accept his divorced daughter? In such a situation it is no solution to propose that her blood relatives should take care of her. What about those who have no parents or kin to fall back on? One is really amazed by the logic of the bill on the rights of divorced Muslim women. Given today’s situation, poor women will be forced to chose between an immoral life and untimely death.