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The Gender Agenda and Islam: Where Next?



Gender Equality and Islam: Why Muslim men must recall the spirit of the progressive prophet



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EXECUTIVE SUMMARY

Some will say that because I am a man I cannot write about women. But as a man, I say that it is incumbent upon men to become champions for achieving full gender equality.

It is men who, too often, hold women back from being seen — and therefore treated — as equal citizens in the eyes of the law. Men control most parliaments, law-making processes and law-enforcement institutions, write many of the books, and interpret religious teachings.

Change comes through all of us working together, not pitting ourselves against each other. Our identity is as equal citizens of our nation states — not as members of clubs segregated by gender, sexuality, race or religion, fighting for political power.

The greatest obstacle to women being treated as equal citizens comes from men who exploit religious texts and history to suppress the rise of women as peers in every sphere of life. In my paper, I tackle this obstacle head on.

The commercial and economic advantages to a nation with greater gender parity are obvious. But how do we send a female astronaut into space when her family, influenced by religious leaders, insists she cannot travel anywhere without a male guardian? How does a father ensure his daughter and son inherit wealth equally when the imam in the mosque cites scripture and suggests

women should be left less?

Much of the literalist, rigid reading of religious texts (usually out of context) emerges from a lack of confidence among modern-day male clerics. They were too busy defin-ing themselves in terms of their opposition to the West, rather than pioneering a new, more relevant and modern identity for their fellow citizens. The office of ayatollah in Iran is an invention of the 20th century, as is forcing women to wear a veil, and many other forms of institutional discrimination against women.

To be free from this literalism, this lack of confidence, this defining of Islam based on its stance against the West, we must find new ways to bring Muslims and modernity into harmony. If we fail to do this, not only will the rest of the world continue to pro-gress and the gap in ideas and productivity widen, but Islam itself will become unat-tractive to a new generation of Muslims.

Why should they believe in a religion that teaches them women are impure during their period, while authorities in Scotland, for example, are providing women with free tampons and celebrating menstruation?¹

The rise of atheism will endure. As citizens, men, brothers and sons, and as clerics, we must all make an effort to reassess our understanding of our old religious texts in a modern context.



The approach by Muslim men to our past, present and future attitudes toward women must change



Saudi fashion designer Arwa al-Banawi poses in her studio on October 25, 2017, in Dubai. AFP

A survey of people in seven Muslim-majority countries by the University of Michi-gan’s Institute for Social Research in 2014 found that only 14 per cent of Egyptians agreed that a woman can decide to dress however she wants.² In Pakistan, 22 per cent felt the same way, and 27 per cent in Iraq. The number was somewhat higher in Saudi Arabia, at 47 per cent, rising to 52 per cent in Turkey and 56 per cent in Tunisia.

What has happened to undermine Muslims’ confidence in ourselves, to the extent that we want to control and contain the beauty of Muslim women, that we feel threatened by their freedom? The approach by Muslim men to our past, present and future atti-tudes toward women must change.

This was not the Islam of the Muslim masses throughout its 1,500-year history. The Prophet Muhammad was married to Khadija for 25 years until her death. He remarried a number of times, including to Aisha bint Abu Bakr. She was strong in character and deeply involved in spreading the Prophet’s message.

After his death, she led an army against the fourth caliph, Imam Ali. The fact that a woman could lead troops in battle speaks volumes about the strong women the Prophet had around him, and about the acceptance of them in leadership roles by early Muslim men.

Aisha bint Talha, a niece of Aisha bint Abu Bakr, famously refused to wear the veil, claiming that God had created female beauty, and her own attractiveness, and so it was too precious to hide. Sakina bint Al-Husayn, a granddaughter of the Prophet, also protested against wearing the veil, and refused to allow her third husband to take a second wife. She divorced him when she discovered he was having an affair. Neither woman was punished for their independence, nor did their menfolk seek to force them to cover up. They were rooted in Qur’anic knowledge instinctively, and understood the Prophet’s disposition. They were not busy defining their identity based on opposing the West.

A contemporary Muslim scholar, Mohammed Akram Nadwi, has produced a 40-volume encyclopedia of female Muslim scholars who taught men and women.³

Imam Ibn Hajar al-Asqalani (1372–1449), the great commentator on Hadith, noted that 800 of his Hadith narrations included women in the chain of teaching and connecting a saying back to the Prophet. This illustrates the central role many women played in education and the preservation of knowledge in early Islam.

In the Umayyad Mosque in Damascus, women taught in the main hall. In the days of Imam Al-Tabari (839–923), whose Qur’anic



People attend a hackathon in Jeddah on July 31, 2018, prior to the start of the annual Hajj pilgrimage in the holy city of Mecca. AFP

exegeses are still a leading resource for scholars,⁴ his school of thought held that women may lead men in prayer.

What happened to this Islam that championed freedom for women? It is believed that in pre-Islamic Arabia men bequeathed women to their sons as part of their inheritance. Every erudite Muslim in the world today believes, rightly, that the Prophet was a liberator of women. All recognize their Prophet as being a feminist of his time.

Abdullah ibn Abbas, the Prophet's cousin, frequently reminded Muslims that the Prophet encouraged his wives and daughters to leave their homes to take part in festivals and the fun of Eid gatherings.

The fault common among many Muslims today is our failure to grasp the spirit of the Prophet's actions, and the motives behind his divine sanctions designed to relieve the plight of women. In some places baby girls are killed by their families, in some cases because boys are preferred and in others because the mother is considered to have brought shame on the family.^{5 6}

Modern-day Arabs and Muslims who sadly cling to that mentality have abandoned the progressive ways of their Prophet. He abolished infanticide; he stopped the prac-

tice of passing women on to heirs by way of inheritance; and he changed the rules on dowries so that money went to the woman directly and she owned it, not her parents.

Even in the event of a divorce, a woman retained her own financial assets. Where previously divorce had been a purely male prerogative, and the Jewish and Roman Catholic traditions had made it almost impossible, the Qur'an granted women the right to divorce their husbands and inherit property.

By the standards of the time, and in the context of the era of the Prophet in 7th-century Arabia, Muslims were among the most advanced communities in terms of recognizing the status of women and granting them rights. But somewhere along the way in the centuries that followed, Muslims lost that spirit of Shariah and the progressive Prophet.

Muslim men turned inward as they lost their sense of dignity and manliness before the world. Just as a confident man feels no need to control his wife and household, a confident society does not need to oppress its women.

This loss of confidence within Islam, of being at ease with the contemporary world, occurred some decades ago. The rise in

assertive wearing of the veil in the Muslim public space was a reaction to the miniskirts and sexual freedoms of the 1960s in the West. At first, the women of Kabul, Jeddah, Tehran and Cairo wore miniskirts too. We see that from the photographs of our grandmothers.^{7 8}

But as the Muslim Brotherhood organized activities on campuses in Egypt in the 1950s, King Farouq Islamized the public space as a way of attacking the Egyptian nationalist socialists; and in the 1970s the Iranian cleric Ruhollah Khomeini led a revolution against the US-backed Shah in Iran.

In all instances, in Egypt, Iran and Saudi Arabia, the Islamists were fighting against symbols of the West — and what more pertinent emblem of Westernization than the visible Muslim woman who, once brought into line, would showcase the paradigm shift on beaches and in workplaces and homes across the Muslim world?

If the West is about immodesty, then we in the Muslim world are modest. If the West exports high heels and miniskirts, then we return to the Shariah of literalism and bring back the burqa. By the time of the Iranian revolution in 1979, a new dress code had solidified. If Shiite women could wear those chadors and fight in the armed forces, then so could Sunni women in Pakistan and the rest of the Muslim world. A new competition to “out-hijab” each other commenced.

But donning a hijab is a personal choice that is not to be imposed either by male clerics or peer pressure. With the rise of Western influence came ideas of feminism and women's liberation. Muslim societies, and male clerics, responded by trying to shield “our mothers, sisters and daughters” from the influence of the corrupt West. The modus operandi shifted from differentiation to outright opposition. If Western women were wearing miniskirts, then Muslim women must cover up completely — face, hair, bosom, arms and legs — and all in black.

Yet this was not the way Muslim women appeared historically. Orientalist travelers of the 18th century wrote extensively about the sexual freedoms and openness of the East. By the standards of the 7th century, the Prophet Muhammad raised the status of women. Whereas previously they had been seen as on a par with camels and horses,



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they were now recognized as fully human.

But in their determination to oppose the West, modern-day Islamists flouted the spirit of the Prophet. Their assumption is that the wearing of the hijab symbolizes a safe Muslim society. They argue that the West is home to decadence and immorality and that its women are lewd and promiscuous.

However, a 2013 UN report found that almost all Egyptian girls and women (99.3 per cent) who took part in the study reported being sexually harassed. Of those, 96.5 per cent said they had been subjected to unwelcome physical contact, and 95.5 per cent were verbally harassed on the streets.⁹

In Yemen, another fully veiled society, studies suggest that 90 per cent of women have experienced some form of harassment, especially being pinched by men in public. In Saudi Arabia, 86.5 per cent of men blame such experiences on “women's excessive make-up.”

The ugly reality is that many Muslims, and Islamists in particular, have missed the point: it is not women's clothes and make-up that are the threat, it is male attitudes. Forcing women to hide their hair, ears, necks, arms and legs in case they provoke lust in a man is not the way to create a healthy, free and confident society.

It was not always like this. Take, for example, the enlightened thoughts of a 10th-century scholar from Muslim Spain on the status of women, and free love. Imam Ibn Hazm Al-Andalusi (994–1064) wrote on the subjects of logic, grammar, ethics, history, theology and, reflecting the interests of his time, comparative religion. His books on jurisprudence are still required reading in seminaries but, sadly, less attention is paid to his progressive writings on women and love.¹⁰

Contrary to the prevailing Muslim view of his time, Ibn Hazm argued that women were no more likely to commit sins than men. Women, he said, had the right to be leaders and hold political office. His views on gender equality were a millennium ahead of their time. The other great Andalusian scholar and philosopher, Ibn Rushd (1126-1198) also called for gender parity and greater roles for women.

But what specific changes are needed in the 21st century to regain this rooted Muslim confidence and modernize Islamic cultures?

PARADIGMS FOR POLICY CHANGES FOR A RENAISSANCE

In recent years the Crown Prince of Saudi Arabia, Mohammed bin Salman, has pioneered gender parity by changing the country's laws on women traveling and driving, and has spoken of a civilizational renaissance. In the United Arab Emirates, new laws are on the statute books that grant women greater freedom.

Where Saudi Arabia leads, 1.8 billion Muslims around the globe will follow. Building on the Muslim past and present, progress and civilization depends on adapting the spirit of change and progress that Islam offered, not the literalist reading of scriptures.

For more than a millennium, the Maqasid Al-Shariah, the higher aims of the law, existed to protect lives, families, property, security, intellect and worship. The Muslims of the past were not an emotional or a literalist people. Islam began as a rational religion, questioning the dogma of the past on the Trinity, or the literalism of the laws of our Jewish forebears.

In that spirit of progress, a renaissance of Islamic culture can be led by Saudi Arabia in the spirit of the Maqasid, not the literal interpretations of texts from the 7th century.

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Four areas in the gender agenda of reforms can set the Muslim world free from the prisons of the past. They are:

I The injustice inherent in divorce proceedings, where a woman cannot pro-nounce divorce and is dependent on a man to issue a divorce. This power dynamic plagues many marriages and makes women dependent, in many cases, on the most oppressive of men. In the courts and religious institutions the focus is on enabling the man to issue a divorce, after which he has a veto on the fate of the children. An even playing field needs to be created that allows women to declare divorce and ensures the courts regard pronouncements by women on a par with those of men. That way men, too, will feel the need to respect the institutional power women also possess to exit disagreeable marriages.

II Many women in private and public-sector employment are actively discriminated against. In several countries of the Middle East, the law does not prohibit this injustice against citizens.



Quotas for female representation in the workforce are a good start but steps must also be taken to ensure that women are paid the same as men doing similar jobs.

III When family wealth is inherited, it is often the case that two-thirds goes to men or sons, and one-third to women or daughters. But brothers are no longer financially responsible for their sisters and so, in essence, they are both eligible to receive equal shares of an inheritance. Laws need to change to reflect the reality that women are equal citizens with full rights and responsibilities. They deserve equal inheritance rights as they now contribute to the global economy with skills and services on a par with men.

IV In the region that gave us Cleopatra, Sheba and Aisha, it is time to adjust laws and cultures to promote female leadership in politics and government. Laws and cultural practices that prohibit female presidents, prime ministers and crown princesses should now make way for a new world that celebrates full gender parity. Some hardliners might disagree with

Saudi Crown Prince Mohammed bin Salman greeting unidentified women before a meeting with Abu Dhabi Crown Prince in the Saudi coastal Red Sea city of Jeddah. AFP

Muslim women take photos as they celebrate the passage of a law to outlaw Triple Talaq, or "instant divorce", in India. AFP

me and dispute the Maqasid-based arguments I have made in this paper. They have a right, for example, to hold the view that the Qur'an prescribes a smaller share of inheritance for women.

But the reality is that the Qur'an was awarding women the right to own property at a time when much of the ancient world did not. We are calling for a return to that progressive spirit of the Qur'an, not the literal interpretation and application of texts.

If literalism is all that is sought, the Qur'an also allows slavery — but we have moved with the times and reality and abolished slavery. In that spirit of progress, and in recognition of the reality that women are equal citizens of their states, they deserve full inheritance rights in a world in which their brothers and fathers are not their protectors.

Anything short of root-and-branch reform will leave the door open to the antiquarian tactics of Iranian-style religious governments. Full change of the Islamic gender agenda will allow Muslim women, and men, to hold their heads high as citizens with pride on the world stage once again and end the drain of female talent from the East to the West.

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