

## **Gender issues in Islam: “Recovering the measure” and restoring the balance**

Mohamed El-Tahir El-Mesawi\*

**Abstract:** The debate on gender and gender-related issues has become an essential part of global discourses on women and male-female relationships, both at the level of individual writers and within official national and international bodies as well as NGOs. These discourses are characterized by extremes and polarities even on the part of Muslims who have participated in the debate. A much-needed fundamental ontological and ethical framework is lacking. Such a framework could set the discussion of women and gender issues on a balanced scale by taking all dimensions of human existence into account in a holistic manner as can be expressed by the doctrine of *maqāṣid al-sharīʿah*. With this historical and intellectual background in view, the present article is an attempt at proposing such a framework as could be derived from the Qur’an, thus reflecting the Islamic worldview and its implications for our understanding of the human condition and the essential relationship between man and woman as the binary that represents the two facets of human nature and reality.

**Keywords:** Gender, women, man, human reality, human nature, Qur’an, *maqāṣid al-sharīʿah*.

### **Introduction**

This study revolves around the “question of woman and gender”. Informed by a large body of literature, the first section presents a panoramic exposition of the different views and positions on the subject by Muslim as well as non-Muslim authors without, however, being burdened with detailed citations. Then, in the subsequent sections, the study proceeds with its primary purpose, namely to set forth a position by suggesting a normative theoretical framework anchored in the Islamic worldview as can be deduced from the Qur’ān. That is, an attempt has been made to situate the topic in the wider context of Islamic worldview and cosmology, thus providing a philosophic anchoring for any learned discussion of

---

\* Professor Dr. Mohamed El-Tahir El-Mesawi, International Islamic University Malaysia, E-mail: mmesawi@yahoo.com

particular issues. It uses an interpretative-thematic method adducing the Qur'anic evidence to support its main argument.

### **Women and gender issues in the Muslim milieu: A historical perspective**

Since the middle of the nineteenth century, a general doctrine of freedom and equality of human beings has been developed in Europe and North America. This doctrine is grounded on the philosophy of liberalism that is rooted in a secularist worldview. That doctrine aimed at breaking off the historical and cultural shackles of society by first liberating the human mind and personality from the dominance of tradition in general and the authority of religion in particular. In the wake of the successive waves of modernity and its offshoot, post-modernity, gender issues with special focus on women became central to varying political, social, moral and philosophical discourses. Muslim and most Third World societies received the reverberations of that “liberating spirit” through Western colonialism with its mission of “civilizing the uncultured and primitive” peoples.

Women issues in particular and, subsequently, gender issues in general, have been the subject of different and often conflicting views. On many occasions, the debate was rather over simplified, over-sentimentalized and exacerbated by solidly closed ideological constructs. The plethora of literature on women and gender issues, especially by feminists and their opponents, gives the impression that there exists an unbridgeable chasm or insurmountable mountain setting women and men apart. There is nothing farthest from the truth. Most of the authors involved in the debate seem to be indifferent to the fact that millions of males and females throughout the globe strive together in all spheres of life to shoulder the burdens of their earthly existence and carry out their respective and complementary roles. This, however, in no way obliterates the fact that misconceptions, misperceptions, misrepresentations and malpractices have loomed large throughout history, thus affecting the worth, status, position, and will of many a sector in human societies. The plight of women due to such aberrations and injustices has no doubt been huge. From time immemorial, different means have been designed and used to support, maintain and perpetuate those aberrations.

Most, if not all, of the cultural and religious traditions of the world of Islam has been subjected to the most severe, sustained and renewed criticism and attack by scholars across different disciplines from classical Orientalism to the latest strands of cultural and feminist and gender studies. In their critique of Islam, both as

scripture and socio-cultural and historical manifestations, the position and rights of women have occupied a central place. This is not so much because of Islam's poorer record in those respects compared to other religions and cultures, but mainly and most importantly because of its resilience and unwillingness to succumb to the overwhelming secular vision of the world and its ensuing and embodying modes of thinking and models of life. This criticism of Islam has been made not merely by "outsiders" or people outside its abode as faith-community, especially Westerners; there are "insider" criticisms too. In fact, secularism and secular thinking did not only make significant inroads in Muslim life and culture that can be explained by mere pragmatic considerations and practical social and political expediency, but have also become the basis and guiding philosophy and ideology of political life and state power in Muslim countries whatever their political orientations and regimes. Such a development is a reflection of the intellectual transformation that took place and gave rise to new well-entrenched socio-political and cultural elites whose inspiring sources lie outside the framework of Muslim societies' traditional cultural sphere and worldview in which Islam was, to say the least, a decisive factor. As documented by many historical studies, this transformation and "migration" to secularism as a vision of the world and the sustained spread and infiltration of secular ideologies and modes of thinking that gradually shaped public life have not been solely the result of internal dynamics and volitional conscious choices. Rather, much of that has been the result of external imposition by colonizing powers through both overt and covert means, during both the colonial and post-colonial eras, as those countries remained largely chained to the colonial masters through multiple forms of dependence.

It is in the context of that historical relationship between a "strong progressive and dominant Occident" and a "weak decadent and dominated Orient" that women's issues were mainly framed in terms of both problematic and solution. From its early beginnings, what came to be known, in the Arab world for example, as "women's liberation movement" was essentially inspired and influenced by the already existing model (s) of women's struggle for freedom, justice and equality as had taken shape in European countries. Admittedly, the advocacy of women's rights and freedom was part and parcel of the modernizing process that unfolded in the Muslim world. But this process took place mostly under the patronage of Western powers, with its points of reference and centres of gravity deeply steeped in the secular, liberal worldview and its attendant cosmologies, subsequently constantly consolidated and reformulated in tandem with successive waves of philosophical doctrines and socio-cultural

theories that reflect the Western mind's continuous process of negation and self-negation.

Regardless of whether the pioneering voices advocating women's rights and defending their cause were females or males, and without ignoring the fact that important achievements have been made whereby women have become real partners with men in almost all sectors of the public sphere, much of the debate and theorization on women's rights in particular and gender issues, in general, is both misguided and misleading. It would suffice to point out that the debate is caught in a strained process of mutually negating reactions and counter-reactions. Whereas one camp believes that the liberation of women and the granting and protection of their rights are the main, if not the only, path and condition for any real progress of society, the other camp sees all that as a most pernicious danger and that women's presence in public life is the root of much evil in society, hence the need to discard it with all strength.

Women-related issues have been mostly depicted as if the matter is simply a problem of "veiling", "unveiling", and "re-veiling" woman, something often mysteriously linked with the fanciful image of the Oriental and Ottoman *harem*! Not only more pertinent and fundamental issues are likewise left unattended to, but they are often trivialized. The heated debate on the veil/scarf in many Western countries as well as some Muslim counterparts is only symptomatic of the traditional view which the West has made of it mainly throughout the last two centuries: it is a sign of women's oppression, marginalization, dehumanization, and demonization in Islam! Such image has, by way of sheer imitation, gravely impacted the thinking of many quarters in the Muslim world. Many advocates of the woman's cause in the Muslim world have fallen prey to this imagery and stereotyping from the early Muslim feminists in the nineteenth century such as Nazira Zain al-Din, Qasim Amin, Hoda Shaarawi and al-Tahir al-Haddad, through to the emerging trend known as "Islamic feminism" of Amina Wadud, Kecia Ali and others, not forgetting such ultra-feminist figures like Nawal El Saadawi, Fatima Mernissi, Amel Grami, Khedija Arfaoui, Oulfa Youssef, and their likes.

Worse still, under the overwhelming influence of consumer culture and capitalistic commercialization of everything, a good deal of the discussion on women and gender in general and on Islam in particular is trapped in a process of the objectification of woman as not more than mere "body and sexuality", thus reducing a woman to a mere exhibit object and subject of sex. Such extremist attitudes are consciously or unconsciously doing more harm than good to any

rightful and wise treatment of the issues at stake. Many voices of balance and reasonableness are thus lost in between the extreme positions of the two mutually denying camps. Even that latest trend described as Islamic feminism does not seem to be able to transcend, in its talk on women and men, the reductionist and polarizing spirit animating the dominant secular ideologies of feminism with its different waves, including post-feminism and its corollaries of 'genderism' and 'trans-genderism'. A discourse overcoming the divide created and sustained by the Mars-Venice imagery is thus wanting.

The reductionist and polarizing tendencies pitting woman and man against each other seem to have the upper hand in the discourses not only on women's rights and freedom, but also on their nature and personality; and this implicates both feminists and anti-feminists in varying degrees. A common mental attitude, coming from reductionism and polarization, underpins the positions of both parties, which consists of sweeping generalization and distorting idealization. The major reason behind this deplorable situation in dealing with issues pertaining to women and gender is the absence of a holistic and comprehensive approach that deals with the subject in all its dimensions from the fundamental and foundational level to the secondary and least important issues, not merely as being a women's problem but as being a problem of man and woman alike, and a matter pertaining to the human condition in its totality. This positioning of the problem is grounded in the fundamental premise that the human reality and condition cannot be fully comprehended and justly appreciated without its twofold manifestation embodied in the female/male or woman/man binary duly taken into consideration. This binary character of the human reality is indeed itself a reflection of the cosmic order of creation that only utterly disturbed or disordered minds would dare dispute. In what follows, an attempt is made at suggesting such an approach that is grounded in the Qur'ānic worldview.

### **Common essence and unity of men and women**

Mankind at present suffers from much imbalance and loss of measure in almost all aspects of thought and life. This state of affairs is the logical and natural outcome of what is described as a "rebirth of sophistry and an unabated rise of skepticism and nihilism" (El-Messawi, 2014: 2). The dichotomous and polarizing situation regarding the treatment of women and gender issues briefly described above is but an expression of this new sophistry and its concomitant nihilistic solipsism. Restoring the balance and what Neville (1989) calls "recovering the measure" in thought and vision are absolutely essential for overcoming that situation and

redressing or at least assuaging its damaging effects and ramifications that have been confusingly shaping views and attitudes leading to self-destruction. This total confusion cannot be cleared out without looking at the matter from a vantage point transcending human egoistic and earthbound considerations and reductionist philosophical doctrines and narrow-minded ideologies. Such vantage point can only be obtained through recourse to a sublime source from which human beings are equidistant. Being God's last revelation to mankind, the Qur'ān constitutes, for Muslims at least, such a source.

In its narrative of human primordial or pre-worldly existence before even the creation of the first human person, or what we may describe as the metaphysical stage of human existence, the Qur'ān depicts the high worth and eminent place in God's kingdom of the new being in relation to other creatures, whether heavenly or terrestrial. The moral and theological significance of this portrayal for the edifying function of the Qur'ān and reformative mission of the Prophet can be seen at two different levels: the chronological sequence of Qur'ānic revelation and their final arrangement (both as verses and *surahs*) in the *mushaf*.

Chronologically, the first instance of that narrative happens in Qur'ān, 38: 71-83, whereas the last one occurs in Qur'ān, 2: 30-39. These two instances may be considered as forming the "quantifiers" of the Qur'ānic genesis. The narrative opens in the first instance with God informing the angels that He is "about to create a human being out of clay" before whom they shall "fall down in prostration" once God has "formed him fully and breathed into him of His spirit." Thereupon, all the angels prostrated before the new creature save Iblīs or Satan who disobeyed that order on the ground that he was better than the new being by virtue of his being created "out of fire." In the last instance, an important element bringing about some aspects of the rationale or wisdom behind the divine command to the angels to prostrate before the new creature is added to the narrative: it consists of God's plan to establish the new creature on earth as its inheritor (*khalīfah*). A query by the angels mixed perhaps with astonishment as to the divine plan to place on earth someone who "will spread corruption thereon and shed blood" (as opposed to them who constantly extoll and glorify God) is answered by God through a practical scene showing some of the qualities of this inheritor of the earth: having been taught "all the names of all things." Again, the same response ensued from the angels and its opposite from Satan.

In the opening of this chronological sequence (Qur'ān, 38: 71-83), the Qur'ānic genesis starts with asserting the essential constitution of the new creature whose nature combines both earthly (base, low) and heavenly (sublime, divine) elements, or bestial and angelic components, and ends with bringing to the fore some of the main credentials entitling this species to the place and position assigned to it in contradistinction with all other creatures in the cosmos, including the angels themselves. That is, the form and stature notwithstanding, being created out of earthly material does not make the human being any much different from other creatures that share with it the same material constituents but are physically stronger and may even be endowed with more physical capacities and privileges. It is then the endowment with consciousness and the power of cognition expressed in allegorical form by the divine spirit being breathed into the human being that makes its real difference and marks it out as an essentially distinct creature. This is further emphasized in the closing of that sequence (Qur'ān, 2: 30-39) by the representation of Adam, the epitome of mankind, as being equipped with the faculty of conceptual thinking and the ability to discern between truth and falsehood, which is denoted by the fact that "knowledge of all the names" has been imparted unto him. Hence, the human being's supremacy on earth and prominence among other creatures are rightfully justified by these distinctive qualities.

Looking at the matter according to the tradition-based arrangement of the Qur'ānic revelations harkening back to the Prophet (SAW) himself, it is found that the two quantifiers of the narrative have been reversed: the last instance in the chronological order of revelation is brought to the forefront immediately after the opening chapter (*al-fātiḥah*) of the Qur'ān, while the first instance in that same order is postponed to the last part of the fourfold division of the Qur'ān, following the order of each of the *surahs* in which they occur, that is, Qur'ān, 2 and Qur'ān, 38 (thus keeping its chronological order). Likewise, what occurred in the chronological sequence of the narrative as an opening has become the closing in its scriptural format, whereas what was its closing has become the opening in that format.

Between these two limits, from whichever angle one may look at the matter, the narrative unfolds in the other five *sūrahs* in the form of dynamic dialogical scenes with each adding some new details, shedding new lights, or putting a stronger emphasis on one aspect or another, while maintaining the same core all through: ascertaining both the human being's apparently base material origin and

spiritual supremacy. It would be interesting to examine the different elements and aspects brought forth in the account of the story provided in each of those *sūrah*s, in order to unveil the connotations implied by the historical as well as textual contexts of such accounts. However, what concerns us most in the Qur'ānic narrative of human genesis here is to see how it has represented human reality in its metaphysical stage. The importance of that representation lies in its far-reaching and profound ethical, theological and philosophical implications for our understanding of the human species and valuation of its status and place in the realm of creation in general and in the socio-historical realm in particular, as this bears significantly on the way particular issues pertaining to women and gender should be dealt with. As has already been pointed out, the divine command to the angels to humble themselves to the new being bespeaks the latter's special worth and supremacy as God's chosen creature to fulfill a specific purpose in the universe.

A more important fact not to be missed is that the Qur'ānic narrative of human genesis does not speak of the first human being as just one person or a single individual in that metaphysical scene. Rather, it is the question of a pair or binary who were together given permission to dwell in the Garden and to whom was addressed the first divine order to abstain from committing a certain act (eating from a specific tree) (Asad, 2011: 577-78). This is clearly depicted in three of the six Qur'ānic accounts mentioned above, namely *al-A'raf* (19-23), *Tāhā* (117-122) and *al-Baqarah* (35-36). The account provided by Qur'ān, 7 is worth emphasizing for two reasons. The first is that, as far as the unfolding of the Qur'ānic story of human genesis is concerned, this *surah* ranks as number two in both the chronological sequence of revelation and the layout order of the *mushaf* in respect of presenting the story of the emergence of the humankind. The second reason is that it provides the most elaborate description of the first pair of human beings faced as morally accountable agents. After the mentioning of Satan's disgrace and disownment due to his refusal to obey God's order of prostration to Adam, the Qur'ān (7: 19-23) continues:

And [as for thee], O Adam, dwell thou and thy wife in this garden, and eat, both of you, whatever you may wish; but do not approach this one tree, lest you become evildoers! Thereupon, Satan whispered unto the two with a view to making them conscious of their nakedness, of which [hitherto] they had been unaware; and he said: 'Your Sustainer has but forbidden you this tree lest you two become [as] angels, or lest you live forever.' And he swore

unto them, 'Verily, I am of those who wish you well indeed!' and thus he led them on with deluding thoughts. But as soon as the two had tasted [the fruit] of the tree, they became conscious of their nakedness; and they began to cover themselves with pieced-together leaves from the garden. And their Sustainer called unto them: 'Did I not forbid that tree unto you and tell you, 'Verily, Satan is your open foe'?' The two replied: 'O our Sustainer! We have sinned against ourselves and unless Thou grant us forgiveness and bestow Thy mercy upon us, we shall most certainly be lost!'

The divine permission to enjoy the bounties of the Garden and interdiction to eat from one specific tree therein are not, both here and in the other two *sūrah*s, addressed to one single person, but to the two partners, Adam and his pair (*zawj*). The dramatic turn of events in which Satan's seduction of both of them took place and incurred disobedience to that interdiction and the subsequent act of repentance as well as God's acceptance of it also involves both partners. Most importantly, however, nowhere in the Qur'an is the blame for that disobedience put on one of them specifically, rather than the other, as being personally accountable for what happened, as is the case with the Bible (Genesis, 3: 1-16; 2 Corinthians, 11: 3; and 1 Timothy, 2: 14) according to which Eve is the one who was beguiled by the serpent and "was in transgression." In the Qur'ānic narrative, both Adam and his pair were equally responsible and, hence, both of them needed to repent from the disobedient behaviour which they committed in order to be reformed and restored. Interestingly, though, if we approach the Qur'an in an atomistic disintegrated manner, we could even say that Adam alone was responsible for what had happened, as is stated in al-Qur'ān, 20: 117-120:

... and thereupon We said: 'O Adam! Verily this is a foe unto thee and thy wife: so let him not drive the two of you out of this garden and render thee unhappy. Behold, it is provided for thee that thou shalt not hunger here or feel naked, and that thou shalt not thirst here or suffer from the heat of the sun.' But Satan whispered unto him, saying: "O Adam! Shall I lead thee to the tree of life eternal; and [thus] to a kingdom that will never decay?"

Of course, the foregoing exposition of its narrative of human genesis is not all the Islamic Scripture has to say about the origin, nature and worth of the human species. Its primary importance is that it provides us with the fundamental ontological and metaphysical framework of Islam's view of human beings, and it is according to that framework that the Qur'ān develops its view of human nature

and elaborates its understanding of the relationship between its two constituents: man and woman.

In the Qur'ān, 7: 189, which provides one of the most detailed accounts of human genesis, it is clearly stated that God has created all human beings “out of one living entity (*nafs wāḥidah*), and out of it brought into being its mate (*zawjahā*).” Another Makkan revelation reads: “He (God) has created you [all] out of one living entity, and out of it fashioned its mate” (Qur'ān, 39: 6). The same meaning is solemnly emphasized, through connecting it to God-consciousness, at the very opening of one of the earliest Madinan revelations meaningfully entitled *al-Nisā'* (Women). This *sūrah* begins with God's call to mankind to be conscious of their Sustainer and Lord who has created them “out of one living entity, and out of it created its mate, and of the two spread abroad a multitude of men and women” (Qur'ān, 4: 1). The use of the term *nafs* in the Qur'ān occurs very frequently, more than two hundred ninety times, in varying grammatical forms with many different connotations depending on the immediate context of its occurrence, such as living entity, vital principle, soul, spirit, mind, person, self, life-essence, humankind, etc. Most of the classical Qur'ān commentators interpreted the term *nafs* as meaning human being with the assumption that it refers specifically to Adam.

This interpretation has been contested, indeed rejected, by an increasing number of modern Muslim exegetes, such as Muhammad Abduh, Abdul Karim al-Khatib, and Muhammad al-Tahir Ibn Ashur. Apparently building on the view of Abu Muslim al-Isfahani, these scholars maintain that the term *nafs* in such contexts rather refers to humankind “inasmuch as this term stresses the common origin and brotherhood of the human race” (Asad, 121-122, n. 1). The general spirit of the Qur'anis to highlight the essential unity and primordial common nature of human beings deriving from the unity of their Creator's will and power. This is further supported by the fact that in pure eloquent Arabic usage, the word *zawj* (meaning a pair, one of a pair, or mate) applies equally to both the male and female of a pair or couple (al-Frāhīdī, 2003: 200; Ibn Manzur, n. d.: 291-93). Accordingly, “with reference to human beings, it signifies a woman's mate (husband) as well as a man's mate (wife)” (Asad, 122).

It has been even argued that the original living entity (*nafs wāḥidah*) mentioned in the verses cited above combined masculinity and femininity at the same time; it was thus a kind of “bisexual mother” (*umm muzdawijāt al-jins*) from which was separated the male mate, Adam, in such a way that femaleness and

femininity would be Eve's characteristic feature. Hence, Adam was created without a father, as was the case with Jesus (al-Turabi, 2004: 346-47). This interestingly bold view, which might bring some consolation to many feminists who are concerned or even worried because of the allegedly gender-biased or patriarchal language of the Qur'ān, can, in fact, be appreciated in the following light. The term *zawj* signifying the mate that was separated from the original entity, itself indicated in the feminine pronoun form, is referred to in the masculine pronoun form in at least one Qur'ānic verse: (Qur'ān, 7: 189): "It is He who has created you [all] out of one living entity (*nafswāḥidah*), and out of *her* brought into being *her* mate (*zawjahā*), so that *he* might incline towards *her* (*liyaskuna ilayhā*)."

In the light of the above, the moral and theological significance of the Qur'ānic narrative of human genesis can now be fully realized and expressed. As its revelation was progressing over time, the Qur'ān was gradually instilling in the consciousness of its immediate addresses (and through them the whole of mankind) one fundamental truth about themselves and their species: that they are all the manifestation of God's creative will and power without which their existence is inconceivable. By stressing their initial creation from earthly elements (*tīn, turāb, ḥama' masnūn, ṣalṣāl*) and their subsequent reproduction "out of the essence of clay" and "out of the essence of humble fluid" (*sulālah min mā' mahīn*) (Qur'ān, 32: 23, 8 and 23: 76, 23) like most other creatures on earth, a profound moral lesson is taught to them: to realize their humble origin, curb their arrogance and refrain from boasting about themselves. Whatever their gender, race, colour, tribal descent, social status, etc., human beings (both as individuals and groups) should not entertain the sense of being greater or worthier than others of their kind by always remembering their common material origin which is by itself of a base and low order!

This humbling teaching is simultaneously balanced by emphasizing the spiritual elevation and sublimity of consciousness bestowed on them by their Creator, which alone represent the real worth and greatness of their species and from which they degenerate only at their own peril. Hence, the Qur'ān's announcement that God has created the human beings "in the best confirmation" (Qur'ān, 95: 28, 4), thus endowing them "with all the positive qualities, physical as well as mental, corresponding to the functions" they are meant to fulfill in the world (Asad, 1148, n. 2). But this positive announcement is immediately followed by the clear warning that they can be reduced "to the lowest of the low" (Asad, 1148, n. 5)

due to their own commissions and omissions, a consequence that follows from their becoming “grossly overweening” by believing themselves “to be self-sufficient” (Qur’ān, 96: 6) and forgetting or ignoring their total indebtedness to their Creator and Sustainer. The Qur’ān’s elevation and glorification of the humankind then culminate in the resounding proclamation that it has been bestowed with the inheritance of the earth as God’s vicegerent and trustee on it (Qur’ān, 2: 30; 33: 72) to the exception of all others creatures.

This edifying and reformative process that went hand in hand with the chronological sequence of Revelation is found to be reversed in the scriptural layout and arrangement of the Qur’ān. As one encounters the *mushaf* and reads into it from the beginning, one is soon brought face to face with the solemn celebration of mankind’s nobleness and supremacy manifested, as just mentioned, in the notions of stewardship and trust, as if to ensure the reader that the message of the Qur’ān and its call are not meant to debase human beings and alienate them from the world in which they live, as some religious teachings and spiritual doctrines would tend to do. On the contrary, the Qur’ān has come to glorify and celebrate the human species and raise it in all positive sense to a supreme position of stewardship on the earth which God has made subservient to them: “And He has made subservient to you, [as a gift] from Himself, all that is in the heavens and on earth: in this, behold, there are messages indeed for People Who Think!” (Qur’ān, 45: 13); “He it is who has created for you all that is on earth” (Qur’ān, 2: 29). Yet, as the reader advances in his/her encounter with the Qur’anic discourse, he/she is reminded, at quite constant intervals, of human beings’ humble origin as well as of the reason behind their elevation and nobleness lest the realization of their supremacy and glorification arouses in them a feeling of haughtiness, arrogance and tyranny.

### **Man and woman in Islamic cosmology and the Prophetic society: Moral agency and social responsibility**

The foregoing discussion reflects the metaphysical and ontological foundation of the human condition in Islam, its fundamental view and valuation of human beings. Whatever Qur’anic and Prophetic teachings pertaining to the different aspects and spheres of human life and existence, they all flow from that vision or cosmology. Their understanding and application should, therefore, be guided by that framework or *niche*, to use the suggestive Qur’anic term which inspired al-Ghazālī to write one of his most famous works. In what follows, an overview is

offered of the main tenets and arching landmarks that make up what may be described as an Islamic perspective on gender issues and the "man-woman question". This is preceded by some essential statistical information in this respect.

As a general rule, the Qur'ānic discourse is addressed to all human beings, men and women alike, unless otherwise contextually specified. This is in total agreement with the nature of the Arabic language in which it was revealed, a fact that does not bear any abnormality or oddity with regard to the general norms of the majority of human natural languages. Thus, the plural noun *al-nās* (meaning people, human beings, mankind, etc.) occurs 241 times, 20 cases of which are in the vocative form (*yā'ayyuhā al-nās*), while the generic noun *al-insan* (denoting human being, man) occurs 65 times with most of them in the vocative form (*yā'ayyuhā al-insan*). Another important expression signifying the human species or mankind (*banū ādam*, Children of Adam) occurs 5 times in the vocative form. Statements with generic articles abound that also include men and women alike, Muslim or non-Muslim. Other than that, expressions and sentences referring specifically to the believers who have embraced Islam do occur dozens of times in different generic verbal and noun forms (*al-ladhīna amanū*, *mu'minūn*, *muslimūn*), without forgetting the wide use of generic pronouns and conditional clauses denoting general statements of universal import.

All such forms include men and women personally, simultaneously and directly unless otherwise implied by the context in which they occur and this to a remarkably limited degree. That is, both man and woman, in whatever state, capacity or status they might be in the community, society or culture to which they belong, are spoken to in the Qur'ān on an equal footing by virtue of their common original human nature fashioned by God, their Creator, who bestowed dignity on all human beings and raised them over most of His Creation (Qur'ān, 17: 70). Irrespective of their gender variation and sexual differences, man and woman are equal recipients and bearers of the divine commands, obligations and rights enshrined in the Qur'ān and elaborated by the Prophet by virtue of their equally shared humanity which stems from the sameness of their essence and unity of their origin, all of which are inextricably rooted in their primordial nature or *fiṭrah*, to just use the all-embracing Qur'ānic term (Qur'ān, 30: 30) (El-Mesawi, 2009: 167-205).

Moreover, notwithstanding the multiple verses relating specifically to women in different respects, the Qur'ān exhibits a remarkably feminine tone even in the

names of some of its *surahs*. Four *surahs* thus stand out in manifestation of this tone, with three of them having feminine nouns as their names, namely *al-Nisā'* (the third longest chapter in the *muṣḥaf*), *al-Mujādilah*, *al-Mumtaḥanah*, while the fourth, *Maryam*, bears the name of a prominent female figure in monotheistic religious history, that is, Mary, mother of Jesus. This observation may not be contradicted by counter examples of *sūrahs* named after male characters, such as *Yūnus*, *Yūsuf*, or *Ibrāhīm*, simply because these are names of Prophets whose divine messages were meant to both man and women. This is a fact deserving of serious reflection.

It is befitting to see how the relationship between man and woman in the phenomenal world has been depicted in the Qur'ān and how it was manifested in the age of Revelation during the lifetime of the Prophet. Many verses emphasize the fact of man and woman having emanated from one and the same origin, thus carrying in themselves the same essence. Of such verses (Qur'ān, 75: 39; 39: 6; 42: 11; 17: 72), two require special attention for their immediate bearing on the following discussion. The two verses reiterate the essential unity of man and woman as partaking of the same essential human reality and describe in a picturesque manner the kind of relationship between them. The two verses read:

1. It is He who has created you [all] out of one living entity (*nafs waḥidah*), and out of it brought into being its mate (*zawjahā*), so that man might incline [with love] towards woman (Qur'ān, 7: 189).
2. And among His wonders is this: He creates for you mates of your own kind (*min anfusikum*), so that you might incline towards them (*li-taskunu ilayhā*), and He engenders love and tenderness between you: in this, behold, there are messages indeed for people who think (Qur'ān, 30: 21).

Both verses clearly indicate the natural inclination of the mates towards one another due to their creation from the same entity, as if bound together by some sort of magnetic force. In fact, the word “inclination” does not convey the richness and breadth of meaning of the Arabic phrases *li-yaskuna ilayha* and *li-taskunu ilayhā*. Of the many semantic connotations of the root verb *sakana* and its derivatives five basic meanings are of special relevance and far-reaching significance in the Qur'ānic context. They are, in ascending order from the physical and sensual to the immaterial and lofty, settling down and dwelling (*sukna*, *iqāmah*, *qarār*), quietude and gentleness (*hudū'*, *wada'ah*), safety, peace,

and security (*amn, amān*), tranquility and serenity (*tuma'ninah*) and finally companionship (*uns, isti'nas*). A sixth meaning can yet be added to these five; namely, obedience and submission (*khudu', dhillah*) (al-Frāhīdī, 2003: 261; Ibn Manzur, 210-218). As it clearly appears from these and other Qur'anic verses, these feelings and attitudes are not one-directional; rather, they constitute a complex mutual phenomenon relating man and woman together by various forms of relationships (Darwazah, 2000: 440-447).

In the light of these considerations, being a description of the nature of the bond between the two pairs of the human species, the two phrases underlined above encapsulate in a very condensed manner the physical, emotional, moral and sociological dimensions of the relationship obtaining between man and woman. This psycho-sociological content of that bond is reinforced in the second verse by two important values that give it intensity, profundity and sustainability: love (*mawaddah*) and tenderness (*rahmah*), the latter being derived from the same root verb from which two of the most beautiful names of God in the Qur'an are derived (*al-Rahmān* and *al-Rahīm*) and from which one of the most elementary filial ties among human beings has got its name: *rahīm* (womb). Hence, one can see the reason(s) why the Qur'an at the beginning of *sūrah al-Nisā'* has linked its command to human beings to be conscious of God in whose name they claim rights from one another with being conscious of the ties of kinship (*arḥam*) in whose name they do the same. The moral and social significance and implications of this fact becomes more evident when we remember that it is in this *surah* that the Qur'ān has laid down most of the juridical rules regulating different aspects of the man-woman relationship. In other words, Islam is unwavering on sanctifying and glorifying human ties of kinship which can exist and flourish only through the fundamental relationship between man and woman.

Likewise, pitting woman against man and vice versa is totally alien to the spirit, ethics and worldview of the Qur'ān in every conceivable sense, and is actually against the nature of things. Moreover, entreating any idea of the Qur'ān and the Prophet being prejudiced against women can be anything except the truth. It would suffice to just look into the following verses describing and denouncing the mental and behavioural condition of many Arabs of the pre-Islamic era (*jāhiliyyah*) with regard to the female:

As it is, they ascribe – out of what We provide for them as sustenance – a share unto things of which they know nothing. By God, you shall most

certainly be called to account for all your false imagery! And [thus, too,] they ascribe daughters unto God, who is limitless in His glory - whereas for themselves [they would choose, if they could, only] what they desire: for, whenever any of them is given the glad tiding of [the birth of] a girl, his face darkens, and he is filled with suppressed anger, avoiding all people because of the [alleged] evil of the glad tiding which he has received, [and debating within himself:] Shall he keep this [child] despite the contempt [which he feels for it]-or shall he bury it in the dust? Old, evil indeed is whatever they decide! (Qur'ān, 16: 56-59).

After reproaching the Arab polytheists' wrong beliefs including the ascription of daughters to God and condemning their pagan practice of dedicating portions of their wealth to false deities, the Qur'an turns to one abhorrent aspect of their life that was the result of their wrong belief system and decadent culture. This has to do with their view of and attitude toward the female human being. A very telling contrast is made between the positive value the Qur'ān attaches to the birth of female child as indicated by the phrase "glad tiding" and the pagans' negative reaction to it, a reaction that goes from unjustified sadness and feeling of shame to such inhuman and cruel act of burying her alive, as indicated in *sūrah al-Takwīr* (Qur'ān, 81: 8-9).

Grounded in a profound metaphysical, spiritual and moral vision of the essential bond between men and women, Islam promulgated its teachings and devised its rules for both men and women based on balance and justice. None of them is supposed to receive God's commands and worship Him via the intermediary or under the tutelage of someone else except by way of learning and knowing, let alone to submit to them by force. Woman and man stand out equally as free moral agents worthy of enjoying rights, undertaking obligations and fulfilling functions in the different domains of life so far as they are qualified and competent for that. In all these regards and as men and women set out to fulfill their roles in life, the relationship Islam envisages between them is not one of opposition, animosity, hatred, antagonism, or conflict. Rather, Islam views it as a relationship of complementarity, solidarity, mutual consolidation, respect and love whereby, as the Qur'ān says, "the believers, both men and women, are close unto one another (*ba'duhum awliyā' ba'd*) and all of them enjoin the doing of what is right and forbid what is wrong" (Qur'ān, 9: 71), just as male and female hypocrites would be doing the opposite by enjoining "the doing of what is wrong

and forbidding what is right" (Qur'ān, 9: 67). Simply stated, "women are the twin halves (*shaqā'iq*) of men," as the Prophet eloquently put it; hence they together strive to accomplish their divinely ordained mission in this world by promoting good and wellbeing and prohibiting evil and harm according to a well-defined moral code and system of legal ordinances that are all geared towards the realization of a set of essential values (*qiyam*) and higher goals (*maqāsid*) without which human socio-historical existence will deteriorate and collapse sooner or later; indeed the existence and continuation of the human species itself will be at stake.

It is within this holistic view of the nature, worth and purpose of the human being in its two facets that whatever differences between man and woman can be properly understood and positively appreciated. It is in this light that femininity and masculinity as well as gender and sexuality unveil themselves as part of the great wonders of the Creator and His creation, just as they present themselves as a manifestation of the fathomless wisdom of life and the countless bounties and blessings human beings enjoy without realizing their worth and significance. Put differently, the moral character and equality of the human agency in its twofold nature "is rooted in the ontological paradigm of God's existence as the ultimate source of humanity's origin and human beings' role in the world" (Anwar, 2015: 54) as God's trustees and vicegerents on earth.

On the practical and historical planes, as the message of Islam was unfolding through the Qur'anic revelations and the Prophetic action, both men and women were responding to its call and committing themselves to its commandments freely and out of personal choice and decision. In fact, many were the women, old and young, who aligned themselves with the new faith and movement against the will of male personalities, be they fathers, brothers, uncles, husbands, or tribal leaders, thus facing all sorts of oppression and persecution that would end in social alienation, migration, and even the loss of life, as was the case with Sumayyah bint Khayyāt. It is worth mentioning that the two ladies representing Yathrib's (later Madinah) women, Nusaybah bint Ka'b and Asmā' bint 'Amr, were among this city's delegation in the Second Pledge of al-'Aqabah with the Prophet in 622 A. D., a decisive event for the movement of Islam beyond Makkah. Before that, a number of women had to seek refuge in Abyssinia together with persecuted Muslim men. Not only that, a woman would rather call and lead her fellow tribesmen to accept the new faith and follow its Prophet. In none of the subsequent stages of the unfolding of Islam during the Prophet's lifetime was the

presence of women less highly visible than men's under whatever conditions of peace or war. Together with men, women were shouldering their responsibilities and contributing their share in laying down the spiritual, moral, and social foundations of the Islamic society and civilization whose waves would reverberate throughout the centuries from the shores of the Atlantic to those of the Pacific.

Both in ordinary situations and critical moments of Muslim life and history, especially in the early centuries, women were partaking side by side with men in fulfilling the requirements of each to the best of their capacities. Historical and biographical sources, books of Qur'an exegesis and Prophetic Traditions, and works of literature and poetry, all abound with names, stories and anecdotes reflecting women's presence and contributions in the different arenas of the private and public spheres of life whose authenticity and significance only biased and bigoted minds might contest. This orientation seems to have been so deeply sown in the general consciousness of the Muslim community as it was taking shape under the Prophetic leadership guided by the new spirit imbibed by the Qur'an. The liberating movement that the Prophet of Islam had launched in Makkah was not confined to men only, but involved women on their own right. Thus, women would not carry out tasks merely due to the necessity of exceptional circumstances such as in the case of strife or war; rather, they would more importantly perform roles and undertake activities in the wider public sphere and have their say on general issues and universal matters, including the investiture of the head of state (Shuqqah, 1995: 425-454). It is perhaps most revealing that a man such as 'Umar ibn al-Khattab, known for his sternness and conservative attitude to women, is reported to give preference to the opinion of a lady, al-Shaffa'bint'Abd Allah, and to even have appointed her as market inspector in Madinah during his tenure as the second caliph (al-'Asqalana, 1995: 202).

It is perfectly possible to adducing more examples and details but what has been stated is sufficient to reflect the transformative and reformative programme that the Prophet of Islam had brought to mankind and undertook its implementation in the high day of history with unmatched achievements and consequences for the destiny of human civilization.

### **Towards a *maqāsid*-based approach to women and gender issues**

In its centuries-long journey, Islamic jurisprudence has been in quest not only for knowledge of the legal precepts and rules in the Qur'an and Prophetic Traditions

regulating human conduct and relations in the different spheres of life but also of the principles underlying those rules and precepts and the purposes for which they have been legislated, that is, the ends that should be achieved by their application. In other words, in their interpretations and formulations, Muslim jurists were generally in search of the philosophy of Islamic teachings governing human life at the individual and collective levels. The object of this quest has found its expression in what has come to be known as *maqāṣid al-sharī'ah*, the goals of Islamic Law, understood in a wider sense than usually conveyed by the term law in conventional legal thinking. The term *sharī'ah* (way and path, among others) and the body of ordinances and commands it refers to are not mere legal precepts and rules divorced from the ethical norms and spiritual values of Islam.

Islam's legal rules and commands are indeed inextricably imbedded in moral considerations and rooted in ethical grounds. Representing human needs in all spheres of life, *maqāṣid al-sharī'ah* are classified in a hierarchical order according to their relative importance for and impact on human life and existence. Likewise, they consist of absolutely necessary (*ḍarurī*), highly needed (*ḥajī*) and complementary (*taḥsīnī*) things which revolve around realizing human good and well-being individually and collectively through both proactive and protective measures, that is, by acquiring and promoting what is beneficial and avoiding and demoting what is harmful. This knowledge of the goals of the *Sharī'ah* legal system is based on thematic-inductive examination of Islam's authoritative textual sources.

Five things making up the first category crown this hierarchy, their protection and promotion thus being the ultimate purpose of the *Sharī'ah* legal system in all its details. These five things are religion (*dīn*), life (*naḥs*), intellect (*'aql*), progeny and lineage (*nasl*), and wealth and property (*mal*); they constitute the necessary universals (*kullīyyat ḍarurīyyah*) of the *Sharī'ah*. Without these universals, al-Ghazali argued, no society would exist nor would any legal system (*sharī'ah*) neglecting them be conceivable (al-Ghazali, 1977: 417). Thus, they form the foundation of human socio-historical existence and stand for the cardinal values around which human life in all its aspects revolves. Another value, honour (*'ird*), has been added by some scholars as belonging to this category. To put it in Jungian terminology, these necessary universals constitute the archetypes of human society throughout the space-time continuum and are the fountain head of all values and virtues sustaining human life in all its domains. As such, they represent the essential dimensions of human existence in the world. The next two categories of needs and complementarities include all things that serve to realize, consolidate and promote the necessary universals and

cardinal values mentioned above, be they material or immaterial. Hence, they are not ends in themselves, but means to those higher ends and derive their worth from serving them. Those universals, though, do not stand on equal footing in the sense of having the same individual value. Their internal structure constituting the highest category of the *Shari'ah* goals is such that they are also subject to a certain hierarchical order that has been a matter of debate among Muslim jurists.

One essential thread in the protection and promotion of those archetypes or cardinal values and the realization of their ancillaries as envisaged by the teachings of Islam is to ensure the survival, continuation, goodness and well-being of the human beings (as individuals, communities and species) in consonance with their God-given primordial nature or *fiṭrah*, all such aspects being engulfed in the generic and all-inclusive Qur'anic term *ṣalāḥ* and its derivative juristic term *maṣlahah* (Ibn Ashur, 2006: 71-153). It can be said that most if not all values and virtues cherished by mankind such as justice, equality, freedom, accountability, trust, tolerance, kindness, love, compassion, decency, chastity, courage etc., can be seen as ramifications of those cardinal values that at the same time (Ibn Ashur, 2006: 146-164) strengthen them and serve their realization in the best manner possible. This is in tune with the essential premise that, being the religion of nature (*dīn al-fiṭrah*), the fundamental teachings of Islam originate in human beings' "natural disposition" and are subjoined by "principles and sub-principles belonging to the widespread and universally accepted virtues that Islam came to confirm and enhance" by virtue of the fact they are part of good manners deeply rooted in human consciousness and experience (Ibn Ashur, 2006: 83).

An important feature of *maqāṣid al-shari'ah* has a complex structure of values, goals and means, is its balancing effect on the way we should look at human needs, rights and obligations, just as it balances our comprehension of the relationship between woman and man as being, let it be repeated again and again, the two sides of the same coin which will not exist should one side disappear. This brings to the fore the centrality of the family as the bosom in which the individual, male and female, is nurtured and imbibed with the values that would enable him/her to face the exigencies of life, including those that relate to his/her identity as a dignified human being. Indeed, the importance of the family overshadows this individual- and society-centred consideration to be at the very core of the existence and survival of the human species itself. And herein it bespeaks the wisdom of considering the

protection and preservation of progeny and lineage (*hifz al-nasl*) as one of the necessary universals of the *sharī'ah*.

Thus understood, the doctrine of *maqāṣid al-sharī'ah* provides a frame of reference transcending the self-centred individual that is being portrayed and celebrated in feminist and gendered discourses whereby "the human being is encapsulated within itself, gradually becoming the sovereign individual who thinks only of itself, its interests and pleasures, and who no longer refers to humankind in general" (Almessiri, 2004: 5). It underscores the need to rescue and restore human nature from the onslaught by feminist discourses and their naturalist-materialist paradigm according to which "the history of human civilization becomes a history of the conflict between men and women, the dominance of man over woman, and her strivings to liberate herself from his dominance" (Almessiri, 2004: 8). It equally unmasks and demystifies their opponents' verbiage in the name of tradition whereby woman is merely a sub-human being subordinated to man. In a nutshell, an Islamic ethico-legal and socio-political thinking inspired by the doctrine of *maqāṣid* and cognizant of the profound and universal problems of humanity will enable mankind to face up to the different challenges and multiple dangers threatening in varying degrees all societies in the world. The starting point in such endeavour shall be, as made clear throughout this article, to recover the sense of womanhood and manhood as stemming from a common humanity governed by universal norms consonant with a God-fashioned human nature that transcends biological and mental differences without obliterating them.

## **Conclusion**

The spirit and motivation that have guided and informed this writer's reflection and discussion in this paper can plainly be stated in the following manner: it is high time that we disentangle our thinking about man and woman and treatment of whatever issues pertaining to them from the alienating and antagonistic language of power and conflict and inflation of differences. The truth and reality is that men and women encounter one another as sisters and brothers, mothers and sons, daughters and fathers, wives and husbands, nieces and uncles, nephews and aunts, etc. before any other encounter in the different arenas of life. If these very essential and natural bonds and their inherent human, moral and social values are undermined, whatever substitutes invented to replace them will only exacerbate an already worsening situation hastening towards destruction and annihilation.

This study is only a preliminary attempt at opening a new direction and offering a different perspective in a debate that seems to have reached a deadlock due to the logic of negation and self-negation that has dominated it. This study hopefully highlights the need for a serious pause of revision and reconsideration.

## References

- al-'Asqalani, Ahmad ibn 'Ali ibn Hajar. (1995). *al-Isabah fi Tamyiz al-sahabah*, ed. Adel A. Abd al-Mawjud & Ali M. Mu'awwad, Beirut: Dar al-Kutub al-'Ilmiyyah. Vol. 8.
- al-Frahidi, Al-Khalil ibn Ahmad. (2003). *Kitab al-'Ayn*, edited by Abdulhamid Hendawi, Beirut: Dar al-Kutub al-'Ilmiyyah, Vol. 2.
- al-Ghazali, Abd Hamid. (1977). *al-Mustasfa min 'Ilm al-Usul*, ed. Muhammad Sulayman al-Ashqar, Beirut: Mu'assasat al-Risalah, Vol. 1.
- Almessiri, Abdelwahab M. (2004). *Feminism versus Women's Liberation Movements*. Annandale, VA: United Association for Studies and Research, UASR.
- al-Turabi, Hasan. (2004). *al-Tafsir al-Tawhidi*, Beirut/London: Dar al Saqi, 1<sup>st</sup> edition, Vol. 1.
- Asad, Muhammad. (2011). *The Message of the Qur'an*, Kuala Lumpur: Islamic Book Trust.
- Darwazah, Muhammad Azzat. (2000). *al-Tafsir al-hadith: Tartib al-Suwarhasaba al-Nuzul*, Beirut: Dar al-Gharb al-Islami, 2<sup>nd</sup> edn., Vol. 5.
- El-Mesawi, Mohamed El-Tahir. (2009). "Human Nature and the Universality of the Shari'ah: Fitrah and Maqasid al-Shari'ah in the Works of Shah Wali Allah and Ibn 'Ashur," *Al Shajarah*, Vol. 14, No. 2 (167-205).
- El-Mesawi, Mohamed. (2014). "Malik Bennabi's Response to Western Modernity: Contextualizing the Qur'anic Phenomenon", in Mohamed El-Tahir El-Mesawi (ed.), *The Qur'an and Globalization: Studies in Commemoration of Malik Bennabi*, Gombak: IIUM Press.
- Etin Anwar. (2015). "The Ethics of Wasatiyyah and the Pursuit of Gender Equality," *American Journal of Islamic Social Sciences*, Vol. 32, No. 4.
- Ibn Ashur, Muhammad al-Tahir. (2006). *Treatise on Maqasid al-Shari'ah*, translated from the Arabic and annotated by Mohamed El-Tahir El-Mesawi, London/Washington: The International Institute of Islamic Thought.
- Ibn Manzur, Abu al-Fadl Jamal al-Din Muhammad ibn Makrim. (n. d.). *Lisan al-'Arab*, edited by Abdullah Ali al-Kabir et al, Beirut: Dar Sader Publishers, n. d., Vol. 2, pp. 291-293. 2
- Neville, Robert C. (1989). *Recovery of the Measure: Interpretation and Nature*, New York: State University of New York Press.
- Shuqqah, Abd al-Halim Muhammad Abu. (1995). *Tahrir al-Mar'ah fi 'Asr al-Risalah*, Kuwait: Dar al-Qalam, 4<sup>th</sup> ed.