

DID YOU KNOW?

**Refuting rigid interpretations concerning
the position of women in Islam, and
Muslims' interactions with non-Muslims**

Aziza Abdel-Halim, A.M

The contents, information, advice and opinions expressed in this publication are not necessarily those of the Department of Immigration and Citizenship.

As the information on Australian Law included in this publication is of a general nature only, readers should obtain legal advice.

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(And from God comes success and guidance.)

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Introduction

Enlightened Islamic scholars state that wherever there is justice and mercy this is Allah's (SWT) *Shari'ah* (Islamic law), and wherever there is goodness and freedom then this is *Shari'ah*.

Shari'ah was meant to regulate activities as a deterrent to criminals and to protect society. It is not, as some may think, a vengeful set of laws.

Two important issues have corrupted the thinking of some Muslims and the way they interpret Islamic injunctions:

1. Many superstitions and innovations have entered into Islamic practices of which Islam itself is completely innocent and can easily be refuted by Islamic evidence.
2. Mixing up cultural beliefs and practices with Islamic teaching and allowing these beliefs to take precedence, has led to the distortion of some Islamic practices. Naturally cultural beliefs and practices differ from one society to another.

Shari'ah is built on Allah's clear injunctions (SWT) and not what is traditionally acceptable in some societies. There are those who specialise in religion who wrongly present Islam as a system which attempts to imprison women, condemns them to ignorance and tries to promote rulings in the form of authoritative pronouncements. These rulings present women as a species with no rights, no legal status and no intelligent faculties. This interpretation can deprive women from their rights in education, worship and *jihad* (self development).

Islam clearly states that Eve was created from the same soul as Adam and that both men and women have the same rewards from Allah (SWT).

O! Humankind, reverence your Guardian Lord
who created you from a single soul,

created of like nature: his mate and from them twain scattered (like seeds)
countless men and women
Reverence your Lord, through Whom you demand your mutual rights
And be heedful of the wombs
that bore you
For God ever watches over you.
(Qur'an 4:1)

The same ideas are repeated in the Qur'an 29:6, 49:13 and 16:97.

Prophet Muhammad, Peace Be Upon Him (PBUH) said:

I affirm that all human beings are brothers to one another. Respect Allah and be affectionate to humankind.
(Narrated by Sheikh Muhammad Al-Ghazali)

Is it so surprising then that two greatly misinterpreted concepts are responsible for continuous attacks on Islam? Namely:

1. the rights and status of women
2. *jihad*

There is nothing Islamic about fanaticism, extremism and terrorism; so much so that the media jargon, 'Islamic extremist groups', becomes a contradiction of terms. Islam encourages its followers to adopt moderate attitudes and practices. Extremist and rigid attitudes are definitely contrary to its teaching. But who is to blame for these attitudes? Muslims who adopt extremist views in the name of Islam have not understood the true spirit of Islam with its firm belief in the sanctity of human life and its duty towards protecting the innocent.

I was very lucky to grow up in Egypt with a multitude of progressive and enlightened thinkers and a wealth of enlightened Islamic and literary debates. Over the decades of living in Australia, many Muslim women and Muslim youth have approached me with questions about their faith. They ask, "What are really Islamic principles?", and "What are cultural

traditions?”. I know from my discussions with imams and members of Muslim organisations that many people are still searching for answers to these vital questions. This book aims to address several rigid and incorrect interpretations of Islamic text and rulings pertaining to women and it aims to discuss interactions between Muslims and non-Muslims.

Islam encourages its followers to adopt moderate attitudes and practices and not extremist or rigid attitudes which are definitely contrary to its teaching. It is primarily a religion which promotes equality and peace as a way of life.

I hope this book will encourage readers to understand the enlightened message of Islam.

Aziza Abdel-Halim

July 2007

Inspired by Imam Sheikh Muhammad Al-Ghazali.

Note:

For further information and more details, I invite you to check the list of references and recommended reading.

All Qur’anic quotes are from the English translation by Abdullah Yusuf Ali (1934).

Part 1. Islam and its Sources

1. The Meaning of Islam

Islam is an Arabic word whose root is *s-l-m* which denotes peace and surrender. Islam means to give oneself unconditionally to Allah (SWT). Islam is said to be the religion of all the prophets from the time of Adam.

The word *Islam* means: submission, confidence, patience, serenity, peace, gratitude, obedience, harmony, order and committing oneself to be 'the servant of God'.

The Islamic religion is based upon *ta'aluf* (harmony), because everything which is created on earth by Almighty God Allah (SWT) is harmonised with the creator of the heavens and the earth. Everything created submits to the supreme reality who is God.

The Prophet (PBUH) also gave his followers this message, recorded in *Hadith*:

Make it easy (religion) and not hard, spread it with glad tidings and not by dire warning which would turn people away.
(Books of *Hadith*, e.g. Sahih Al-Bukhari, Sahih Muslim and Tirmidhi)

2. The Qur'an

Islam's Holy book *Al Qur'an* is used by all Muslims either in the original revealed language, Arabic, or authenticated and approved translations and commentaries by Councils of Scholars (for example by the Al-Azhar University, Egypt or the Shi'ah Council, Lebanon.)

The Qur'an consists of 30 parts which comprise 114 *surah* (chapters). Each *surah* contains several *ayats* (verses).

The Qur'an was revealed through the angel Gabriel over several years to the last of the prophets, Muhammad (PBUH). It was revealed in very beautiful, classical Arabic, using poetical phrases, very powerful imagery, and a highly literary vocabulary.

The Qur'an was collected into one book during the *Islamic Caliphate* rule of Abu Bakr in the 10th year of *Hijrah*. (The *Hijrah* is the year the Muslims migrated from Makkah to Madinah and it also marks the beginning of the Islamic calendar in which the first century corresponds to the 7th century AD.) Then, when the Islamic domain stretched to include several other countries, the Caliph Othman in the 23rd year of *Hijrah* ordered many copies of the Qur'an to be made, all in the dialect of Quraish, in which it was originally revealed. These were to be distributed to all corners of the Islamic domain.

All Muslims pray in Arabic regardless of their first language. They recite parts of the Qur'an in Arabic in their daily prayers.

To all Muslims the Qur'an is the Last Testament: a message of mercy, glad tidings and a way of life to all humankind.

3. *Asbab an-nuzul* (Reasons for Qur’anic Revelations)

The Qur’an has been revealed for guidance, for all times and situations to come.

However, various *ayat* (verses) have also been revealed at appropriate times of need in the community to deal with specific circumstances. For example, Chapter 4 ‘Women’ in the Qur’an spells out in detail the new rights given by Islam to women to regulate marriage, divorce, inheritance, etc.

The Arabic word *sabab* (plural *asbab*) means reason and cause. *M’arifat asbab an-nuzul* is the knowledge about the reasons for the revelations; e.g. the knowledge about particular events and circumstances in history that are related to the revelation in the Qur’an.

Knowledge about the *tafsir* (interpretation) of the *ayat* is not possible without understanding the reasons and explanations for their revelation.

In particular, knowledge about the *asbab an-nuzul* helps one understand:

- The direct and immediate meaning and implication of a verse as it can be seen within its original context.
- The imminent reason underlying a legal ruling.
- The original intent of the verse.
- Whether the meaning of an *ayah* is for specific or general application and, if so, under what circumstances it is to be applied.
- The historical situation at the time of the Prophet (PBUH) and the developments which took place in the early Muslim community.

The same processes should apply to the *Hadith* (sayings of the Prophet Muhammad) (PBUH).

A general principle for the application of *Shari'ah* Law is: that if the situation does not exist then the ruling also is inapplicable. This principle was confirmed by the Islamic scholar Sheikh Al-Qaradawi.

There are three kinds of 'reasons' which are connected with the revelation of particular passages in the Qur'an:

1. Revelation in response to an event or a specific situation;
2. Revelation in response to a particular question that has been asked; and
3. Revelation of a general nature concerning faith, relationships with God, etc., which is for all times and situations.

(Von Denffer, 1985, p. 87.)

4. The *Sunnah*, *Sirah*, and *Hadith*

The *Sunnah*, *Sirah* and *Hadith* should not be confused with the Qur'an. Although they are closely linked with the Holy Qur'an, they are not considered to be the actual words of God.

The *Sunnah*, the *Sirah* and *Hadith* support the teachings of the Qur'an by providing the examples from the Prophet's way of life (PBUH), e.g. prayer.

The *Sunnah*

The word *sunnah* means 'habit, custom or usual behaviour'. The *Sunnah* is the example that was set by the Prophet Muhammad (PBUH), including his sayings and his habits. For instance, the Prophet Muhammad (PBUH) fasted every Monday and Thursday throughout the year. A Muslim who follows this example is following the *Sunnah* of the Prophet Muhammad (PBUH).

The Qur'an provides laws and guidelines for the Islamic way of life but some aspects must be interpreted by the *Sunnah* so that these guidelines can be practised in life.

The *Sunnah* can be thought of as an accompanying source which aims to define and explain the messages of the Qur'an. Where a verse of the Qur'an needs to be interpreted the *Sunnah* is consulted.

Together with the Qur'an, the *Sunnah* provides the basis of Islamic law.

The *Sirah*

Sirah is the Arabic word for 'history'. The *Sirah* is the history of the Prophet Muhammad's (PBUH) life as recorded by his companions. It includes incidents from his daily life, plus descriptions of his personality and behaviour in handling different situations.

For example, after the battle of Badr, Muhammad (PBUH) instructed the Muslims to look after their prisoners of war and to share their food and water with them. He also forbade the Muslims to tie the prisoners up.

The *Hadith*

The books of *Hadith* record the sayings of the Prophet Muhammad (PBUH) and explain his conduct. The *Hadith* provides actual examples of Muhammad's way of life, which illustrate and explain the teachings of the Qur'an.

Some examples from the books of *Hadith*:

Whoever of you sees an evil action, let him change it with his hand, if he is not able to do so, then with his tongue; and if he is not able to do so, then with his heart – and that is the weakest form of faith.

Seek knowledge even unto China.

Be good to women, they are the twin halves of men.

Part 2. Did You Know?

5. Who First Collected the Prophet's Sayings (PBUH) and When?

While the Prophet of Islam (PBUH) was preaching the message of Islam, he instructed his followers not to write down anything he said apart from what he declared as God's revelations, e.g. the Qur'an. Fearing that the two may get mixed up, it was indeed a very wise decision.

It was not until the Qur'an was collected in one volume, with copies of it made and dispatched to the various parts of the Islamic nation, and after the companions of the Prophet (PBUH) had passed away, that learned Muslims started to record the Prophet's sayings (PBUH).

Imam Malik ibn Anas was the founder of the Maliki school of thought, which is one of four Sunni Islamic schools of thought. He was one of the earliest Muslim scholars who embarked on the collection of *Hadith*.

Imam Malik was born in the year 93 of *Hijrah* (in the 8th century AD or CE). He was raised in Madinah where he had first-hand contact with the sons of the Prophet's companions (PBUH) and their followers.

He wrote his great work *Al-Muwatta* over several decades. *Al-Muwatta* is the first great corpus of Islamic law. It is said that at one stage it contained about ten thousand *Hadith*. In time, however, Imam Malik began dividing his work into chapters and reduced the number of the Prophet's (PBUH) sayings to the volume currently available. It now contains about one thousand *Hadith*, which Imam Malik deemed to be authentic.

Imam Ash-Shafi'i hailed Imam Malik's book as "the most correct book on earth after the Qur'an" (3rd century *Hijrah*, 9th century AD). Further,

Imam Malik's book is considered to be the kernel of all books containing authentic sayings of the Prophet (PBUH), followed by the *Hadith* collections of the scholars: Al-Bukhari and Muslim.

Al-Muwatta was translated into English by several scholars. One widely respected translation is *Al Muwatta of Imam Malik ibn Anas: The First Formulation of Islamic Law* by Aisha Abdurrahman Bewley (1989).

6. There Are Some Fabricated *Hadith*

The authenticity of *Hadith* can be checked by the following criteria:

1. The *Hadith* agrees and explains further Qur'anic text or injunctions (e.g. Prayer)
2. The *Hadith* agrees with the general principles and spirit of social justice in Islam
3. The *Hadith* is supported by several reliable companions of the Prophet (PBUH) who actually heard him say them.
4. The *Hadith* does not contradict another authenticated *Hadith* or the Qur'anic text.

One glaring example of a fabricated *Hadith* is that which was narrated by an ignorant servant who entered the house of the Prophet (PBUH) a couple of times only and was later taken up by a lot of male preachers: "Women are lacking in intellect and piety".

Compare this with the *Hadith* narrated by all the Prophet's companions (PBUH). In one educational session, the Prophet (PBUH) pointed to his wife, 'Aishah (r)¹ and said:

¹ (r) = *radiya Allahu anha*, meaning 'may God be pleased with her'

Take half your knowledge from this *alhumayra*’ (‘little redhead’ — a term of endearment referring to her colouring and size in contrast to her great knowledge).

‘Aishah (r) always attended his teaching sessions.

Scholars, including Sheikh Mohammed Al Ghazali, have warned against applying these weak *Hadith* to put down women and marginalise them. He warns women against believing them.

Further information about Al Ghazali’s scholarship is described in Chapter 20, ‘Enlightened Muslim Men’.

7. The Islamic Concept of Creation

Allah’s view of the universe (SWT), as part of Allah’s process of creation (SWT), is described in these words in the Qur’an:

And of every thing we have created *zawjayn* (pairs), that ye may reflect.
(Qur’an 51:49)

That it is He who granted Death and Life; that He did create in *zawjayn* (pairs) – male and female.
(Qur’an 53:45)

And (have We not) created you in pairs?
(Qur’an 78:8)

And the earth – We have spread it out, and set thereon mountains standing firm, and produced therein every kind of beautiful growth (in pairs).
(Qur’an 50:7)

... you see the earth barren and lifeless, but when We pour down rain on it, it is stirred (to life), it swells, and it puts forth every kind of beautiful growth (in pairs).

(Qur'an 22:5)

Glory to Him Who created in sexual pairs *al-Azواج* all things that the earth produces, as well as their own (human) kind and (other) things of which they have no knowledge.

(Qur'an 36:36)

The Arabic word used for pairs in these verses, *zawjayn*, means 'two of the same'.

O! Humankind, reverence your Guardian Lord
who created you from a *single soul*,
created of *like nature*: his mate and from them twain scattered (like
seeds)
countless men and women
Reverence your Lord, through Whom you demand your mutual rights
And be heedful of *the wombs*
that bore you
For God ever watches over you.
(Qur'an 4:1)

The Islamic concept of creation is 'of pairs'. Men and women were created to compliment each other's role in life.

8. The Position of Women in Islam

The Qur'an states:

Believers, men and women, are protectors, one of another. They enjoin what is right and forbid what is wrong.

(Qur'an 9:71)

And women shall have rights similar to the rights against them, according to what is equitable ...

(Qur'an 2:228)

For Muslim men, and women, for believing men and women, for devout men and women, for true men and women, for men and women who are patient and constant, for men and women who humble themselves, for men and women who give in charity, for men and women who fast, for men and women who guard their chastity, for men and women who engage in Allah's praise, for them has Allah prepared, forgiveness and great reward.

(Qur'an 33:35)

It is then clear that Muslim men and women receive equal rewards according to the Qur'an.

The *Hadith* states the following:

- The rights of women are sacred. See, therefore, that women are maintained in the rights granted to them.
- Paradise lies at the feet of the mothers.
- I, Muhammad, and a woman whose colour and cheeks shall have become black from toiling in the sun, to maintain her family, shall be near to one another in the next world as my own fingers.
- He who wished to do good to enter paradise at the best door must please his father and mother.
- A giver of maintenance to widows and the poor is like a bestower in the way of God, and utterer of prayers all the night, and a keeper of the fast.

- Admonish your wives with kindness.
- A Muslim must not hate his wife; and if he be displeased with one bad quality in her, then let him be pleased with another which is good.
- He is the best of Muslims whose disposition is best among you; and the best of you are those who behave well to their wives.
- God commands you to treat women well, for they are your mothers, daughters and aunts.
- A virtuous wife is a man's best treasure.
- Do not prevent your women from coming to the mosque.
- Take half of your religious learning from this little redhead (pointing to his wife 'Aishah (r)).
- Women are the twin halves of men.

These Islamic practices are based on Islamic principles:

- Muslim women keep their maiden names after their marriage. This was an Arabic tradition kept by Islam.
- Muslim women have full control of their own property and income.
- A wife is not obliged to do housework, especially if her husband is capable of supplying her with a helper.
- The *mahr* (money or property given to the wife by the groom on their marriage), belongs solely to her.
- Ibn Hazm, a Muslim scholar, confirms the rights of women to bear witness and to judge.

For more information about women's rights before the law, see Chapter 42, 'Equality'.

9. The Qur'an's Understanding of Eve

The Qur'an states that Eve was created from the same *nafssen wahidah* (essence and soul as Adam) and not from a 'crooked rib' as some choose to believe!

The Qur'an says:

He created you (all) from a single *nafs* (soul).
(Qur'an 4:1)

If anyone does deeds of righteousness, be they male or female, and have faith, they will enter Heaven, and not the least injustice will be done to them.
(Qur'an 4:124)

We created you male and female and have made you into nations and tribes that you may know one another (not that you may despise each other). Indeed the most noble of you is whoever (he or she) has the most *taqwa* (God consciousness/piety).
(Qur'an 49:13)

Whoever does good: male or female and is a believer [in God], all such will enter Paradise.
(Qur'an 4:124)

In the Qur'an, Eve is portrayed as the Mother of humankind and not the devil's advocate. Adam is actually the first to be blamed for disobeying God.

We had already, beforehand, taken the covenant of Adam, but he forgot: and We found on his part no firm resolve.
(Qur'an 20:115)

But Satan whispered evil to him: he said, "O Adam, shall I lead you to the tree of eternity and to a kingdom that never decays?" As a result they both ate of the tree, and so their nakedness appeared to them: they

began to sew together, for their covering, leaves from the garden: thus did Adam disobey his Lord and fell into error.
(Qur'an 20:120-121)

Professor Aminah Wadud points out in her book *Qur'an and Woman*, that:

In maintaining dual form in the story of the fall from grace, to tell how Satan tempted both Adam and Eve and how they disobeyed, the Qur'an overcomes the *negative* Greco-Roman and Biblical-Judaic implication that woman was the cause of evil and damnation. Moreover God later accepted their repentance. (1992, p. 25)

Nowhere in the Qur'an or authentic *Hadith* was there any mention that the tree of immortality and power was an 'apple tree'! Some Muslims continue to believe this and are influenced by the story of the fall of Adam and Eve as told in the Old Testament.

10. The Qur'an and Exemplary Women

In the Qur'an we have exemplary female figures:

Bilqis (Queen of Sheeba)

The Queen of Sheeba is portrayed as an exemplary ruler who takes decisions by consultation:

She said, "You chiefs advise me in [this] my affair: no affair have I decided except in your presence".

They said, "We are possessed with strength, and given to vehement war: but the command is with you; so consider what you will command".

She said, "Kings, when they enter a country, despoil it, and make the noblest of its people its lowest, thus do they behave. But I am going to send him a present, and wait to see with what answer return my ambassadors".

(Qur'an 27:32-35)

The character of Queen Bilqis, as disclosed here, is that of a ruler enjoying great wealth and dignity, and the full confidence of her subjects. She does nothing without consulting her council (*shurah*, meaning—consultation, is part of Islamic law). Her Council is ready to carry out her commands in all things. Bilqis is prudent in policy and is not willing to embroil her country in war. She has the discerning ability to see that Solomon is not like ordinary kings who conquer by violence. An exchange of presents would probably establish better relations between the two kingdoms. In Bilqis we see wise womanhood, gentle, prudent and able to tame the wilder passions of her subjects.

Finally, she is proud of her good fortune in knowing Allah (SWT). Bilqis acknowledges, for herself and her people, with gratitude, the light which was given to them by Allah (SWT), by which they recognised Allah's (SWT) prophet in Solomon and received the true religion.

'Asiya (the wife of Pharoah)

'Asiya was Moses' adopted mother and Pharoah's wife who defied Pharaoh and dared to believe in the one God.

And Allah sets forth as an example to those who believe the wife of Pharoah: behold she said, "O my lord! Build for me, in nearness to You, a mansion in the Garden, and save me from Pharoah and his doings, and save me from those who do wrong".

(Qur'an 66:11)

Her spiritual vision was directed to the pleasure of Allah (SWT), rather than the worldly grandeur of Pharoah's court. That 'Asiya gave up worldly riches for her belief demonstrates the strength of her faith.

Further, 'Asiya is one of the following four perfect women who will have a prominent place in paradise:

1. Mary (r) the mother of Jesus (PBUH)
2. 'Asiya (r) the wife of Pharoah
3. Khadijah (r) the wife of Muhammad (PBUH)
4. Fatimah (r) the daughter of Muhammad (PBUH)

The Virgin Mary (r) -Mother of Jesus (PBUH)

The Virgin Mary is mentioned as an exemplary woman of faith who received revelation by the Angel sent from God. The Qur'an honours her in several chapters: one bears her name as Maryam (Qur'an Chapter 19), the other her family's name Al-i-'Imran (Qur'an Chapter 3).

Another example is:

And Mary the daughter of 'Imran, who guarded her chastity and We breathed into her of Our spirit; and she testified to the truth of the words of her Lord and of His Revelations, and was one of the devout.
(Qur'an 66:12)

11. Early Muslim Female Scholars

From the time of the Prophet (PBUH), even in the Middle Ages, and to this day there were recognised Muslim female scholars who were much respected and who conducted regular *halaqah* (study circles) in their homes. These were attended by both men and women.

It is well known that women like ‘Aishah (r), Umm Salamah, Laila bint Qasim, Asma‘ bint Abu Bakr, and many others, were trusted with preserving and teaching Islam.

There are many female religious writers and scholars. Here are a few examples:

- ‘Aishah (r) bint Abu Bakr, 1st *Hijrah*, 7th century AD
- Al-Khansa‘ bint‘ Amr ibn Al-hareth, 1st *Hijrah*, 7th century AD
- Nafissah bint Al-Hasan, great-granddaughter of Prophet Muhammad (PBUH), 8th century AD 2nd century *Hijrah*, 8th century AD
- Rabi‘a Al-‘Adawiyya, 8th century *Hijrah*, 14th century AD
- ‘Umara bint Abdel-Rahman, 1st *Hijrah*, 7th century AD
- ‘Aishah ‘Abd-al-Hadi, 7th century *Hijrah*, 13th century AD

12. ‘Aishah (r) bint Abu Bakr

‘Aishah (r) is one of the greatest women of Islam and wife of the Holy Prophet Muhammad (PBUH). She occupies a very important place in the domain of Islamic culture and traditions, as well as among prominent Muslim jurists.

‘Aishah (r) was the main source of a large number of Islamic traditions (*Sirah*, *Sunnah* and *Hadith*) and their authenticity. It is through her that we have answers to numerous problems pertaining to women, which men could not explain or solve. Her version of *Hadith* is accepted by all compilers of the Islamic *Hadith*.

In fact, she played a magnificent and glorious role in the development and progress of the Muslim nation *Ummah* and Islamic principles. As mentioned earlier, it was the Prophet (PBUH) who urged all his companions to take half their knowledge from this ‘little redhead’, referring to his wife ‘Aishah (r).

We know from *Sirah* that ‘Aishah (r) bint Abu Bakr, Nafissah bint Al Hasan and other *Sahabiyyat* (female companions) of the Prophet (PBUH) called women to prayers, instructed them and were their Imams in prayer as well.

Even after the death of the Prophet (PBUH), women were active participants at all levels of community affairs: religious, political, social, educational, and intellectual.

13. Al-Khansa' bint 'Amr ibn Al-hareth

Al-Khansa' bint 'Amr ibn Al-hareth, a poet in the pre-Islamic period, is a great example of independent, brave and talented Muslim womanhood.

Her poetry eloquently records Islamic events in memorable lines.

In the eighth year of the Islamic calendar she embraced Islam and took upon herself the propagation of its righteous message. She had four sons and one daughter. When the Muslims were preparing for war, she called her four sons and urged them not to spare themselves in the service of Allah (SWT). She then quoted the Qur'an to give them more firmness and courage.

And say not to those who are slain, in the way of God, "They are dead. No, they are living though you perceive it not".
(Qur'an 2:154)

At the end of the battle, news came to her that her four sons had been martyred.

Her answer was, "Thanks be to God *Alhamdu Lillah* who honoured me by their martyrdom and I hope that He would re-unite us in his merciful dwelling".

Her courage and poetry show her excellence.

The Prophet (PBUH) encouraged her to recite her poetry about Islam and to travel among the tribes propagating its message.

14. Nafissah bint Al-Hasan

Nafissah (r) accompanied her father to Madinah at the tender age of five. There she memorised the entire Qur'an and studied Islamic jurisprudence in depth. Being extremely intelligent, she also became adept in explaining the Qur'an.

Imam Al-Shafi'i, the founder of one of the four main Sunni schools of thought, used to sit in Nafissah's company, learning *Hadith* from her. When on occasion he was sick, he would send one of his students to learn *Hadith* from her, request *du'a* (prayers) on his behalf and seek her *baraka* (blessings). So too did many other scholars and great *Sufis*. Among them were al-Imam Uthman bin Sa'eed al-Misri, Dhun-Nun al-Masri, Masri al-Sumarkandi, Imam Abu Bakr al-Adfawi, (author of one of the greatest explanations of The Qur'an, *al-Istiftah fi 'ulum al-Qur'an*).

When Imam Shafi'i was dying he instructed his friends to take his body after it had been prepared for burial, to Nafissah's home so that she could perform the *Janaza* (funeral prayer) over his body. That is how much he valued her knowledge and honoured her.

(Narrated by Imam Metwalli Ash-Sh'arawi, a great Egyptian *da'iyah*.²)

² A *da'iyah* is a Muslim who undertakes upon himself or herself the propagation of the message of Islam. Imam Ash-Sh'arawi is called the Imam of the *du'at* (plural for *da'iyah*). He died at the end of the 20th century.

15. Rabi'a Al-'Adawiyya

Rabi'a Al-'Adawiyya was one of the great early *Sufis*³ who tried to acquire greater spiritual purity through their unselfish love of Allah (SWT) and in serving him. She was a great poet, who insisted that Allah (SWT) should be loved for His own sake and not for hope of reward or for fear of punishment. She was called the 'Martyr of Divine Love'. She left a legacy of very beautiful religious poetry.

Her work was included in *Early Sufi Women*, which is the earliest known work in Islam devoted entirely to women's spirituality. Written by the Persian *Sufi* Abu 'Abd ar-Rahman as-Sulami (d.1021), it provides portraits of 80 *Sufi* women who lived in the central Islamic lands between 2nd–5th century *Hijrah*, 8th–11th century Christian Era.

As spiritual masters and exemplars of Islamic piety, these female *Sufi* practitioners served as respected teachers and guides in the same way that Muslim men did, often surpassing men in their understanding of *Sufi* doctrine, the Qur'an, and Islamic spirituality. Whether they were scholars, poets, founders of *Sufi* schools, or individual mystics and ascetics, they embodied a wisdom that could not be hidden.

³ A *Sufi* is a Muslim mystic. The word is derived from the Arabic word *suf* referring to the woollen garment they were famous for wearing.

16. ‘Umara bint Abdel-Rahman

When Imam Zuhri, a famous scholar of *Sunnah* (Prophet Muhammad’s traditions, PBUH) indicated to Qasim ibn Muhammad, a scholar of the Qur’an, a desire to seek knowledge, Qasim advised him to join the assembly of a well-known woman jurist of the day, ‘Umara bint Abdel-Rahman.

Imam Zuhri attended her assembly and later described her as “a boundless ocean of knowledge” (El Fadle, 1991). In fact, Amara instructed a number of famed scholars such as Abu Bakr Muhammad ibn Hamza, and Yahya ibn Said.

‘Umara was not an anomaly in Islamic history, for it abounds with famous women, scholars and narrators of *Hadith*, starting with ‘Aishah (r), the Prophet’s wife (PBUH).

17. ‘Aishah ‘Abd-al-Hadi

‘Aishah ‘Abd-Al-Hadi was born in Damascus in the 7th century *Hijrah*, or 14th century AD. This period is sometimes known as the beginning of the golden age of Islamic civilisation. ‘Aishah gained her education both at home and later in the *madrassa* school attached to the mosque.

She was the daughter of a well-known transmitter of the *Hadith*, and she herself achieved a position as a transmitter of *Hadith*, unequalled by many men. She was known as pleasant and gentle, and as a *shaykha* (female sheikh, or religious teacher). She travelled across the Muslim world in the tradition of *rihla* (journey), travelling widely in search of knowledge. She went to places such as Madinah, which was a centre of religious learning.

A great many people and teachers learned from ‘Aishah and her life provides a model for Muslim women teachers of the Islamic faith.

18. Who are the *Sahabiyyat*? Female Companions (Associates) of the Prophet (PBUH)

Most of us grew up with the stories of the Prophet's *sahabah* (male companions of the Prophet) (PBUH). However, very few of us (especially non-Arabic speakers) know of the stories of the *sahabiyyat* (female companions).

The *sahabiyyat* were women who accompanied the Prophet (PBUH) and participated in peace and war efforts. They were courageous, strong, thoughtful and always ready to give to and propagate the cause of truth.

Some of them were from his family and some were ordinary Muslim women. They all had a role in promoting, propagating and supporting Islam. They narrated *Ahadith* (plural for *Hadith*) correcting *ahkam* (religious rulings) especially relating to women. We can find this narrated in the various books of *Hadith*; e.g., *Sahih Bukhari* and *Sahih Muslim*.

Each of these women was a *da'iyat* (plural for female *da'iyah* teacher and propagator. They taught the *Sirah* (the history of the Prophet, PBUH), explained *Shari'ah* (Islamic law), and gave *fatwah* (opinion on religious matter) as to what is *Halal* (allowed) and what is *Haram* (forbidden).

Following is a list of some outstanding women amongst the *Sahabiyyat*:

- Nusaybah Um Imarah
- Sumayyah Bint Khayyat
- Um Salamah
- Safiyyah Bint Abdul Muttalib
- Ruqayyah Bint Abu Bakr
- 'Atika Bint Nafil
- Asma' Bint Abu Bakr
- Zaynab Bint Muhammad

- Umm Sulaim Bint Milkan
- Al-Khansa’ Bint ‘Amr Ibn Al Hareth: the poet nicknamed the ‘Mother of Martyrs’. She was also among the first travelling *d’ aiyat*.

There is more information about the details of their lives and contributions in the book written by Jameelah Jones, *The Sahabiyyat* (1994). Check the list of references for details.

19. The Question of the Mahram

The word *mahram* means a male protector or a group of women travelling together to ensure their safety.

‘Adiyy ibn Hatim narrates that the messenger of Allah (SWT) said to him:

“Beware! I know what is keeping you from embracing Islam. You are distracted by the thought that the people who are believing in this man and following him are the weak, the oppressed, and the poor, and that the ‘big’ people of Arabia did not believe him and instead threw him aside and are not accepting him. Tell me, have you seen Hira⁴?”

I [‘Adiyy] said, “I have not seen it, but I have heard of it”.

The Prophet (PBUH) said, “I swear by Him in whose Hand is my life, that Allah Almighty will surely fulfil this matter (of Islam’s victory) till the time will come that *a woman without any assistance, alone, will come from Hira to the Ka’ba and fulfill the ritual of tawaf*, and by Allah, you people will seize control of the treasures of Chosroes (the Persian Emperor) through victory”.

I [‘Adiyy] asked, “You mean the treasures of Chosroes, son of Hormuz, whom no king can face today?”

He (the Prophet, PBUH) said, “Yes, the treasures of Chosroes, the son of Hormuz. And, by Allah, there will be such prosperity that people

⁴ Hira is a town in Iraq at that time.

will want to give charity in Allah's way and there will be no one to receive it.”

(*Hadith, Musnad of Imam Ahmad ibn Hanbal*)

After narrating this *Hadith*, 'Adiyy ibn Hatim said:

I have seen the fulfillment of the Prophet's words with my own eyes, and you can see that too, that *a woman comes from Hira to Mecca, alone, and does the Hajj and the Tawaf, and goes back alone*. And I myself participated in the conquest and distribution of the treasures of Chosroes, by Allah I did. And surely the third thing too will come true because the messenger of God, peace and blessings of Allah be on him, said so.

(*Hadith, Musnad of Imam Ahmad ibn Hanbal*)

In this *Hadith* it is made clear that having a male travelling companion for protection is only necessary when it is not safe to travel alone in a Muslim country.

20. Enlightened Muslim Men

Some of the men who supported the Qur'anic injunctions for the emancipation of women throughout history include:

- Prophet Muhammad Ibn Abdullah (PBUH), 1st century
- Rifa'ah At-tahtawi, 13th century
- Imam Muhammad Abdu, 13th century
- Qasim Amin, 19th century AD
- Shaykh Muhammad Al Ghazali, 20th century AD

Note: Information about Rifa'ah At-tahtawi, Imam Muhammad Abdu and Qasim Amin in the following pages is drawn from the magazine *Egypt*. A special issue about 'Egyptian Women and Modernisation of Society' included profiles of enlightened Muslim men who supported the rights of women (State Information Service, 2002, pp. 11-13).

Muhammad Ibn Abdullah (PBUH)

Muhammad was born in 570 AD to a noble family of Makkah (Mecca). He was a descendant of Prophet Abraham. He was born an orphan.

Muhammad (PBUH) was a thoughtful young man who worked as a shepherd and helped his uncle with trade caravans. As a teenager he rejected the immoral customs of his people, who became steeped in idolatry while his steadfastness earned him the nickname 'The Trustworthy'.

While he was growing up he looked after his uncle's sheep and accompanied him on his caravans. At age 25, he found employment managing the business of a wealthy widow of 40 named Khadijah. Impressed by his honesty and character, Khadijah sent her cousin to propose her marriage to him, which he accepted. Despite their age

difference, they were happily married for 25 years, and were blessed with six children.

Prophet Muhammad (PBUH) received the first Qur'anic revelation from God, via the Archangel Gabriel at age 40 during his solitary contemplation in the cave of Hira' outside Makkah. The greatest miracle of Islam lies in the fact that the Qur'an was revealed in the most poetical and eloquent form of the Arabic language to Muhammad (PBUH), who was illiterate and had never before taken upon himself such an outstanding task. The Qur'an is also full of scientific data that is beginning to be understood in a range of fields, including: the process of creation and the uniqueness of the human fingerprint, among others. This is befitting the last and complete message from the God of the universe through the last of God's prophets. Prophet Muhammad (PBUH) recognised and honoured all preceding prophets.

After Khadijah's death Muhammad married several women, over several years for political and humanitarian reasons, as was expected of a man of his position; all but one were widows and divorcees. He was a loving and considerate husband and father, and his family was devoted to him despite his voluntary poverty, for he put into practise his own advice, 'the best of you is the one who is best to his own family.'

Muhammad's (PBUH) call to monotheism and social reform was heavily opposed by the Makkan elite. After enduring thirteen years of intense persecution, he and his followers were invited to relocate to Madinah, a town to the north that had been torn apart by generations of intertribal warfare. Muhammad successfully settled their differences and forged a bond of brotherhood between the local *Al Ansar* (the supporters of Muhammad) and the Makkan emigrants *Al Muhajireen*.

For Arab tribal society, this was an amazing achievement. They learnt to implement the golden rule under the Prophet's (PBUH) tutelage: "No one truly believes until he desires for his brother what he desires for himself". Muhammad (PBUH) stood firmly against a very patriarchal

society to establish equal rights for women. He often repeated to his followers, “Honour women, they are the twin halves of men”.

Mu ‘awiyah al-Qushairi asked the Prophet, “What are the rights of our women on us”.

He replied, “Feed and clothe them as well as you do yourselves and do not beat them and do not abuse them”.

It is hard to find a better champion for women’s rights and dignity than the Prophet of Islam (PBUH).

Sources:

Al-Hakim, Tawfik 1960, *Muhammad: Studies in Islam Series*, Supreme Council for Islamic Affairs, Cairo, Egypt.

NSW Department of Education 1992, *Introducing Islam*, Curriculum Resources, NSW Department of Education, NSW, Australia.

Rifa‘ah At-tahtawi

Born in 1801, At-tahtawi’s ideas were the main source of inspiration for the early 19th century advocates of woman’s emancipation. After completing his early education at Al-Azhar, he travelled to Paris in 1826 as part of the first scientific mission sent by Muhammad Ali to study sciences in France.

Following his return to Egypt, he started, with others, to call for an overall awakening of the nation. In this context, he wrote his book *Al-Morshid-al-Amin fi-tarbiyat al-banat wal-banin* (An Honest Guide to the Education of Girls and Boys). This book, which advocated women’s rights for the first time in Egypt’s modern history, was the first reference

to the women's emancipation movement. He also called for women's employment as a means of protecting them from vice.

It is worth mentioning that At-tahtawi gave a covenant in writing to his wife promising her that he would never take a second wife, her right to an independent estate of her own and her right to their conjugal house. During his lifetime, he proved committed to such obligations.

(State Information Service, 2002)

Imam Muhammad Abdu

Imam Muhammad Abdu was born in Egypt in 1839. After he completed his schooling at Al Azhar University he was appointed as a history teacher in Dar al-'Ulum, which is the College of Religious Knowledge at Al Azhar University.

Later he was appointed as a teacher of Arabic in Al Alsun College, a college of foreign languages. When he became the editor of *al Waqae'e Al-Misriyyah*, the official government newspaper of Egypt, he gave enlightened writers full access to express their opinion on religious, political, social and literary issues.

Muhammad Abdu paid special attention to women's issues in Egyptian society, especially family issues, starting from the equality between men and women. He called for restrictions on men's freedom to divorce as a means of maintaining family cohesion.

(State Information Service, 2002)

Qasim Amin

Qasim Amin was born in 1863 to a Turkish father and Egyptian mother. He was known as the godfather of women's emancipation and was one of many enlightened intellectuals of that age.

According to Amin, Egypt's backwardness and the domination of foreigners could be attributed to two reasons: ignorance and the deteriorating status of women. Accordingly, he concluded that reform could be achieved through spreading education and rectifying the family system. He dedicated his life to these principles, in spite of the severe opposition and persecution he suffered in the process.

In 1897, Amin published his book *Emancipation of Egyptian Women*, where he criticised the practice of veiling (with the face cover) as being the main obstacle to women's education and participation in public life.

In 1900, his book *New Woman* proposed that cultured fathers should insist that the government educate girls. After 100 years since these ideas were floated, some of Amin's opinions are still as controversial as they were during his lifetime.

(State Information Service, 2002)

Sheikh (Shaykh) Muhammad Al-Ghazali

Shaykh Muhammad Al-Ghazali was born in 1917 in Egypt. His father named him Muhammad Al-Ghazali in memory of the great Imam Abu Hamid Al-Ghazali, the author of '*Ihya' Ulumuddin* (The Revival of the Religious Sciences).

Shaykh Al-Ghazali had a thirst for knowledge which he sought from wherever he could, like a bee which collects honey from a variety of flowers. He was a voracious reader from his childhood. In fact, he was

in the habit of reading anything his eyes caught sight of. Shaykh Al-Ghazali held the view that contemporary ‘*Ulama*’ scholars of Islam were lacking in this important habit of reading. He considered reading to be essential for *du’at* propagators of Islam. According to Shaykh Al-Ghazali, the lack of knowledge for *du’at* was like the lack of blood for a man .

The way in which Shaykh Al-Ghazali put forward his arguments proved his deep understanding of religion and logic. He had a clear understanding of the Qur’anic message, which was noted by Dr Ali Goum’a: “As if the Qur’an is one line in front of his eyes”. He had a firm belief in the supreme authority of the Qur’an in assessing Islamic legal sources like Qiyas, Fiqh, etc. Shaykh Al-Ghazali would not accept anything which contradicted the Qur’an. This sometimes led him to challenge even the *Hadith*⁵ that some claimed to be authentic. He felt strongly that any *Hadith*, which contradicts the Qur’an, could not be a *Hadith*. On this Seyed Sherrifdeen⁶ says:

In this regard, Dr Yusuf Al-Qaradawi’s comment on Shaykh Al-Ghazali is appropriate to be mentioned: “His rejection of questionable *Ahadith* should never be a reason to discredit Shaykh Al-Ghazali. During the days of the companions, ‘Aishah, may Allah be pleased with her, refuted some *Ahadith* that some companions claimed to have heard with their own ears. She said, ‘No, they either did not understand or changed the wording by mistake’. She simply saw that these *Ahadith* were contradictory to the Qur’an. And in such situations she would reply to the companions saying, ‘How can you narrate this while Allah says so and so ...’.”
(Sherrifdeen, 2003, pp. 27-28.)

Both Shaykh Al-Ghazali and ‘Aishah (r) refuted any *Hadith* that contradicted the Qur’an.

⁵ *Hadith* are sayings of the Prophet (PBUH).

⁶ Seyed Sherrifdeen is the FAMSU president in UAE.

Source: *Salam*, May-June, 2003. A Magazine published by the Federation of Australian Muslim Students and Youth (FAMSU),.

21. Significant Muslim Women in Islamic History

Islamic history to the present day is full of the well-honoured names of Muslim women.

Rulers

- Shajarat Ad-durr, Queen of Egypt, 11th century AD.
- Radiyah Sultana, daughter of Altamash, Emperor of India, 13th century AD.
- Chand Bibi, daughter of Sultan Ahmadnagar, India, 16th century AD.

Warriors

- Khawla bintul Azwar, 7th century AD.
- Julnar, Queen of Egypt during the last crusade, 16th century AD.

Honoured for their piety

- Sayyeda Khadija bint Khuwailed, 7th century AD.
- ‘Aishah (r) bint Abu Bakr, 7th century AD.
- Fatimah bint Muhammad (PBUH), 7th century AD.

Honoured for their literary accomplishment

- Al-Khansa’ bint ‘Amr Ibn Al-hareth, 7th century AD.
- Al ‘Abbassa, sister of Harun Ar-rashid, the Caliph of Baghdad and contemporary of Charlamagne of France, 9th century AD.
- Dr ‘Aishah-abder-Rahman, 20th century AD.

As Arbitresses

- ‘Aishah (r) bint Abu Bakr, 7th century AD.
- Asma’ bint Abu Bakr, 7th century AD.
- Shifa’ bint Abdullah Alqurasheyah, 7th century AD.

22. Correcting An Imam

It is the duty of every knowledgeable Muslim, male or female, to correct any misconception or misinterpretation of any aspect of Islam, even if the speaker is a scholar or an Imam.

The 2nd Caliph ‘Omar was corrected by a woman during a *khutbah* (sermon in the mosque) and he reiterated that the woman was right and Omar himself was wrong.

‘Omar Ibn Al-Khattab, the Prophet’s (PBUH) second successor, demanded one day (during the sermon in the Mosque) that Muslims should put a hold on their extravaganza in paying a dowry to a would-be-wife and not to exceed a certain limit. A woman sitting at the back of the lines of praying Muslims, raised her objection and reminded ‘Omar of what Allah (SWT) stated in the Qur’an:

If you desire to exchange a wife for another, and you have given to one a hundred weight, take nothing of it, will you take it by way calumny and manifest sin.

(Qur’an 4:20)

“Here you are ‘Omar, God allows a hundred weight and you limit it to what is far less”. ‘Omar, the most powerful man of his time, could do nothing but agree with the woman and said, “‘Omar made a mistake and a woman said the right thing”.

The total Muslim family used to meet five times daily in the Madinah Mosque in rows behind the Prophet: men, women and children — without curtains, walls or partitions.

(Shaikh Ahmad Zaki Hammad, PhD in Islamic Studies, Al Azhar.)

Dr Muzammil H Siddiqi, a British Muslim community leader, has said:

It is perfectly Islamic to hold meetings of men and women inside the Mosque, whether for prayers or for any other Islamic purpose without separating them with a curtain, partition or wall.

(<http://www.islamfortoday.com/womeninmosques2.htm>.)

Curtains, partitions or walls to separate men from women worshippers are used today in some countries. However they did not exist at the time of the Prophet (PBUH) or his four successors, the Four Rightly Guided Caliphs. Nor are any such arrangements mentioned in the Qur'an or *Hadith*.

23. Women and the Mosque

Islam encourages women to pray in the mosque for educational, spiritual, social and above all, religious reasons.

'Atika, 'Omar's wife, prayed at the mosque, and not at home, five times a day. When he told her that he was not very happy with this practice, she told him to stop her by law. He could not because Prophet Muhammad (PBUH) clearly said, "Do not stop women from praying in the mosque".

Do not stop the maid servants of Allah from going to the Mosques of Allah.

(Muwatta' of Imam Malik)

When the wife of one of you asks about going to the Mosque, do not stop her.

(Narrated by Ibn 'Omar, Bukhari)

Never will I suffer to be lost the work of any of you, male or female: you are members, one of another.

(Qur'an 3:195)

24. Women and Education

Prophet Muhammad (PBUH) realised the important role women play as the nurturers, upholders of tradition and as the first educators. This is why they attended the weekly educational session with the men, plus a separate session for their own specific needs and questions.

The Prophet (PBUH) gave women an extra weekly education session, in addition to the session men and women attended together.

‘Aishah (r), an example of the educated Muslim woman, was a teacher for both men and women.

When one day a poor man came to the Prophet (PBUH) for advice, his problem was that he wanted to marry but had nothing to offer a bride as a *mahr* (bride gift). The Prophet’s (PBUH) advice to him was, “give her an education”.

The Prophet (PBUH) valued education:

A learned Muslim is stronger on the devil than 100 worshippers.⁷
(*Hadith*)

Acquiring knowledge is a duty on every Muslim, male or female.⁷
(*Hadith*)

Islam encourages all Muslims to seek knowledge, it is a religious requirement which would bring people closer to God, as revealed by Allah (SWT) to the Prophet (PBUH).

There are two of the Prophet’s (PBUH) sayings that became general knowledge among Muslims:

⁷ Sunan Ibn Magah, Dar Ihya’ Al-Tourath Al-Arabi, Volume 1, and other books of *Hadith*

Seek knowledge from the cradle to the grave⁷, and

Seek knowledge even unto China.⁷

25. The Right to Question

The Prophet Muhammad (PBUH) commended the women of Madinah because they always asked ‘why’ when in doubt.

Not all Muslims are able to read the Qur’an and *Hadith* in their original language (Arabic). When Imams and so called scholars teach ideas which are oppressive and nonsensical, some Muslims become cynics who completely reject Islam and what they think Islam stands for. These Muslims do not realise that owing to historical and cultural reasons that there is often a vast gap between what these preachers say and what the Qur’an and the *Hadith* really teach.

This is where it is not only important but vital that readers use a good enlightened translation and commentary of both the Qur’an and the *Hadith* and that references written by enlightened, moderate and open-minded scholars are consulted.

In the Qur’an, Allah (SWT) says he is addressing those who use their mind, who question, who debate, who contemplate and who think, and calls upon them to use their intellect to their maximum abilities more than 300 times.

Here are some examples:

And from His signs is that He created for you spouses from amongst yourselves that you may find tranquillity within them and He has placed between you love and mercy. Verily in this are signs for a people who reflect.

(Qur’an 30:21)

... truly in this is a message of remembrance to men of understanding.

(Qur'an 39:21)

... thus does Allah make clear to you His signs: in order that you may consider.

(Qur'an 2:219)

... thus do We explain the signs in detail for those who reflect.

(Qur'an 10:24)

26. Applying *Shari'ah* in Context

Shari'ah law is Islamic law, developed according to the Qur'an and it is to be applied carefully according to each individual context.

We should not generalise a ruling in *Shari'ah*.

For example, during a period when a Muslim community was poor, a woman who was so poor that she only had one dress asked permission from the Prophet (PBUH) to pray at home because she was ashamed to attend the Mosque wearing her only dress which was torn and he gave his permission. He told her that her rewards will be the same because of her special circumstances and *not* because it is better for women to pray at home!

This *Hadith* should not be taken to apply to all Muslim women in any circumstances, but should rather be made *allowable* to those in a comparable situation. After all, 'Atika, the wife of the Caliph 'Omar, prayed five times a day at the mosque.

27. Unconditional Obedience in the Qur'an

Obedience in the Qur'an is mentioned in relation to Allah's (SWT) and His Prophet's commands (PBUH).

The Qur'an stipulates that Muslims should only obey good and healthy initiatives and not any that would harm them or others.

Muslims have an obligation of unconditional obedience to Allah (SWT) and to the Prophet's commands (PBUH) but *not* to unconditionally obey commands from human beings. This applies to relationships between members of a family or a community.

For example, in the following verse God is ordering the Prophet (PBUH) to take an oath of allegiance from a group of women who came from Makkah to Madina to enter the newly-established Muslim community in Madina.

O Prophet! When believing women come to you to take the oath of *fealty* (allegiance) to you, that they will not associate in worship any other thing whatever, with Allah, that they will not steal, that they will not commit adultery or fornication that they will not kill their children, that they will not slander, intentionally forging falsehood and an unjust matter, then do you receive their *fealty* and pray to Allah for the forgiveness (of their previous sins): for Allah is Oft-Forgiving, Most Merciful.

(Qur'an 60:12)

In this example, there is no mention of the husband's consent or permission. It is the final verse on the issue of obedience. Women had the right to speak for themselves, to take the decision to become part of the Islamic State themselves without any need to get consent from their husbands.

Mutual consultation is an Islamic principle expressed throughout the Qur'an. This applies at all levels of society, from rulers and leaders to relations within families.

We know from the *Sirah* of the Prophet (PBUH) that when his wife 'Aishah (r) upset him badly he would leave his one room home and sit outside on the step until she had cooled down. His friend, 'Omar Ibn Al-Khattab, emulated this behaviour with his wife 'Atika. This was in an era when violence by men against their wives was common practice.

28. Responsibility

Islam considers every member of society to be responsible for himself/herself, family and society.

Ibn 'Omar reported:

I heard the Messenger of Allah say; “Everyone of you is a ruler and everyone of you shall be questioned about those under his rule; the *king* is a ruler and he shall be questioned about his subjects, and the *man* is a ruler in his family and he shall be questioned about those under his care, and the *woman* is a ruler in the house of her husband and she shall be questioned about those under her care, and the *servant* is a ruler so far as the property of his master is concerned and shall be questioned about that which is entrusted to him”.

(As mentioned in all books of *Hadith*)

A percentage of income is collected once a year from every able Muslim to be distributed to the needy, the sick, the students, orphans and widows. The percentage is 2.5% of savings over one year. This is what is called *zakat* (purity tax). This purifies your earnings so you would have a sense of responsibility to all.

29. The Only Grounds for Superiority are Through Piety and Knowledge

God made it clear in the Qur'an that some people can be superior to others on two grounds only: piety and knowledge.

The Qur'an states that all forms of knowledge are from Allah (SWT) and seeking knowledge is an Islamic obligation on every male and female. An important Islamic concept is that knowledge leads to piety.

The first revelation from Allah (SWT) to Prophet Muhammad (PBUH) was:

Read, in the name of your Lord, the Creator, who created man ...
(Qur'an 96:1)

He who taught (the use) of the pen, taught man what he knew not.
(Qur'an 96:4-5)

The Prophet Muhammad (PBUH) said, as recorded in the *Hadith*:

...He who leaves home in search of knowledge walks in the path of God.

...Seek knowledge though it be in China.

...Whoever honours the learned, honours me.

...Learn to know yourself.

...One learned man is harder on the devil than a thousand ignorant worshippers.

...Acquire knowledge. It enables the possessor to distinguish right from wrong, it lights the way to heaven, it is our friend in our need, our society in solitude, our companion when friendless, it guides us to happiness, it sustains us in misery, it is an ornament among friends and armour against enemies.

...The ink of the scholar is holier than the blood of the martyr.

30. Segregation

More than 200 years after *Hijrah* (200 years of the Islamic period) there was no separation of the sexes in Islamic meetings. (Siddique K, 1990, p. 53)

Previous chapters have shown that during the time of the Prophet (PBUH) women had the right to discuss and debate in mixed meetings. The Prophet himself (PBUH) encouraged his male followers to seek advice from his wife 'Aishah (r). It has also been noted that during the life of the Prophet (PBUH) there were no partitions in the mosques.

The idea that “even decent Muslim men and women, engaged in the acquisition of knowledge, should be separated from each other”, has been described by Dr Kaukab Siddique as “decadence” (Siddique K, 1990).

Dr Siddique considers that it must have taken centuries for these changed practices to plant themselves in the Muslim mind.

If one were to estimate when the decline in the status of women in Muslim lands began, Dr Siddique believes it would coincide with an event of great symbolism as well as historical impact. He states that in 1258 AD, Hulaqu Khan plundered Baghdad and set fire to the greatest library in the civilised world. At this time Baghdad was a centre of learning which stored knowledge that had been accumulated since the dawn of time and held centuries of scholarship. Dr Siddique draws a parallel between the destroyed knowledge and the lost status of women.

31. Consulting Women

The Prophet (PBUH) did not hesitate to consult women and follow the advice given by the wise among them.

Here is one good example:

Um Salamah was a wise woman and a sound advisor. She counselled the Prophet (PBUH) on the ‘Day of Hudaibiyah’, when he made a treaty with the people of Makka (Makkah). One of the conditions was that the Prophet (PBUH) agreed that the Muslims would not proceed with the ‘*Umra* non-obligatory *Hajj*⁸ and would not enter Makkah.

The Muslims were very upset because they had prepared for the ‘*Umra* through special requirements of prayer and dress, by bringing animals to sacrifice and by making a declaration of intent to Allah (SWT). They were very shocked at how generous the Prophet (PBUH) had been to the Makkans in making this agreement.

When the Prophet (PBUH) told his companions to sacrifice their animals and cut or shave their hair according to what the ritual demanded, his followers remained upset and did not comply. This was a procedure which should have been performed after the ‘*Umrah*. Not one of them got up to do so, even after he told them three times.

The Prophet (PBUH) was very distressed and when Umm Salamah asked him what had happened, he told her. Her response was, “If you want them to do that, you must leave them and not say a word to any of them until you have slaughtered your animal and called your barber to shave your head”. Following her advice, when the companions saw him they all rose and followed his example and the problem was resolved.

The Qur’an is full of praise for many women for their wisdom, piety and justice, including rulers such as Bilqis, the Queen of Sheeba. In Egypt, several days mark the achievements of women. Some are even public holidays, e.g., ‘Women’s Day’ is the day that celebrates the modern movement for the emancipation of women in 1919 by a group of Egyptian women intellectuals, which was led by Mrs Hoda Sha’rawi. Egypt also celebrates the birthday of Qasim Amin in honour of his

⁸ *Hajj* is the annual pilgrimage to Mecca.

declarations that the rights of women in the Qur'an should be fully re-implemented in the twentieth century.

32. The Meaning of Welaya

In the Qur'an, Allah (SWT) states, "The believers' men and women are *protectors* (in charge) of one another. They enjoin what is right and forbid what is wrong". (9:71)

Welaya means accountability and responsibility, not superiority or control!

Men are the protectors and maintainers of women, because Allah has given one more (strength) than the other, and because they support them from their means ...
(Qur'an 4:34)

There is reference here to women who have no means of their own and who have to rely on their men during pregnancy, child-rearing etc.

The word *qawamoon* (Arabic for 'protectors') is wrongly interpreted by some as meaning of higher or superior degree.

Asma' bint Abu Bakr's husband became an invalid. She worked outside her home, did all the errands, maintained her husband and paid the annual *zakat* (tax due to the poor). In this case, Islam does not consider anything strange about partners being protectors of one another.

... and women shall have rights similar to the rights against them, according to what is equitable ...
(Qur'an 2:228)

The Qur'an has given Muslims the principle of *shura* (mutual consultation) as the basis for all their dealings. It is a sign for Muslims that "their affairs are by mutual consultation ... ", (Qur'an 42:38).

33. Basis for Marriage

The Qur'an tells us that marriage is built on affection and mercy.

And from His signs is that He created for you spouses from amongst yourselves that you may find tranquillity within them and He has placed between you *love* and *mercy*. Verily in this are signs for a people who *reflect*.

(Qur'an 30:21)

The believers, men and women, are protectors, one of another: they enjoin what is just and forbid what is evil.

(Qur'an 9:71)

Allah (SWT) is "He who created Life and Death, that he may test which of you is best in deed: and He is the Exalted in might. Often-Forgiving"

(Qur'an 67:2)

The Prophet (PBUH) says:

The most complete of the believers in faith are the best of them in moral excellence, and the best of you are the best to their wives.

(Hadith)

Marriage in Islam is a partnership **NOT** a dictatorship.

34. Violence Against Wives

Islam condemns violence in any form against all living beings, especially women. The Prophet (PBUH) never raised a hand against a woman, child, youth or anyone for that matter.

The interpretation of the word *daraba* in the (Qur'an 4:34) should follow the line from the previous verse which advises verbal admonition, then keeping one's distance and then finally separation.

The word *daraba* in Arabic has 17 different meanings. Its meaning in any context is taken from that context, and in understanding the Qur'anic text we have to look at both the preceding verse and the following verse. If we do, in this instance, our interpretation of the word *daraba* would be that one should forsake and abandon their spouse completely if verbal admonition and separation in bed did not work: divorce is the final stage.

All Muslims agree that Prophet Muhammad (PBUH) was the living Qur'an. He would never go against the teachings of the Qur'an. When his wife upset him badly, he would go outside his one room home and wait until she had cooled down or had time to reflect on the situation.

The Prophet (PBUH) says, "How can you beat your wife and then be intimate with her?" We know that in many cases the *Hadith* was told to clarify a Qur'anic injunction. Accordingly we must be guided by the *Hadith* and state that *daraba* here means 'to shun, stay away from or leave her altogether'.

We also have to remember the numerous *Ahadith* which forbid violence of any kind against women.

In the early period when women came to the Prophet (PBUH) complaining about their husbands' treatment, he told them:

They are not from us those men who hit their wives.
(Hadith)

The powerful person is not the one who strikes. He who is powerful is the one who is able to control himself at the time of anger.
(Hadith)

Violence against wives is punishable by Australian law. Chapter 80, 'Relevant Sections of Australian Law', gives further information.

35. Women and Knowledge

The Qur'an specifies that seeking knowledge is a religious duty and requirement for every Muslim male and female.

As mentioned earlier, the Prophet (PBUH) encouraged his disciples to take half their knowledge from "this little redhead", meaning his wife 'Aishah (r) who always attended his teaching sessions with his companions.

Abu Musa Al-Ash'ary said, "Whenever we (the companions) disagreed about a *Hadith* or *Sunnah* of the Prophet (PBUH), we would go to 'Aishah (r) as a reliable source and find she has the right knowledge about it".

She was a teacher of men and women. In turn her students, men and women, taught others how to behave and how to govern, and how to organise the Muslim family and social life.

'Aishah (r) was also known to possess an incredible memory: she memorised all the tribes' lineage, all the famous poetry of the time and was an authority on the history of the people of Arabia.

Hafssa, daughter of 'Omar, was a woman of exceptional qualities as well, which is why the Prophet (PBUH) appointed a teacher for her: Shifa' Bint Abdullah Alqurashiyah to teach her at home. Abu Bakr the first guided Caliph chose Hafssa as the trusted custodian of the full manuscript of the Holy Qur'an.

Another woman who was outstanding in the field of knowledge was Al-Azizah bint Hayyan. She was the first woman scribe, historian and teacher of the art of writing and binding books at the time of the Caliph

Al-Ma'moon, son of the great Caliph Haroon Arrashid (early Abbasid period 750-847 AD). She was a contemporary of Imam ibn Hanbal.

36. Conditional and Restricted Polygamy: When and Why?

Initially, permission to take more than one wife came when the Muslims were in Madinah after more than 18 years of *da'wah* (Islamic Mission) and after the battle of *Uhud* when more than a third of the Muslim men were killed. The Qur'an permitted marriage to more than one of the orphans and widows and *only* if you can be fair to each one. This was to protect the Muslim community from disintegration and to protect orphan females and widows. The Prophet (PBUH) asked the old widow of one of the martyrs to marry him and her answer was, "I am too old and I have many children". To which he replied, "I will look after you, and your children will be as my children".⁹ So according to *Shari'ah* law, there has to be valid reasons for taking a second wife, but the first wife must be consulted and if she refuses to share her husband, she can ask for a divorce and get her full rights. Before the advent of Islam, there was no limit on the number of wives or concubines a man could have.

In Tunisia, in 1957, religious scholars decreed that if a man took a second wife he would be charged and imprisoned for 18 years. Their decision was based on a verse in the Qur'an:

... but if you fear that you shall not be able to deal justly (with them), then *Only One*, or that which your hands possess. *That will be more suitable, to prevent you from doing injustice.*
(Qur'an, 4:3)

It is important to note that the founders of the four Sunni Schools of Thought: Imam Abu, Hanifa Imam Ash-Shafi'i, Imam Malek and

⁹ Adopted children do not change their father's name in Islam.

Imam Ibn Hanbal, each married only one woman. (Imam Ibn Hanbal married three times, each time after his wife had passed away.)
(Amr Khaled, *A Call to Co-Existence*¹⁰, 2007)

Sukayna, the great granddaughter of Prophet Muhammad (PBUH) stipulated in her marriage contract her right to divorce her husband if he took another wife.
(Confirmed by Sheikh Muhammad Al-Ghazali)

It is an offence to be married to more than one person at one time in Australia. See Chapter 80, 'Relevant Sections of Australian Law', for further details.

37. Why Modesty First For Men?

Before commanding Muslim women to guard their modesty, Allah (SWT) taught Muslim men to be pure of mind and modest in their behaviour.

Tell the believing men to lower their gazes and to guard their private parts. That will make for greater purity for them: And Allah is well acquainted with all they do.
(Qur'an 24:30)

Jarhad narrates that the Prophet (PBUH) passed by him and saw him with his thigh uncovered. The Prophet (PBUH) said, "Cover your thigh, for it is part of what should be covered".
(Hadith)

Jarir Ibn 'Abdullah narrates, "I asked the messenger of Allah (PBUH) about the wandering look which falls by mischance (on a woman) He said, 'Turn your gaze away'."
(Hadith)

¹⁰ *A Call to Co-Existence* is a television program which illustrates the lives and philosophy of the four great Imams of the Sunni Muslims.

The model of modesty commended by Prophet Muhammad (PBUH) was that of the Companion ‘Usman Ibn ‘Affan and not that of a woman.

In an oppressed society the behaviour of women reflects the desires of the men. Unless the men change their behaviour, the social system will not change.

38. Women of the Prophet’s House (PBUH)

Women of the Prophet’s house (PBUH) held a special place as they were generally an example for other women to follow. They also took upon themselves the duty of passing on and teaching the message of Islam.

Due to their exemplary position they had to follow stricter rules dictated by special circumstance; as stated in the Qur’an, “You are not like other women”. However, these rules did not need to be followed by all women; e.g., wearing the face cover when travelling. As outlined by the Prophet himself (PBUH), other women were not required to cover their face and hands at any time.

“If a woman reaches the age of puberty, no part of her body should be seen, but this and that”, and he pointed to his face and hands.
(*Hadith*, narrated in Al-Bukhari)

We also know that when Asma’bint Abu Bakr reached puberty the Prophet (PBUH) advised her to cover. When asked what should be seen of a woman’s body he pointed to the hands and face.

These teachings are still acknowledged, for example, in February 2001, on Saudi Television, religious scholars advised women not to cover their faces and hands during the *Hajj* rituals.

However, it is a woman's modest conduct and humane treatment of others that portrays the degree of her commitment to her faith. Ultimately, God is the final judge of her purity and good intentions.

For more information, see Chapter 39, 'Covering for Muslim Women', and Chapter 40, '*An-niqab* (The Face Cover)'.

39. Covering for Muslim Women

The accepted way of dress for all women living in Arabia before Islam (Jewish, Christian and pagan) was with the head covered to provide protection from the sun, along with a full sleeved dress, also for the same reason. This became the traditional mode of dress.

More than 18 years after the beginning of the Islamic message circumstances arose which necessitated a divine intervention to protect women from the un-Islamic behaviour of the pagan Arabs, and even Muslims who had newly embraced Islam but had no concept of the Islamic code of behaviour, which shows respect for a woman's dignity and right of choice.

In pre-Islamic pagan Arabia, there was no protection for a woman going about her business in the street unless she belonged to a powerful man, such as a father, husband or brother, etc. Women fell into two categories: *al-muhassanat* (the protected) and *ghair al-muhassanat* (the unprotected). The unprotected were often forced into prostitution through poverty, and were considered 'fair game' for unwanted attention.

So in Makkah, *Al-muhassanat* were protected by the fact that everyone knew who everyone was. When the Muslim community migrated to Madinah, there was confusion. Women were being accosted by newly arrived Bedouins who were seeking to embrace Islam, but as yet knew nothing about the moral codes of conduct dictated by it. The Islamic

code of behaviour did not differentiate in respect and treatment between women, whatever their station in life.

To solve this problem, a verse concerning women drawing their veils over their *Juyoub* (opening of their dresses around the neckline) was revealed to the Prophet (PBUH) in Madinah for these very special circumstances.

The stipulation for Muslim Women's dress is modesty and decency.

And say to the believing women, that they should lower their gaze and guard their modesty, that they should not display their beauty and ornaments except what ordinarily would appear thereof; that they should draw their veils over their bosoms and not display their beauty except to their husbands, their fathers, their husband's fathers, their sons, their husband's sons, their brothers, or their brother's sons etc. (Qur'an 24:31)

This form of dress identified them as *Al-muhassanat* who were out on the street to do their own errands or visiting others and not for the reason of seeking a male protector.

Abdullah Yusuf Ali's commentary 2984 on Chapter 24, Verse 31 includes:

The need for modesty is the same in both men and women. But on account of the difference of the sexes in nature, temperament and social life, a greater amount of privacy is required for women than men, especially in the matter of dress. (1990, p. 1012)

40. *An-niqab* (The Face Cover)

Its Origin and Status in Islamic Jurisprudence¹¹

An-niqab, the face cover, came about as a temporary requirement at the beginning of the introduction of Islam in Madinah.

During the last few years *an-niqab*, a dress that some Muslim women use to cover their bodies from head to toe, has been criticised and has become a tool in the hands of those who enjoy branding Islam as a reactionary religion belonging only to the Dark Ages. So, let us go back in time and trace the path that the early Muslim community went through in order to come to terms with the development of such a dress.

It is a historical fact that the Arabs of pre-Islamic era had no limits in committing any kind of atrocity or ill behaviour. Fornication, rape and excessive alcohol drinking were common practices. The Prophet (PBUH) started to preach his message in Makkah and after thirteen years of persecution and intimidation by Makkah's pagans, he and the limited number of his followers immigrated to Madinah there they were guaranteed a safe haven by the leaders of its two major tribes, the Khazraj and Aws.

Although members of both tribes became Muslims, a great number of Madinah's inhabitants including the minority Jews, did not accept Islam. Unfortunately, the Muslims at the time did not have the power to stop Madinah's pagans from behaving as they liked, namely raping slave women. Further, while residents of Madinah had no problems in recognising their local slaves, the Muslim immigrants were new faces in Madinah, and were therefore at risk of being mistaken as slaves and raped. God commanded:

O Prophet! Tell your wives and daughters and the believing women to draw their veils close to them (when they go abroad); so it is likelier they will be known, and not hurt. God is ever forgiving, Merciful.

(Qur'an 33:59).

¹¹ Research for this chapter was conducted by A Farouk Alfakhrany.

In his commentary on this verse, Ibn Katheer, (2nd century *Hijrah*) one of the early Muslim scholars, explains that at the time, the wicked and debaucherous amongst the non-Muslims used to go out during the night hunting for the unfortunate women who had to go out in response to the call of nature. At the time people used to live in homes with no toilets as we know them. So, people used to go to a place sheltered by trees or away from the sight of passers by.

Although the above verse does not point to such an interpretation, nevertheless, it served to save the dignity of all Muslim women, free and slaves alike. At that time, slave women embraced Islam like many Arabs of all walks of life. This is confirmed in the Qur'an, 2:221, 4:25 and 24:32. Certainly, members of the community at large must have known who this or that woman was, to whom she was related or married and whether she was a slave or a free woman. However, to cover the face made the task of recognising who is a slave and who is not impossible and hence this was a guarantee of safe passage for the Muslim women, regardless of their status.

Day after day, Islam started to take hold in Madinah and many other regions in the Arabian Peninsula. The Muslim community got stronger and became the dominant power, which made non-Muslims fear the consequences of the actions that had violated the Muslims' human rights. To my understanding, once the Muslim community reached the stage when the reason for abiding by this command was eliminated, God the All-Merciful found no reason for the Muslim community to suffer such hardship. God revealed to His Prophet (PBUH):

And tell the believing women to lower their gaze and guard their private parts, and reveal not their adornment save that which is apparent and to draw their veils over their bosoms ...
(Qur'an 24:31).

Commenting on this verse, Ibn Katheer brings to our attention what was attributed to Ibn 'Abbas as saying that those apparent parts which the Muslim women are permitted to reveal are the face and hands. This is

supported, as Ibn Katheer states, by *Hadith* (the Prophet's sayings, PBUH) narrated by 'Aishah (r), the Prophet's wife (PBUH), and conveyed by Abu Dawood. It said that one day Asma', daughter of Abu Bakr, faced the Prophet (PBUH) while wearing sheer clothing. The Prophet (PBUH) turned his face away and said, "Lo Asma'! Once a woman has reached menstruating age, nothing should be seen of her except this, and he pointed to his face and hands". This conclusion is agreed upon by all early schools of Jurisprudence, Sunni and Shi'ite alike.

One could ask "How is it that the *an-niqab* (Muslim dress) is still being worn till this very day?" Although God Almighty has made it clear that He appointed Muslims as a modest nation (Qur'an 2:143), we find that like all other religions, Islam has amongst its adherents those who are termed as extremists, who are men and women alike. Whenever this issue is raised, I always reply by asking, "If *an-niqab* was ordained by God Almighty for Muslim women to wear, how on earth could the Prophet (PBUH), or any man for this matter, determine if a woman is beautiful or not, when she is covered?" God commanded his Prophet (PBUH):

It is not allowed for you to take (other) women henceforth, neither for you to change them for other wives even though their *beauty* pleased you ...
(Qur'an 33:52).

The command to cover up for modesty was issued at the time when the Muslim community in Madinah was being established. Later, when the Muslim community had become powerful enough to face internal and external threats, there was no longer any need for the protection provided by the *an-niqab*. This happened after the Prophet (PBUH) married Safiyyah daughter of Hoyayi Ben Akhtab, which was soon after the battle of Khaybar in year 7H, as stated in *History by At-Tabari*.¹²

¹² Ibn Jareer At-Tabari was an early and well respected Muslim scholar and historian.

Historically, the *an-niqab* was adopted to protect Muslim women from the harassment and attacks by the pagans. Today, it brings negative attitudes to women wearing it, not only in western countries but also in a number of Islamic countries.

God Almighty in His compassionate way of treating us, made it absolutely clear that He “Desires ease for us, and desires not hardship for us.” (Qur’an 2:185).

The *an-niqab* makes it impossible to identify the woman who wears it. This anonymity can encourage and assist opportunities for deception and fraud. Hence the wearing of the *an-niqab* today may be met with distrust as it can be interpreted as potentially facilitating dishonest conduct or behaviour.

Since those early days of barbarism and unenlightenment, the reason for adopting *an-niqab* has been reversed. Today, the negative aspects of *an-niqab* far outweigh any other considerations.

41. Lecturing to a Mixed Congregation

A woman may lecture to a mixed congregation or recite the Qur'an to a mixed audience.

'Aishah (r) and other female *sahabiyyat* (companions or associates) conducted study circles during the time of the Prophet (PBUH), the four guided Caliphs, and later on into the golden age of the Islamic empire.

A woman's voice is not an '*awra*'¹³ if she is not engaged in unseemly laughter or coquettish behaviour.

There are annual Qur'an recitation competitions in many Muslim countries where women compete and win. There are also many women orators, engaged in public speaking and lectures.

42. Equality

Despite cultural, racial and general differences, Islam promotes equality between genders and races.

O! Humankind! We created you from a single soul of male and female, and made you into nations and tribes, so that you may know each other (not that you may despise one another). Verily, the most honoured of you is the one who is most righteous. And Allah has full knowledge and is well acquainted (with all things).
(Qur'an 49:13)

God rewards each individual, male or female, for his or her own deeds. Every Muslim is answerable only to God for his or her own deeds or misdeeds.

¹³ '*Awra*: a woman's voice is considered by some rigid thinking individuals to be too tempting to be heard in public forums!

For Muslim men and women,
For believing men and women,
For men and women who give in charity,
For men and women who fast (and deny themselves)
For men and women who guard their chastity and
For men and women who engage much in God's praise,
For them has God prepared forgiveness and great reward.
(Qur'an 33:35)

... Never will I suffer to be lost the work of any of you, be he *male* or *female*: you are members one of another.
(Qur'an 3:195)

Whoever works righteousness, man or woman, and has faith, verily to them will we give a new life, a life that is good and pure and we will bestow on such their reward according to the best of their actions.
(Qur'an 16:97)

Australian law upholds the principle of equity and contains provisions against discrimination. These are outlined in Chapter 80, 'Relevant Sections of Australian Law'.

43. Duties of a Marriage Celebrant in Australia

The Australian Marriage Act defines three categories of marriage celebrant. The first category refers to ministers of religion, of what are called ‘recognised denominations’ under the Act. These marriage celebrants are registered by State and Territory Registries of Births, Deaths and Marriages to perform marriages according to the religious rites of their religious organisation.

Islam is a recognised denomination under Section 26 of the Act, so Islamic marriage celebrants who are registered are permitted to perform marriages according to the rites of Islam only.

Imams are put forward for registration by the Australian Federation of Islamic Councils (AFIC) which is the nominating authority for Islam in Australia. Part of this registration obligates them to comply with the requirements of the Marriage Act in completing documents such as the Notice of Intended Marriage and registering all marriages they perform. A list of registered marriage celebrants can be found on the Attorney General’s Department website at: <www.ag.gov.au/celebrants>.

Under *Shari’ah* law it is the duty of the marriage celebrant to make certain that the bride has not been forced to accept the marriage.

The Prophet (PBUH) instructed that every bride to be must be consulted and her acceptance must be heard by the marriage celebrant directly, and not only given by her nearest male relative. The marriage celebrant must also advise both bride and groom of their Islamic rights and duties towards each other.

It is also important to note that the *mahr* (bride gift or dowry) belongs to the bride alone and to *no one else*.

In order to be legally married in Australia a couple must be married in accordance with the requirements of the *Marriage Act* (1961). These

requirements are summarised in Chapter 80, ‘Relevant Sections of Australian Law’.

44. Witnesses

The idea that, according to old Islamic interpretations of *Shari'ah* (Islamic law), one male or two female witnesses are accepted in court is not correct. This injunction pertained to trade contracts only and women at the time almost never engaged in business at that level. By applying the principle of *ijtihad* now, it is generally recognised that a witness (male or female) is acceptable in most Muslim courts, regardless of the case.

Shifa' bint Abdullah Al-qurashiyah was appointed as inspector of the markets, by 'Omar, the second Caliph. This was where great men like Othman traded, She was the arbiter, or judge, over the traders.

The scholar Ibn Hazm confirms the equal rights of women to bear witness and to judge.

Women have been making progress in senior participation in legal systems in many parts of the world:

- Australia's first female judge, Roma Mitchell, was appointed to the Supreme Court of South Australia on 25 September 1965.
- Mary Gaudron became the first woman judge to be appointed to the High Court of Australia on Friday, 6 February 1987.
- Muslim women have been appointed judges in Morocco, Syria and the Sudan since the early 1960s.
- The end of the 20th century saw the formation of an Egyptian Women's National Council to advise the Egyptian president on women, family and welfare issues.

- The Egyptian High Court announced the appointment of 31 women judges for the Family, Civil and Trade Courts on Egyptian Woman’s Day, 16 March 2007.
- Mrs Hani Al-Gibaly, a Muslim woman, was appointed as a member of the Egyptian Constitutional High Court.
- In 1975, Shirin Ebadi, at the age of 28, became the first Iranian woman to be appointed as a judge (to the city court of Tehran). Later, in 2003 she became the first Muslim, female, winner of the Nobel Peace prize.

45. Shaking Hands

The two words *lamasa* (touch) and *laamasa* (touch intimately for a prolonged period) are often confused by some religious teachers. Because of this confusion, it is sometimes incorrectly claimed that men and women may not shake hands.

However, Imam Abu Hanifa says that men and women *may* shake hands without losing *wudu*’ (purity necessary for prayer, ablution). (Qur’an 4:43)

For Muslims, intention is very vital, so if the intention to shake hands is in greeting, as Imam Abu Hanifa explains, then this does not require a renewal of *wudu*’.

Other forms of intimate touching, i.e. *laamassa*, require *tatahur* (a complete full bath) as indicated in the verses below and in Qur’an 5:6.

O you who believe approach not prayers in a state of intoxication, until you can understand all that you say, nor in a state of ceremonial impurity except when you are passing by (through the mosque). Until after washing your whole body. If you are ill, or on a journey, or one of you comes from the privy, or you have been in contact with women (intimate) and you find no water, then take for yourselves clean sand

(or earth) and rub with it your faces and hands. For Allah does blot out sins and forgive again and again.
(Qur'an 4:48)

46. *Noshooz* and *Nashez*

The word *nashez* is an adjective derived from the word *noshooz*, which means an immoral act. A person who commits an immoral act is a *nashez*, and does not refer to a woman who does not obey her husband, as commonly misinterpreted.

Manipulating the meaning of the word depending on gender is unacceptable, linguistically and religiously. *Taqwa* (God consciousness/Piety) is not determined by gender.

O humankind ... have *taqwa* towards Allah in whom you claim your rights of one another [and] have *taqwa* towards the wombs (that bore you).
(Qur'an 4:1)

47. Divorce

Under *Shari'ah* a Muslim woman has the right to request and be granted a divorce on several grounds including: physical, psychological, or verbal cruelty.

Also, if a husband and wife are incompatible, or the husband refuses to provide financial support, or if he leaves their home without her consent for more than three months, the wife can proceed with divorce. Note that *Shari'ah* considers a husband's neglect, such as this, to be a threat to the bond of marriage, as it may tempt the wife to seek *Al fitnah* (other sexual relationships).

Divorce in these cases is the wife's Islamic right. She does not have to be humiliated and tormented by the judge or the Imam to be granted a divorce. That is of course after fulfilling the Islamic recommendation of having someone from his family and someone from her family (or, now, a professional counsellor) to try to reach reconciliation. But, if counselling fails then it is the wife's right, according to Islamic law, to obtain a painless and honourable divorce.

And live with them in kindness (your wives) or leave them in kindness.
(Hadith)

Turn not away (from your wife) altogether and so leaving her hanging and if you were to set things right (between you) and have piety, for verily Allah is Most forgiving and most Merciful.
(Qur'an 4:129)

For a divorced woman is due a suitable gift, this is a duty on the righteous.
(Qur'an 2:241)

In March 2007, the Board of Egyptian Religious Scholars came to an agreement that it is no longer feasible or practical to accept verbal

divorce. Divorce has to be in front of a marriage celebrant or a judge with both spouses in attendance. This is a good example of *ijtihad*.

A Muslim woman in Australia may have undergone two different ceremonies to contract a lawful marriage in the eyes of both their own cultural-community and also to comply with the Australian legal system.¹⁴ The civil ceremony is prescribed under the *Marriage Act*.¹⁵

Secular divorce is governed by the *Family Law Act 1975* (Commonwealth). Under that Act, there is a single ground of divorce: irretrievable breakdown of marriage.¹⁶ This can be proved only in one way, that is, by proving that the parties have been separated for one year immediately prior to the filing of the application.¹⁷ In effect, then, the ground is one year's separation. With one exception, when the ground has been established, the court *must* grant the divorce unless it is satisfied that the parties are likely to reconcile.¹⁸ It has no power to delay or refuse the divorce. The exception relates to children. Where there are minor children, the court may refuse or delay the divorce if it is not satisfied that proper arrangements have been made for the children.¹⁹

Under the present law, therefore, if one party seeks a divorce and the ground is established, the court cannot as a matter of law refuse the divorce on the ground that one party has refused to do what is necessary to allow the other party to re-marry under the relevant religious law.

For further information see Chapter 80, 'Relevant Sections of Australian Law'.

¹⁴ Hasan, A 1999, 'Marriage in Islamic Law - A Brief Introduction', *Family Law*, March, 164.

¹⁵ Mirza, Q 2000, 'Islam, Hybridity and the Laws of Marriage', *The Australian Feminist Law Journal*, Vol. 14, 3.

¹⁶ Subsection 48(1).

¹⁷ Subsection 48(2).

¹⁸ Subsection 48(3).

¹⁹ Section 55A.

48. Some Honoured Muslim Women

Many mosques, schools and streets in many Muslim countries bear the names of outstanding Muslim women in recognition of their valuable contribution to society. Following are some examples:

Egypt

Girls' high schools

- Nabaweyya Moussa Girls' High School
- Huda Sha 'rawi Girls' High School

Mosques and religious centres

- Sayyeda Nafissah Mosque
- Sayyeda Zeinab Mosque
- Rabi'a Al-'Adawiyya Mosque

Main streets

- Safiah Zaghoul Street
- Jamila bu Hrade Street

Lebanon

Girls' schools

- Al-Zahrah
- Sayyeda Hafsa
- Sayyeda 'Aishah
- Rabab El-Sadre

Mosques and religious centres

- Sayyeda 'Aishah
- Sayyeda Zeinab
- Rabi'a Al-'Adawiyya School and Centre

Syria

Girls' schools

- Sayyeda Hafsah
- Um El-Kheir
- Sett Al-Kiram
- Sereeha Al-Hajj Ali

49. *Haram* (Forbidden), *Makrouh* (Not recommended), and *Tahloukah* (Mortal Danger)

It is not *haram* (forbidden) for men to wear gold or silk but it is *makrouh* (not recommended) as wearing both gold and silk in the early days was a sign of flaunting great wealth and vanity. However, silk was allowed for men suffering from an itch or an allergy.

Smoking is considered *makrouh*, i.e. to be shunned only, because it was not known at the time of the Prophet (PBUH) but if we apply Islamic principle, we find that it is really *haram* (forbidden) as it pollutes and harms the body of the smoker and those around. It also falls under the heading of squandering money and harming the body that God gave us as an *amanah* (trust).

The same applies to all forms of addictive drugs, which play havoc with the brain and ruin health.

However the Qur'an directs that we should preserve life and not throw ourselves in the way of *tahloukah* (danger). It also confirms the sanctity of life and that only Allah (SWT) is the one to decide to end a life.

Suicide is *haram* (forbidden) in Islam, to take one's own life is an unforgivable act of defiance against one's Creator.

50. *Ijtihad (Endeavour)*

Ijtihad (endeavour to adapt the *Shari'ah* law to present day situations) has not ended after the 8th Century *Hijrah* by the death of the four scholars of Islamic jurisprudence, as some rigid thinkers claim.

Muslim reformists and enlightened scholars have repeatedly ascertained that there is no time limit on *ijtihad*. *Dr Yusuf, Al-Qaradawi*, the foremost leading figure of *Shari'ah* law has endorsed the concept of 'Shari'ah of the Time'.

... young Muslims should be fully aware of the issues which are open to disagreement and those which are not. But more importantly, they should know the standard norms of behaviour practised in settling differences and disagreements. They must learn the ethics of disagreement, which we have inherited from our former imams and scholars. We must learn from them how to be open-minded and tolerant toward those with whom we disagree about subsidiary religious matters. How we can differ and disagree yet remain united brothers who love and respect each other and who refrain from exchanging accusations. First of all we must realise that disagreements on marginal and subsidiary matters and issues are natural. There is indeed a Divine wisdom in making a few *ahkam* to those rulings in *Shari'ah* categorical in both their definitiveness and meaning, and in making hypothetical ones which constitute the bulk of *ahkam* and on which there is a broad scope for fruitful disagreement.

(Al-Qaradawi, 1991, pp. 117-118.)

A *mujtahid* is a learned person who endeavours to seek the truth. God promises such a person ten rewards if his deductions are right, but two rewards only for his efforts even if he has erred in his deductions. The rewards are also given who have been guided by his findings. (*Hadith* narrated by the Mufti of Egypt, Sheikh Dr Ali Goum'a)

51. Which Translation of the Qur'an?

The Noble Qur'an is **NOT** an accurate translation of the Holy Qur'an.

It is a personal, rigid and inaccurate interpretation by Dr Muhammad Taqi-ud-Din Al-Hilali and Dr Muhammad Muhsin Khan and was first published in *Makkah* (Mecca) in 2003. In some places the translators have added to the original text negative and misleading interpretations concerning non-Muslims and women in particular derived from pre-Islamic tribal traditions. *The Noble Qur'an* is widely distributed and is harmful to the tolerant spirit of Islam.

To date, the best and most accurate translations of the Qur'an are those by:

- Abdullah Yusuf Ali
- Mohammad Asad
- Marmaduke Pickthall.

It is interesting to note that the first accurate translation of the Qur'an into the French language was in the 20th century AD by the Muslim Egyptian female scholar: *Dr Zainab Abdel-Aziz*.

52. Following The *Sunnah*

Sunnah means the way of the Prophet (PBUH)

To emulate his *Sunnah* is not to try and adopt his appearance, but his conduct and morals in dealing with non-Muslims, women, children and youth. To him a smile was a *sadaqah* (charitable act). He took extra care of orphans, took every opportunity to free slaves and to advise and admonish men against ill treating women. He also helped at home by mending his own shoes and clothes and other work. He was the first with greetings even to youth and children. He took particular interest in

the welfare of his neighbours even the non-Muslims among them. He valued cleanliness and orderly behaviour above anything.

Feed the hungry, visit the sick and free the captive if he is unjustly confined. Assist any oppressed person whether Muslim or non-Muslim.

‘Aishah (r) relates that the Prophet (PBUH) said, “Gabriel kept reminding me to be good to my neighbour, so persistently that I thought he would declare my neighbour my inheritor.”

Assist your Muslim brother whether he be an oppressor or an oppressed.

“But how shall we do it when he is an oppressor?” asked the *sahabah* (male companions).”

The Prophet (PBUH) said, “Assisting an oppressor is by forbidding and restraining him from oppression”.

(*Hadith* from Sahih Al-Bukhari)

The *Sunnah* of the Prophet (PBUH) reveals that he used to assist his wives in household duties. But most modern scholars have not had the probity to suggest that the practise of men lending a helping hand in the home is to be recommended or even required in certain circumstances. Most men are content to ignore this and selectively emphasise whatever in the *Sunnah* serves only their interests. The Prophet (PBUH) praised men who controlled their anger and those who displayed extreme mercy, compassion and generosity.

53. Functions of the Mosque

In the early period of Islam the Mosque functioned as a prayer hall, a meeting place, a parliament, a *madrasah* school, and a refuge for the wayfarer, the sick and the poor.

There was no wall or curtain, partition or *purdah* (an Indian term used when Islam reached India which is now used in the Indian sub-continent) to separate praying men from praying women.

Abu Musa Ash'ari narrates, "The messenger of Allah (PBUH) led us in prayer. After the Salam (to conclude the prayer) he beckoned to us to wait, so we sat down. Then he said to us, "Allah Almighty has revealed to me to command you to be aware of Him and to speak truthfully, strongly and to the point." Then he went over to the women worshippers and said, "Allah has revealed to me to command you to be aware of Him and to speak truthfully, strongly and to the point, O Believing women." (*Musnad* of Ahmad Ibn Hanbal, *Sunan* of Tabari and Ibn Abi Hatim)

This indicates that an entire group of women was in the Mosque to pray with the men. No curtain or wall separating the men and women is mentioned.

(Siddique K, 1990, pp. 133-134.)

Note: this also means that if imams want to emulate the Prophet's conduct (PBUH), they have to make sure women are not only welcome in the Mosque, but it is their duty to make sure that they are able to hear the sermon.

Note: A Muslim woman who has her menstrual period is permitted to perform all the rites of *hajj* except *tawaf*, which is seven circumambulations of the Ka'bah. This was the Prophet's advice (PBUH) to his wife 'Aishah (r), as it was too strenuous under such circumstances.

54. Friday Prayers

Did you know why the Friday prayer is only two *rak'aat*²⁰ instead of four? The *khutba* sermon is equivalent to the two other *rak'aat*. This is why it was recommended that women participate in Friday prayers.

The Friday sermon deals with the current affairs of the community: it informs, teaches, and shapes the character of the congregation.

It also deals with everyday problems facing members of the community; it advises and gives guidance based on the good and practical teachings of the Qur'an and the Prophet (PBUH).

The Prophet (PBUH) advised that women should attend *Jum'a* Friday prayers to listen and benefit from the sermon. He also advised women to attend the *Eid* (religious holiday) prayers (even if they were not required to pray because of their menstrual period), but they should sit behind the people praying, so they may benefit from the sermon, the supplications and share in the spiritual joy of *Eid* prayers.

55. Calling Someone a *Kafir*

A Muslim has no right to call another a *kafir* (non believer in God). God (SWT) is the only judge concerning people's *eman* (faith) and the degree of their piety.

Abu Ther Al-Ghaffari narrated that Prophet Muhammad (PBUH) said:

A man should not accuse another of debauchery or *kufr* (rejection of the faith) because the accusation would bounce back to him, if the man is innocent.²¹

²⁰ A *rak'ah* is one complete movement of prayer. *Rak'aat* is the plural form.

Islam is unequivocal in terms of ranking what it values most. Within human dimension, character and personality (*akhlaq*) are the highest priority. *Iman* (proper belief), *ilm* (knowledge), and *taqwa* (awareness of God) cannot lead to anything less than *akhlaq* (the best of character). What is routinely observed among Muslims is that rituals are emphasised more than the behavioural side. Dedication to the ritualistic as well as legalistic side of Islam without paying proper and adequate attention to *akhlaq* is not desired by Islam. Today it appears that many Muslims, due to their overemphasis on doctrinal, legal, or ritual matters, show lack of sensitivity and intolerance towards other Muslims. It is not uncommon that some Muslims have branded other Muslims as *kafir* (disbelievers) or *fasiq* (evildoers) based on their interpretation of “some” aspect of religion. Yet, in Muslims, non-Muslims, male, female, young or old, our manners are our best asset. This does not mean, however, to exclude everything else Islam commands us to value, acquire, or practice in our lives. It is no wonder that the Prophet (PBUH) said, “I was sent to perfect human conduct *akhlaq*”.

(Hadith)

(Muwatta of Imam Malik, *Hadith* No. 1614, 2nd century *Hijrah*, 9th century AD)

56. Marriage Between Cousins

The Prophet (PBUH) advises us that when it comes to selecting a spouse to go far; meaning outside the extended family. The following information may explain one of the reasons for his advice:

News Item From Riyadh: ‘Marriage Between Relatives Could Cause Blood Related Problems.’

²¹ Khan, Dr Muhamad Muhsin (Translator) 1976, *Sahih Al-Bukhari* (194-256 AH) - (810-870 AD) second edition, Islamic University Al-Madina Al-Munawwara, Saudi Arabia, *Hadith* 6045.

The head of the cooperative Centre of the World Health Organisation (WHO) in Saudi Arabia, Dr Muhsin Al-Hazmy, stated that marriage between relatives is behind many blood-related problems, and therefore making a diagnosis and test prior to marriage is important and beneficial.

[Dr Al-Hazmy told *Ad-da'wah* newspaper] that 20 percent of the people are infected with hereditary diseases in Saudi Arabia, and added that even if the people intending to get married are not related, it is still advisable that they should be examined for any possible hereditary disease that could possibly be passed on to their children.

(February, 2001, via website:

<<http://www.islamicvoice.com/april.2001/news.htm>>.)

57. *Ahlul-wassat* (People of the Middle Path, of moderation)

Muslims are called by Allah (SWT) *Ahlul-wassat* (People of the Middle Path) because they are expected to be moderate and not either rigid fanatics or loose and immoral.

Prophet Muhammad (PBUH) said,

Beware of extremism in your religion. Islam is the middle way between excess and neglect.

I fear for my *Ummah* (nation) misleading imams.

(*Hadith*, Tirmidhi)

An imam could be a person, a book, a principle, or a slogan or someone or something you follow and are guided by in complete faith.

O! You who believe! Stand out firmly for justice, as witnesses to Allah, even against yourselves, or your parents, or your kin and whether it be against rich or poor. For Allah can best protect both. (Qur'an 4:135)

58. A Muslim's Responsibility

The responsibility of every Muslim male or female is to seek knowledge to be able to understand the Qur'an and to research the *Hadith* themselves or maximize their knowledge with the assistance of enlightened scholars. The Qur'an states that we are responsible for the imams we follow.

There are no ordained priests in Islam, but only religious teachers.

The Qur'an addresses human beings who think, meditate, contemplate and use their minds to achieve knowledge, reach the truth and an enlightened state of mind. Each individual is responsible for his/her beliefs, creed and actions.

Whoso is given the wisdom, has been given much good. Yet none remembers but those who are possessed of *sound mind*.
(Qur'an 2:269)

Thus God makes clear His signs to you, that happily you may *reflect*.
(Qur'an 2:219)

Now We have made clear to you the signs, if you *understand*.
(Qur'an 3:118)

We must heed this *Hadith* by the Prophet (PBUH)

What I fear for my nation *Ummah* are the misleading Imams.
(At-Tirmidhi, Sahih At-Tirmidhi)

59. *Bid'ah* (Innovation)

Some people claim that any unprecedented practice is un-Islamic. However not all new things are unacceptable *Bid'ah* (innovations); but only if they go against Islamic values or the welfare of society and individuals.

Imam Muslim related from Jarir Ibn 'Abdillah, that the Prophet (PBUH) said:

Who introduces a good innovation in Islam has its reward and the reward of those who practise it until the Day of Judgement, without lessening the rewards of those who practise it.

A good innovation is called *bid'ah hassanah*.

There is also another well-known *Hadith* which says:

That the person who brings joy or happiness into a home has a reward no less than entering paradise.

So celebrating any family occasion in a decent manner that brings the family happily together such as birthdays should be thought of as commendable rather than unacceptable.

60. Music

Spiritual and joyful music is not *haram* (forbidden) in Islam as some may believe.

It is narrated that the Prophet (PBUH) accompanied his wife ‘Aishah (r) to view the festival tribal dances of the tribes as she was fond of them.

It is also narrated that the Prophet (PBUH) passed by a large gathering and he asked why the people were gathered, when he was told that it was a wedding, he asked where is the music and the joy.

Once when Abu Bakr, his best friend and father-in-law was visiting his humble home (of one room) he found his daughter ‘Aishah (r) singing and playing music with her friend and the Prophet (PBUH) was sitting with his back to them covered by his cloak, to give them ample freedom and privacy to enjoy themselves, Abu Bakr was angry and admonished his daughter, but the Prophet (PBUH) stopped him and told him to let them enjoy innocent fun.

Hadith, Al-Bukhari

Music could be spiritual and uplifting, bringing you inner peace and serenity.

“Poetry penetrates people’s souls swifter than arrows,” Prophet Muhammad (PBUH) said after Ibn Rawaha recited some lines at the destruction of the Idols of the Ka‘bah.

Do not forget Al Khansa’ who was a poet and a *da‘iyah*. The Prophet (PBUH) enjoyed her poetry and the refined poetry of other poets especially his own poet, Hassan Ibn Thabet, who portrayed the glories of Islam in his poetry.

It is also important to note that Imam Abu Hanifa, Imam Malik and Imam Shafi‘i composed and used poetry in their religious sermons. This is a tradition that prominent modern imams have continued to this day.

61. The Rights of Children in Islam

The Qur'an states that children are a gift and an *amanah* (trust), the following are some of the rights and guidance according to Islamic teaching as detailed below:

- The right to life and legitimate birth.
- The right to health and well-being: family planning and education from parents and family, *qudwa* (the good example of family members).
- The right to security: physical, mental and psychological.
- The right to play and grow (the example of the Prophet) (PBUH).
- The right to an education for males and females.
- The right to an opinion and gender equity.
- The right to share in *shurah* (decisions affecting the whole family).
- The right to parental care, love and affection. To be nurtured, reared and disciplined with love and mercy. To be treated justly and fairly.
- Discipline with understanding, reasoning and a symbolic punishment as a deterrent only.
- Use open communication and allow *shurah* (discussion).

Below are issues on which the Qur'an provides information:

Breastfeeding and the Responsibility of the Father to the Mother and Baby

The mothers shall give suck to their offspring for two years, for him who desires to complete the term. But he shall bear the cost of their feeding and clothing in equitable terms.
(Qur'an 2:233)

This indicates the father of the child has a duty to maintain both mother and baby during that early period of the child's life in which the baby is breastfed and cared for by the mother, which may extend to two years. In Arabia it was the custom for well-off women to employ wet-nurses to help raise their babies.

In today's modern society, circumstances may vary greatly and so it is up to the mother to seek what is best for the baby.

Gratitude to Parents and the Individual's Responsibility to Family

And we have enjoined on man (to be good) to his parents: in travail upon travail did his mother bear him ... show gratitude to Me and to your parents, to Me is your final goal.

(Qur'an 31:14)

Blood ties are beautifully described in the Qur'an as *silat arrahem* (the ties of the womb) which the Qur'an recommends us never to break. In this verse, children are called upon to be grateful to their parents for fulfilling their commitments to them.

Allah declares, "I am *Rahman*, Merciful, and I created the *rahem*, womb, and the name of the womb *rahem* is constituted from one of my names *Raheem*, Compassionate. Those who connect the relationship of the womb will I keep hold, and those who break this relationship, will I break".

(*Hadith*, Tirmidhi)

The Rights of Orphans

... They ask you concerning orphans. Say the best thing to do is what is for their good, if you mix their affairs with yours they are your brethren.

(Qur'an 2:220)

To orphans restore their property (when they reach their age), nor substitute (your) worthless things for (their) good ones; and devour not their substance (by mixing it up) with your own. For this indeed is a great sin.

(Qur'an 4:2-10)

This is further discussed in (4:127) and (6:152)

The Prophet (PBUH) had an adopted son, Zaiid. He also treated the children of his wife Um Salamah, as his own with every kindness and consideration.

Birth Control and Family Planning

In the time of the Prophet (PBUH) birth control was permitted as part of family planning and in cases of pregnancy endangering the life of the mother. When asked, the Prophet (PBUH) approved the only method used at the time by the Arabs 'uzl (coitus interruptus). The Prophet (PBUH) forbade the husband from using it without the wife's permission. A woman's consent was required for any sexual activity. The *Hadith* could be found in Sunan Ibn Majah, and also in Sahih Muslim.

This was confirmed by Sheikh Yusuf Al-Qaradawi in his book *The Lawful and the Prohibited in Islam*, in Chapter 2, Section 4 'Contraception' (1984, pp. 198-201).

The Rights of Individuals

Shurah (mutual consultation) is embedded in *Shari'ah* law.

Equality for all is another principle stressed by the Qur'an. For more information, see Chapter 42, 'Equality'.

Islamic Code of Behaviour

Islam sets very high standards of behaviour as is evident in many verses in the Qur'an, especially Chapter 31, 'Luqman'.

Chapter 31 in the Qur'an explains the Islamic principles of *tarbiyah* (education) and *tahtheeb* (refined and mannerly upbringing) that the parents can give their children as they are raising them.

“O my son!” [said Luqman], “If there be but the weight of a seed and it were (hidden) in a rock or anywhere in the heavens or on earth, Allah will bring it forth: for Allah is subtle and Aware.

O my son! Establish regular prayer, enjoin what is just, and forbid what is wrong; and bear with patient constancy whatever betide you for this is firmness [of purpose] in [the conduct of] affairs.

And swell not your cheek [for pride] at men. Nor walk in insolence through the earth; for Allah loves not any arrogant boaster.”
(Qur’an 31:16-18)

It is every Muslim’s responsibility, especially parents, to offer *qudwa* (a good moral example) and demonstrate correct behaviour to their children and to others in society.

The international community condemns the abuse of the rights of children. Australia has in place certain laws to protect children. See Chapter 80, ‘Relevant Sections of Australian Law’.

62. When you thought I wasn't looking

Poem: a memo from a Muslim child to her parents

When you thought I wasn't looking,
I saw you pray and I learnt that I could talk to Allah.

When you thought I wasn't looking,
I saw you feed a stray cat and I learnt that it was good to be kind to animals.

When you thought I wasn't looking,
I saw you pick up rubbish in the street and I learnt the importance of cleanliness.

When you thought I wasn't looking,
I saw that you cared about our sick neighbour and I learnt that we must be kind to our neighbours.

When you thought I wasn't looking,
I saw you control your anger when you felt insulted and I learnt to deal with conflict in a dignified manner.

When you thought I wasn't looking,
I saw how you refused to lie and I learnt the importance of honesty.

When you thought I wasn't looking,
I looked and wanted to thank Allah for all the things I learnt from you, Mum and Dad, when you thought I wasn't looking.

Omm Ameen
Melbourne, Victoria

Courtesy of *Salam*, May-August 2002. A magazine published by the Federation of Australian Muslim Students and Youth (FAMSY).

63. The Human Body is an *Amanah* (Trust)

Female Genital Mutilation – An UnIslamic Practice

The mutilation of the human body is *haram* (forbidden) in Islam.

Accordingly female genital mutilation (FGM) is unacceptable on both Islamic and humanitarian principles. It is an invasion of a human body in a manner that is brutal, unnecessary and is actually very damaging both physically and psychologically. I have researched this issue and I have passed my findings on to the Australian Family Council, which in turn has produced documents to support the fact that this practice existed in Africa and South America before the advent of Judaism, Christianity and Islam. It is widespread in certain parts of Africa, especially Ethiopia, where the Falash Jews, the Orthodox Christians and Muslims practice it. Strangely enough it is also widespread in South America, which is a Catholic continent, especially Brazil.

In a paper entitled, ‘Female Circumcision is *Not* Required by Islam’²², Dr Hassan Hathout, a Muslim gynaecologist and board member of a bimonthly magazine published by the Islamic Centre of Southern California, stresses certain facts:

Dr Hassan Hathout states:

- Female circumcision is not practised in Islamic countries other than the Sudan, Egypt (in which it is practiced by some but is illegal) and some other African countries.
- Women of Madinah (Saudi Arabia, the cradle of Islam), Makkah, Najd, the Persian Gulf, Iran, North Africa, Turkey, Iraq, Pakistan, Syria, Lebanon, Palestine etc *are not* circumcised.

²² The full text of Dr Hathout’s article on female circumcision is in his book *Risalah ela Al-Aql Al-Arabi el-Muslim*, ‘A Message to the Arab Muslim Mind’, (1998, pp. 89-94) [published in Arabic].

- None of the women of the Prophet's house (PBUH) were circumcised and it is not even mentioned in the Qur'an, hence it is not required by Islam.

(<http://www.themodernreligion.com/women/w_circumcision.htm>)

However Dr Hathout points to medical evidence that male genital circumcision protects males against cancer of the male organ and protects against cancer of the cervix of the uterus (in the female partner).

A media release was announced on the TV program *Cairo Today* (24 June 2007) that the last word on female circumcision from the Grand Mufti of Egypt, Dr Sheikh Ali Goum'a is that it is *haram* (completely forbidden).

Female genital mutilation is a repugnant crime and both Islam and the Australian Government oppose this practice. For more information about Australian law see Chapter 80, 'Relevant Sections of Australian Law'.

64. A True Muslim's Commitment

1. I will *Submit* completely to Allah (SWT), not associating Him to anything, because whoever submits completely to Allah (SWT) will get his reward with Him; he shall have no fear or shall he grieve.
2. I will be *Sincere* in my intention, doing my actions for the sake of Allah (SWT), not for fame nor for a name, for Allah (SWT) looks into my heart and not at my outward appearance.
3. I will strictly *Guard* my prayers, standing before Allah (SWT) in devoted submission, and fulfill my obligations as a confirmation of my faith.
4. I will *Strive* towards doing all that is good, inviting others to all that is good, because the best of people are those who enjoin what is right and forbid what is wrong.
5. I will be the *Best* in conduct – disciplined, discreet and diplomatic – because the best of Muslims is he/she who is best in conduct.
6. I will be *Knowledgeable* in my religion because he who goes out in search of knowledge (blending both religious and academic) is in the path of Allah.
7. I will stand firmly for *Justice*, not allowing my desires to swerve me from being just, for justice is part of piety.
8. I will patiently *Persevere* during times of trial and misfortune because Allah (SWT) is very near to him who patiently perseveres, knowing that good comes from Allah (SWT), the Most Wise.
9. I will be *Moderate* and *Practical* in my religion, neither excessive nor extreme, because a Muslim is he who is *Justly Balanced*.
10. I will promote *Peace* and *Brotherhood* among my fellow human beings because no one truly believes until he loves for his fellow beings what he loves for himself.

11. I will *Strive* with might and main in the cause of Allah (SWT), inviting others to His Way, and knowing with certainty that my final destination is to return to him.
12. I will *Remind* myself of this commitment in my daily prayers, thoughts and actions so that I can continue to be among those who are on true guidance from Allah, among those who will truly prosper.

Adapted from a leaflet distributed at youth camps, printed by JKIM – Darul Fitrah, Kuala Lumpur, Malaysia.

Part 3. Interactions Between Muslims and Non-Muslims

65. Muslim non-Muslim Interactions

How does Islam regard non-Muslim - Muslim interactions?

It is the duty of every Muslim to be considerate, kind, friendly and caring of his/her neighbours whether they are Muslims or non-Muslims.

O! Humankind! We created you from a single soul of male and female, and made you into nations and tribes, so that you may know each other (not that you may despise one another). Verily, the most honoured of you is the one who is most righteous. And Allah has full knowledge and is well acquainted (with all things).
(Qur'an 49:13)

The Qur'an explicitly permits and implicitly ordains in many places kindness and friendliness towards non-Muslims.

As for such (of unbelievers) as do not fight against you on account of your faith and neither drive you from your homeland. God does not forbid you to show them kindness and to behave towards them with full equality: for verily, God loves those who act equitably.
(Qur'an 60:8)

And those who believe (in the Qur'an) and those who follow the Jewish scripture, and the Christians and the Sabeans, *any who believe in God and the Last Day and work righteousness*, shall have their reward with their Lord; on them shall be no fear, nor shall they grieve.
(Qur'an 2:62)

'Aishah Bint Abu Bakr said, "Prophet Muhammad (PBUH) was the living Qur'an".

Therefore it is a duty placed on Muslims to follow his example. He was kind and considerate to everyone, especially women, children and orphans and he was particularly kind to his Jewish neighbour. He walked in the funeral procession of a deceased Jew and met the Christian delegation from Syria in his Mosque where he invited them to perform their own prayers.

And there are, certainly among the people of the book, those who believe in Allah, in the revelation to you, and in the revelation to them, bowing in humility to Allah: they will not sell the signs of Allah for a miserable gain! For them is a reward with their Lord, and Allah is swift to account!

(Qur'an 3:199)

... the nearest among them (non-Muslims) in love to the believers (Muslims) will you find those who say, "We are Christians", because among them are people devoted to learning. And people who have renounced the world, and they are not arrogant.

(Qur'an 5:82)

Imam Malik said, "I was told that the Prophet (PBUH) said, 'I am leaving among you two things. You will not go astray as long as you hold to them fast: The Book of Allah (The Qur'an) and my *Sunnah* (way of life)'."

Nor can goodness and evil be equal.

Repel (evil) with what is better:

Then will he between whom and yourself was hatred

Become as if he were your friend and intimate.

(Qur'an 41:34)

Kind words and forgiveness are better than charity followed by injury.

God is free of all wants, And He is most forbearing.

(Qur'an 2:263)

Let there be no compulsion in religion:

Truth stands out clear from error-whoever rejects evil and believes in Allah ‘God’ has grasped the most trustworthy handfold that never breaks, And Allah heareth and knoweth all things.

(Qur’an 2:256)

And speak kindly to humankind.

(Qur’an 2:83)

Prophet Muhammad (PBUH) said, “I affirm that all human beings are brothers to one another, respect God and be affectionate to humankind”.

Islam is a religion of love, equality, tolerance and kindness towards humankind.

66. The Sanctity of Human Life in Islam

Islam considers all forms of life as sacred. However, the sanctity of human life is accorded a special place. The first and foremost basic right of a human being is the right to live.

Allah (SWT) states in the Qur’an:

... Kill not anyone whom Allah has forbidden, except for a just cause (according to Islamic law). This, He has commanded you, that you may understand.

(Qur’an 6:151)

... if anyone killed a person not in retaliation of murder, or (and) to spread mischief in the land-it would be as if he killed all of mankind, and if anyone saved a life, it would be as if he saved the life of all mankind.

(Qur’an 5:32)

Hadith Qudsi (due to direct revelation) narrated by the Prophet (PBUH) about a man who killed himself, Allah (SWT) the Almighty said, “My servant has himself forestalled Me, I have forbidden him paradise.”

This *Hadith* confirms the Islamic principle which forbids a person from taking his own life.

In November 2003, Professor TJ Lovat, Pro Vice-Chancellor (Education and Arts), the University of Newcastle, gave a keynote address entitled, 'Islam: What Jews and Christians can learn from their Siblings at a Ramadhan Friendship and Dialogue Dinner, Auburn Gallipoli Mosque, Sydney. The views he expressed about Islam in his speech were published in journal articles:

... when one examines the facts based on its scriptures and its early record, there is no religion less appropriately characterised in this way than Islam. There is no religion that has such strong and explicit tenets towards tolerance in its sacred text, and no religion with such a strong track record of social reform in its origins, including about the issue of women.

(Lovat, 2006, p. 49)

The ethic of ethnic and religious tolerance was practised by Muslims essentially because of their strong belief that Islam truly was the fulfilment of God's ancient Promise to establish a model community in the midst of the nations. This would be a community that would reflect God's deep desire that humankind should live in peace and practise forms of personal integrity and social justice. This would be the community that would show the rest of the world how to live well and under God.

(Lovat, 2005, p. 44)

67. United Nations Humanitarian Values

When we compare the United Nations Universal Declaration of Human Rights, Articles 1-30, against the humanitarian values, principles and practices of Islam, we find that many run parallel:

- Equality, dignity and brotherhood of man
- Value of universal education with emphasis on spirit of free enquiry and the importance of scientific knowledge

- Practice of religious tolerance
- Liberation of the woman and her spiritual equality with man
- Freedom from slavery and exploitation of all kinds
- Dignity of manual labour
- Integration of mankind in a feeling of oneness irrespective of their differences, *e.g.*, race and colour (that is, the programme of securing integration of mankind on the basis of moral and spiritual principles)
- The devaluation of arrogance and pride based on superiority of race, colour, wealth, etc., and the founding of society on the principle of justice
- Rejection of the philosophy of asceticism

All Muslim countries are signatories of the UN Declaration of Human Rights because there is nothing in the declaration of Human Rights which would contradict Islamic principles.

For further reading, see the website of Dr Riffat Hassan, Professor of Religious Studies at the University of Louisville, notably his article ‘Religious Human Rights in the Qur’an’.²³
 (<www.muslim-canada.org/emory.htm>, 2007)

68. *Great Jihad and Lesser Jihad*

The *great Jihad* is an endeavour to control weakness, anger, and evil in ourselves. The *lesser jihad* is fighting fairly for one’s homeland, family and the right to worship against aggressors.

Jihad is primarily self-discipline and self evaluation, and Muslims strive hard to achieve this. It is a personal goal which they try to achieve (*Jihad* within themselves), and is the basis for establishing

²³ This article was published in a fuller form in a two volume work: *Religious Human Rights in Global Perspective: Religious Perspectives* Witte, John Jr. and van der Vyver, Johan D. Eds., Martinus Nijhoff Publishers, (1996) p. 361-86. It is reproduced on Dr Hassan’s website with the permission of the *Emory International Law Review*.

ma'ruf (goodliness) and removing *munkar* (evil) from their lives and from the environment. Muslims wish to see truth prevail and untruth vanish.

This method of *Jihad* is the one practised by Prophet Muhammad (PBUH). Muhammad (PBUH) distinguished between *two* kinds of *jihad*: minor [*lesser*] *jihad*-which is war in *self-defence* and major [*great*] *Jihad* which is self discipline and self evaluation.

(El-Erian, 1990, pp. 60-61.)

God hates the starters of war. It is 'unholy' to start a war. The only justification for fighting is in defence of self, family, home and the right to your possessions.

It is un-Islamic to perform acts of terrorism under any name or for any reason.

Killing innocent people is a crime against God, Islam and humanity.

69. Islamic Ethics Regarding War

Even in the state of war, Islam enjoins that one deals with the enemy nobly on the battlefield (a good example is Sultan Saladin 'Salahuddin' and the Crusaders).

Islam has first drawn a clear line of distinction between combatants and the non-combatants of the enemy country. As far as the non-combatants' population is concerned (such as: women, children, the farmer in the field, the aged and the infirm etc) the instructions of the Prophet (PBUH) are as follows:

Do not kill any old person, any child or any woman.

Do not kill the monks in monasteries, people sitting in places of worship, nor any unarmed person, or cut down a tree or destroy and burn.

But if the enemy incline towards peace, do thou (also) incline towards peace and trust in God: for He is the One that heareth and knoweth all things.

(Qur'an 8:61)

Thus non-combatants are guaranteed security of life, even if their state is at war with the Islamic state, and if the aggressors offer peace, Muslims should accept it.

After the first battle between the Muslims and the pagan Arabs, pagan prisoners of war were treated very humanely: each warrior shared his food and drink with his prisoner.

Those who could read and write were told by the Prophet (PBUH) that they could obtain their freedom if each taught ten Muslims to read and write. This is a widely known account. One source of further information is Abdul Hameed Siddique's book *The Life of Muhammad* (West Pakistan Islamic Publications Ltd, Lahore, 1969).

Muslims ruled Spain for around 800 years. During that time and up until they were forced out, the non-Muslims there lived in peace and had a flourishing life. Christian and Jewish minorities who fled from the Catholic Inquisition to Muslim countries have survived and are still enjoying equal citizenship rights in Muslim countries without threat to self or faith.

70. Islam Was Spread by the Word, Not by the Sword, and is Accepting of Other Faiths

Many social studies textbooks for students show the image of an Arab horseman carrying a sword in one hand and the Qur'an in the other, conquering and forcibly converting. This however, is not a correct portrayal of history.

Islam has always given respect and freedom of religion to all faiths. The Qur'an says

God forbids you not, with regards to those who fight you not for (your) faith nor drive you out of your homes, from dealing kindly and justly with them; for God loveth those who are just.
(Qur'an 60:8)

Freedom of religion is laid down in the Qur'an itself:

There is no compulsion (nor coercion) in the religion (Islam). The right direction is distinctly clear from error.
(Qur'an 2:256)

According to Chandra Muzaffar, Director, International Movement For a Just World, the Christian missionary, TW Arnold, had this opinion on his study of the question of the spread of Islam:

... of any organised attempt to force the acceptance of Islam on the non-Muslim population, or of any systematic persecution intended to stamp out the Christian religion, we hear nothing. Had the caliphs chosen to adopt either course of action, they might have swept away Christianity as easily as Ferdinand and Isabella drove Islam out of Spain, or Louis XIV made Protestantism ...

Trade also played an important role in the spread of the faith especially between the 8th and 15th centuries. Traders assumed the mantle of missionaries.

Some historians have observed that the honesty and integrity of these traders attracted a lot of people to their religion. In Southeast Asia and in China, as in East and West Africa, trade was perhaps the most effective channel for the propagation of the religion.

An even more influential factor in the spread of Islam in the early centuries was Islamic mysticism or *Sufism* The gentle persuasiveness of *Sufi* preachers with their message of virtue and compassion culled from the Qur'an, made a huge impact upon

culturally diverse communities. Even today *Sufism* with its emphasis upon universal unity continues to attract large numbers of non-Muslims in North America and Europe.

(Chandra Muzaffar, Director, International Movement For a Just World, 2007, <<http://www.just-international.org>>.)

It is a function of Islamic law to protect the privileged status of minorities, and this is why non-Muslim places of worship have flourished all over the Islamic world.

History provides many examples of Muslim tolerance towards other faiths: when the Caliph 'Omar entered Jerusalem in the year 634, Islam granted freedom of worship to all religious communities in the city. Proclaiming to the inhabitants that their lives, and property were safe, and that their places of worship would never be taken from them, he asked the Christian patriarch Sophronius to accompany him on a visit to all the holy places. Islamic law also permits non-Muslim minorities to set up their own courts, which implement full family laws drawn up by the minorities themselves.

The life and property of all citizens in an Islamic state are considered sacred, whether the person is Muslim or not.

Racism is not a part of Islam. The Qur'an speaks only of human equality and how all peoples are equal in the sight of God:

O! Humankind, We created you from a single soul of male and female, and made you into nations and tribes so that you may know each other (not that you may despise one another). Verily, the most honoured of you is the one who is most righteous. And Allah has full knowledge and is well acquainted (with all things).

(Qur'an 49:13)

If Allah so willed, He could make you all one People: but he leaves straying ... whom He pleases, and He guides whom He pleases (to guide and who is pleased to be guided): but you shall certainly be called to account for all your actions.

(Qur'an 16:93)

Two *Sufi* (Islamic mystical) poets, Hafiz and Rumi, whose verse was composed centuries ago have enduring popularity today:

Poem: A Contemplation (by *Sufi* poet Hafiz)

I have learned
so much from God
that I can no longer call myself,
a Christian, a Hindu, a Muslim, a Buddhist, a Jew.
The truth has shed so much of Itself
with me
That I can no longer call
myself
A man, a woman, an angel, or even pure soul.
Love has befriended
Hafiz so completely
it has turned to ash
and freed me
of every concept and
image
my mind has ever known

Hafiz (Persian *Sufi* Poet) 14th Century AD

Poem: All Religions Are One (by *Sufi* poet Rumi)

In the adorations and benedictions of righteous men
The praises of all the prophets are kneaded together.
All their praises are mingled into one stream,
All the vessels are emptied into one ewer.
Because He that is praised is, in fact, only One.
In this respect all religions are only one religion.
Because all praises are directed towards God's Light,
These various forms and figures are borrowed from it.

Jalalu' Din Rumi (Persian *Sufi* Poet) 13th Century AD

Islam the Civiliser

Many western historians and thinkers have recognised the contributions that Muslims made in all fields throughout the Middle Ages, which was partly instrumental in introducing the Renaissance in Europe. Here is a particularly enjoyable account by an American children's writer:

If Islam had never existed, the Christian countries of the world would probably be less advanced, and certainly less varied, than they are. For it was the Muslims who contributed the west many skills and ideas. From the eighth to the thirteenth centuries, the Arabs and the other Islamic peoples were the main carriers of western civilization. While Europe was torn by almost constant fighting, Muslim scholars preserved the learning of the ancient world. Other Muslims added discoveries and original works of their own. In time, translators in parts of Europe that were in closest contact with Islam passed this knowledge on to the Christian world. It helped produce a great intellectual and artistic awakening, the 'Renaissance', which ended the Middle Ages and ushered in modern times.

Before the Arabs, other peoples had produced historians, but Arab historians raised their profession to an art. Ibn Khaldoun (1332-1406 AD) was the world's greatest historian up to his time. His history of the Arabs, Persians, and Berbers was the first to take into account such important things as geography and climate. He has often been called the father of modern historical writing.

But of all literary works in Arabic, the best-known is *The Arabian Nights*. Originally put together from Persian stories, this marvellous collection of tales later took in additions from India, Greece, Egypt, and Palestine. Translated into many languages, this book has stirred the imaginations of countless readers, calling up an unforgettable picture of the glory that was Islam at the height of its civilisation and power.

(De Kay, 1966)

And here is an account from a Muslim perspective:

It is established that the force which regenerated civilisation in all territories under Islam [from the seventh century AD to the Renaissance] had emanated from the Arabs. The patronage of the Islamic State allowed the continued existence of the remains of the Pharaonic, Greek, Persian and Indian civilisations. Had it not been for the positive genius of the Arabs, that force would not have come about, and that civilisation would not have appeared.

Yet all that has been carried to us by the Islamic civilisation was not purely Arab in its origin or development. Suffice [to say] that it was not destroyed by them. The Islamic civilisation linked up with ancient and modern history, thus preserving the whole human heritage, adding to it, and bequeathing it to succeeding civilisations. Such an accomplishment is the best that can be expected from any civilisation. Any claim of innovation or initiation from a civilisation is tantamount to nullification of all civilisations that had anticipated it and runs contrary to the greatest virtue of civilisations. That virtue lies in the furtherance and preservation of human heritage.

(Al-Akkad, 1950, p. 32)

Islam values education and the pursuit of knowledge as markers of a civilised society. However, in encouraging scientific research Islam never divorced science from faith, as Allah The Creator (SWT) is the greatest scientist of all, and the pursuit of knowledge is an integral part of its foundation.

Poem: Science and Faith (by Allama Iqbal)

Once Science said to Faith:

‘My eye can see all that is in this world;
the entire world is within my net.
I am only concerned with material things,
what have I to do with spiritual matters?
I can strike a thousand melodies
and openly proclaim the secrets that I learn.’

Faith replied:

‘With your magic even the waves in the sea get ablaze
You can pollute the atmosphere with foul poisonous gases.

When you associated with me, you were light,
When you broke off from me, your light has become fire.
You were of divine origin.
But you have been caught in the clutches of Satan.
Come, make this wasteland a garden once again.
Borrow from me a little of my ecstasy,
and in the world set up a paradise.
From the day of creation we have been associates,
We are the low and high tunes of the same
melody.’

Allama Iqbal (Pakistani poet)

Extract from Iqbal, Allama 1997, *Asrar-e-khudi (Secrets of the Self)* originally published in 1915, reprinted in *The Muslim Reader*, Vol. 15, No. 4, October-December.

71. Examples of Islamic Contributions to World Civilisation

- The invention of zero and the refining of the decimal numeration system.
- The Hindu Arabic numeration system.
- The invention of the astrolabe (an instrument used to measure the position of stars and planets) in the 17th century and the first microscope.
- The pharmacy – a large range of remedies and made up prescriptions. The beginnings of the use of methodical experiments.
- Algebra and trigonometry.
- Treatment of eye diseases including surgery.
- The relationship between diet, climate, and health.
- Public hospitals.
- Ibn Al-Haytham’s early research into what causes rainbows.
- Ibn An-Nafis was responsible for the first map of blood circulation.

- Ibn Sina (known as Avicenna) wrote a medical encyclopaedia at the beginning of the 10th century which was used as the standard European medical text up until the 17th century.
- Ibn Al-Khatib observed during the 14th century that disease came from infection.
- Ar-Razi was the first to tell the difference between smallpox and measles.
- Al-Khwarizmi, a mathematician and astronomer compiled the first Arabic atlas.
- ‘Omar Khayyam well known for his poetry also devised an extremely accurate Muslim calendar.
- Al-Idrisi compiled an atlas for Rodger II, the Christian King of Italy.
- Floral and calligraphic design, especially the use of calligraphical inscriptions of the Qur’an in mosques.
- Fine ceramics, metalwork and textiles with elaborate designs, Persian rugs etc.
- Beautiful gardens (the English word ‘Paradise’ comes from the Arabic word for garden).
- Mosques: Taj Mahal, Dome of the Rock Mosque in Jerusalem, Al-Aqsa Mosque, Ibn Tulun in Cairo, Great Mosque in Delhi, Cordoba mosques and the Alhambra palace in Granada.
- The academic universities of Al-Azhar in Cairo, Al-Qairawan in Tunisia and Al-Qarawiyyin in Morocco are the oldest in the world.
- During the 10th and 11th centuries many Europeans came to the Islamic universities to study the Arabic translations of the ancient classics. These were then translated into Latin and studied extensively in Europe.
- Approximately 10 000 words of Arabic origin have found their way into the English language and many other world languages, which suggest further the significance of the Islamic contribution.

Some Literary Influences

- Robinson Crusoe was inspired by Ibn Tufayl’s *Hayy ibn Yaqthan*.
- Dante’s *Inferno* was inspired by Abul’ala’ Al-Ma’rri’s *Risalat Al-Ghufran*’s

- *Kalila Wa Dimna*. Arabic folk tales for children featuring speaking animals inspired *Aesop's Fables*.

(NSW Department of Education, 1992)

Part 4. Some Contemporary Influential Islamic Thinkers

There are many influential Islamic intellectual who have contributed internationally to the understanding of Islam through recent years. Below are names of some Islamic intellectuals:

Male Islamic Thinkers:

- Dr Ismal Al Faruqi, USA
- Dr Jamal Badawi, Egypt/Canada
- Professor Dr Muhammad Kamal Hassan, Malaysia
- Dr Chandra Muzaffar, Malaysia
- Dr Seyed Hossein Nasr, Persia/USA
- Dr Tariq Ramadan, Switzerland
- Professor Abdullah Saeed, Australia
- Dr Kaukab Siddique, Pakistan/USA

Female Islamic Thinkers:

- Dr 'Aishah abder-Rahman, Egypt
- Dr Leila Ahmed, Egypt/USA
- Dr Zeenath Kauthar, India/Malaysia
- Dr Fatima Mernissi, Morocco
- Dr Souad Salah, Egypt
- Dr Aminah Wadud, USA

The following chapters contain their brief biographies.

72. Some Contemporary Islamic Male Thinkers

Dr Ismail Raja al-Faruqi (USA)

The late Dr Ismail Raja al-Faruqi (1921-1986) was claimed the world over as one of the foremost authorities on Islam and comparative religion. Born in Palestine, he received his PhD in Philosophy from Indiana University and served as a professor at Syracuse, McGill and Temple universities in the United States. Dr al-Faruqi also taught at the Central Institute of Islamic Studies in Karachi, Pakistan and Al-Azhar University in Cairo, Egypt. As a consultant in Islamic studies for universities throughout the Muslim world, he authored more than 25 works on Islam and other religions of the world.

Dr al-Faruqi founded the Islamic Studies Group of the American Academy of Religion and chaired it for ten years.

He was the vice-president of the Inter-Religious Peace Colloquium: The Muslim-Jewish-Christian conference, and was one of the main contributors to the ongoing dialogue between the three Abrahamic religions in the West.

Dr al-Faruqi was also the president of the International Institute of Islamic Thought (1984-86). His works include:

- 1986 (with Lois Lamy al-Faruqi) *The Cultural Atlas of Islam*, Macmillan, New York.
- 1982, *Tawhid: Its Implications for Thought and Life*, International Institute of Islamic Thought, Kuala Lumpur.
- 1979, *Islam*, Argus Communications, Niles Ill. Reprinted 1995, Amana Publications.
- 1974 (Ed. with David E. Sopher) *Historical Atlas of the Religions of the World*, Macmillan Publishing Co. Reprinted 2002, Collier Macmillan Publishers.

— 1969 (with Joseph M Kitagawa, and PT Raju) *The Great Asian Religions: An Anthology*, compiled by Wing-Tsit Chan, Collier Macmillan Publishers.

Dr al-Faruqi wrote the monumental work *The Cultural Atlas of Islam* in collaboration with his wife, Dr Lois Lamya Al Farqui.

For further information visit the official website of Dr Ismail Raji al-Faruqi:

<<http://www.ismailfaruqi.net/>>.

Dr Jamal Badawi (Egypt/Canada)

Dr Jamal Badawi was born and raised in Egypt, and it was in Cairo that Dr Badawi started his career as a student. He received his bachelor degree from Ain Shams University (Cairo, Egypt). Upon receiving the degree, Dr Badawi headed for America, and enrolled in Indiana University (Bloomington, IN) where he received both his Masters and doctorate in the Department of Business Administration. Upon completing his PhD, Dr Badawi began working right away and still is quite active in the Muslim community.

Currently, he is the director of the Islamic Information Foundation (Halifax, Nova Scotia, Canada), which is a non-profit foundation seeking to promote better understanding of Islam by Muslims and non-Muslims.

Dr Badawi works in his own field in Business Administration, as a Professor of Management at St Mary University (Halifax). He is also a cross-appointed faculty member in the Departments of Religious Studies and Management, at St Mary University. Previously, Dr Badawi taught a course on Islam at Stanford University (California). Along with all these commitments, he is a member of the Fiqh Council of North America, a part of the Islamic Society of North America, a member of the

Consultative Council of North America, and a member of the Juristic Council of North America.

Dr Badawi is a highly sought after lecturer in North America and abroad. He is an excellent orator on various pertinent topics, especially Islam and Christianity. Dr Badawi is also very active in journalism and broadcasting. He has researched, designed and presented several television programs on Islam, which were aired on many TV stations in Canada, the US and other countries.

Some of Dr Badawi published works include:

- 2007, *Muslim/Non-Muslim Relations*, International Moderation Centre, Series of Moderate Nation, Kuwait.
- 1997, *Women Under the Shade of Islam: A Discourse on Woman's Issues*, El-Falah, Cairo.
- 1995, *Gender Equity in Islam: Basic Principles*, Indianapolis, IN., American Trust Publications, reprinted 2004, Soltan Publishing, Qalam Publications, Karachi, Pakistan.
- 1980, *The Muslim Woman's and Muslim Man's Dress according to the Qur'an and Sunnah* London, Ta-Ha Publishers Ltd.
- 1989, Book chapter 'Islam: A Brief Look' in John Hick and Edmund Meltzer (Eds.) *Three Faiths-One God: A Jewish, Christian, Muslim Encounter*, MacMillan, London, UK.
- 1983, *The Status of Woman in Islam*, The Muslim Students' Association of the US & Canada.
- 1977, *Muhammad in the Bible*, El-Falah, Cairo.

A chapter from *Gender Equity in Islam* 'Wife Beating' is downloadable at the Islamic Research Foundation International, Inc:

<http://www.irfi.org/articles/articles_301_350/wife_beating.htm>.

American Learning Institute for Muslims:

<<http://www.alimprogram.com/scholars/badawi.shtml>>.

Professor Dr Muhammad Kamal Hassan (Malaysia)

Professor M. Kamal Hassan began his academic career as a lecturer at the University Kebangsaan Malaysia (UKM) upon his return from Columbia University, New York, where he had completed his doctorate. At UKM, Dr Hassan was made Head of the Department of Theology and Philosophy in 1978. In 1982, he was invited by the government to assist in the planning of the establishment of the International Islamic University of Malaysia (IIUM), which was founded in 1983. Dr Hassan has served in several key posts at IIUM, and from 1999 has served as Rector of the university. His main area of academic interest is contemporary Muslim thought with special reference to Southeast Asia.

In addition to shouldering many university responsibilities, Dr Hassan has been actively involved in the programmes of the Malaysian Institute of Islamic Understanding (IKIM) at national as well as international levels.

He is a member of the Association of Muslim Social Scientists and sits on the editorial boards of *al-Tajdid*, *Intellectual Discourse*, and the *American Journal of Islamic Social Sciences*. Dr Hassan is currently the Chief Editor of the volume on 'Religions in Malaysia' of the *Encyclopaedia of Malaysia* project.

Further information about Dr Hassan is available at the following website:

<<http://www.iiu.edu.my/rector/rector.html>>.

Dr Chandra Muzaffar, Director of the International Movement for a Just World (Malaysia)

Dr Chandra Muzaffar, a Malaysian political scientist, was the first Director of the Centre for Civilisational Dialogue at the University of Malaya.

Apart from writing on civilisational and interfaith dialogue, he has also published extensively on religion, human rights, Malaysian politics and international relations. Dr Muzaffar has authored or edited 19 books and many journal articles in English and Malay.

Dr Muzaffar also founded a multi-ethnic social reform group in 1977, the 'National Consciousness Movement' which sought to raise public awareness on issues pertaining to democracy and ethnic relations in Malaysia. Today, he is the President of an international Non-Government Organisation (NGO): The International Movement for a Just World (JUST), which is concerned about challenges to social justice and human dignity in global politics. JUST also attempts to develop guiding ideas on a just and compassionate civilisation based upon shared universal spiritual and moral values. Dr Muzaffar sits on the boards of a number of other international NGOs concerned with social justice and civilisational dialogue.

He has received a number of academic awards, including: the Harry J. Benda Prize for distinguished scholarship on south-east Asia, from the Association of Asian Studies, North America.

Dr Muzaffar's most recent books include:

- 2005, *Global Ethic or Global Hegemony?* ASEAN Academic Press, London.
- 2003, *Muslims, Dialogue, Terror*, International Movement for a Just World (JUST), Selangor, Malaysia.

— 1999, *Alternative Politics in Asia: A Buddhist-Muslim Dialogue*, co-authored with Sulak Sivaraksa, International Movement for a Just World (JUST), Petaling Jaya.

For further information visit the following website: <www.just-international.org/>.

Dr Seyyed Hossein Nasr (Persia/USA)

Dr Seyyed Hossein Nasr was born in Tehran where he received his early education. He later studied in the USA and received his BSc from Massachusetts Institute of Technology (MIT) and MA and PhD from Harvard University, where he studied the History of Science and Learning with special concentration on Islamic Science and Philosophy.

In 1958, Dr Hossein returned to Persia and taught at Tehran University for several years, as Professor of the History of Science and Philosophy. In 1962, he was visiting lecturer at Harvard University and he also taught there during the summer of 1965. During 1964-65, he was the first holder of the Agha Khan Chair of Islamic Studies at the American University of Beirut.

Dr Hossein has written over 50 books and 500 articles in four languages about Islamic science, religion and the environment. It is on the basis of a series of public lectures he delivered in Beirut that one of his famous books was written: *Ideals and Realities of Islam* (1975), which is addressed to Western readers interested in Islam and also to Muslims who have received a Western education. Each chapter explains traditional Islamic doctrines and beliefs in the light of contemporary thought and is accompanied by an annotated bibliography of the works of both Muslim and Western scholars.

Later, he lectured at Temple University in the United States and, since 1984 to the present, Dr Hossein has been a University Professor of

Islamic Studies at the George Washington University, Washington DC. His thinking is very much in line with the great *Sufi* thinkers.

Dr Hossein's works include:

- 1996, *Religion and the Order of Nature* New York and Oxford, Oxford University Press.
- 1989, *Knowledge and the Sacred* Albany, SUNY Press, US.
- 1968, *Man and Nature: the Spiritual Crisis of Modern Man*, Allen and Unwin, London.

Further information can be found at the website for the Seyyed Hossein Nasr Foundation: <www.nasr.org>.

Dr Tariq Ramadan (Switzerland)

Dr Tariq Ramadan was born in 1962 in Switzerland. He is an academic and theologian who advocates the reinterpretation of Islamic texts, and emphasises the heterogeneous nature of Islamic society.

Dr Ramadan studied Philosophy of Literature and Social Sciences and Literature at the University of Geneva. He studied Philosophy and French Literature at Masters level and Arabic and Islamic Studies for his PhD. Dr Ramadan also studied Arabic and Islam at Al Azhar Islamic University in Cairo, Egypt. He later held a lectureship in Religion and Philosophy at the University of Fribourg and the College de Saussure, Geneva, Switzerland. In October 2005, Dr Ramadan began teaching at St Anthony's College at the University of Oxford on a Visiting Fellowship. Since 2005, he has been a senior research fellow at the Lokahi Foundation.

Dr Ramadan established the Movement of Swiss Muslims in Switzerland. He has taken part in interfaith seminars and has sat on the Commission of Islam and Secularism. Dr Ramadan is an advisor to the European Union on religious issues. He has been widely interviewed and

has produced about 100 tapes which sell tens of thousands of copies each year.

Dr Ramadan works primarily on Islamic theology and the position of Muslims in Europe. In general, he believes in constantly reinterpreting the Qur'an in order to correctly understand Islamic philosophy. Dr Ramadan also emphasises the difference between religion and culture, which he believes are too often confused. He also advocates that there is no conflict between being a Muslim and a European at the same time; a Muslim must accept the laws of his country of residence.

Through Dr Ramadan's writings and lectures he has contributed substantially to the debate on the issues of Muslims in the Western world and Islamic revival in the Muslim world. He is active at both the academic and grassroot levels lecturing extensively throughout the world on social justice and dialogues between civilizations.

Dr Ramadan also emphasises a Muslim's responsibility to his community, whether it be Islamic or not. He criticises the 'us Vs them' mentality that some Muslims advocate against the West. Dr Ramadan also supports having Muslim scholars in the West who are versed in Western mores, and not relying on religious studies that come only from the Islamic world. He wants more Islamic philosophy written in European languages. Dr Ramadan states that European Muslims' reliance on an 'external' Islam leaves them feeling inadequate and impure, which is one of the main causes of alienation from European culture.

Many of his works have been greeted with enthusiasm by members of the academic community for their liberalising and rationalising tendencies. Dr Ramadan's books include:

- 2007, *In the Footsteps of the Prophet: Lessons from the Life of Muhammad*, University Press, Oxford.
- 2007, *The Meanings of the Life of Muhammad*, Allen Lane, an Imprint of Penguin Books.

- 2003, *Western Muslims and the Future of Islam*, Oxford University Press.
- 2000, *Islam, the West, and the Challenges of Modernity*, The Islamic Foundation, Leicester UK.
- 1999, *To Be a European Muslim*, translated by C Dabbak, The Islamic Foundation, Leicester, UK.

Professor Tariq Ramadan is currently President of the European think tank: *European Muslim Network* (EMN) in Brussels.

Further information can be found at the website:
<www.tariqramadan.com>.

Professor Abdullah Saeed (Australia)

Professor Abdullah Saeed holds degrees from Australia and overseas. He has a BA in Arab/Islamic Studies as well as an MA in Applied Linguistics and a PhD in Islamic Studies from the University of Melbourne, Australia. In 1993, Dr Saeed joined the then Department of Asian Languages and Anthropology at the University of Melbourne as a Lecturer, rising to Senior Lecturer in 1996 and Associate Professor in 2000. He was appointed Sultan of Oman, Professor of Arab and Islamic Studies in 2003.

Professor Saeed's research focus considers one of the most important issues in Islamic thought: the negotiation of text and context, *ijtihad* and interpretation. He is a strong advocate for the reform of Islamic thought. Professor Saeed's publications cover Islamic finance, Muslim communities in Australia, Islamic law and freedom of religion, Christian–Muslim interactions, Islamic thought in Indonesia, Qur'anic hermeneutics, Islam and human rights, and Islamic law reform. He writes for both scholarly and general audiences.

Professor Saeed has taught Arabic and Islamic Studies at undergraduate and postgraduate levels. Among the subjects he teaches are: Great Texts

of Islam; Qur'an; Muslim Intellectuals and Modernity; Great Empires of Islamic Civilization; Islamic Banking and Finance; Qur'anic Hermeneutics; Methodologies of *Hadith*; Methods of Islamic law; Religious Freedom in Asia; Islam and Human Rights; and Islam and Muslims in Australia.

Professor Saeed is involved in interfaith dialogue between Christians and Muslims, as well as Jews and Muslims, and is a frequent and popular lecturer. He has also participated in a project called 'Project Abraham', an interfaith initiative of the Muslim, Jewish and Christian community. Professor Saeed travels widely and has often visited North America, Europe, Middle East, South Asia and Southeast Asia. He has a wide range of professional and research relationships around the world.

Some titles of Professor Saeed's published works include:

- 2007, 'Trends in Contemporary Islam: A Preliminary Attempt at a Classification', *Journal of the Muslim World*. (In press)
- 2006, *Interpreting the Qur'an: Towards a Contemporary Approach*, Routledge, London and New York.
- 2006, 'Creating a Culture of Human Rights from a Muslim Perspective' in *Proceedings of the International Symposium Cultivating Wisdom, Harvesting Peace*, Multi-faith Centre, Griffith University.
- 2004, *Muslim Australians: Their Beliefs, Practises and Institutions*, Commonwealth Government, Canberra.

Dr Kaukab Siddique (Pakistan/USA)

Dr Kaukab Siddique is Associate Professor in the Department of English and Mass Communications at Lincoln University in Pennsylvania. He was formerly an Assistant Professor in English at Karachi University, Pakistan.

Professor Siddique's independent thinking, radical approach, analytical ability, vision and foresight make him a unique Islamic thinker of his time.

His involvement in the Islamic struggle for enlightenment and revival for over 20 years can be seen in his writings and recorded speeches. He advocates financial and political independence for the Islamic movement, teaches the equality of men and women, and believes that people's power, if achieved in the light of God's guidance (SWT), can put an end to oppression, both of men and women. Dr Siddique edits *New Trend*, an Islamic monthly journal, and works for Jamaat al-Muslimeen (The Islamic People's Movement). He gives presentations in the US and internationally about feminism in South Asian and Middle Eastern societies.

His real Islamic strength comes from two decades of daily study of the Qur'an and the *Hadith*.

His books include:

- 1990, *Liberation of Women thru Islam*, American Society for Education and Religion, Maryland, USA.
- 1985, *The Struggle of Muslim Women*, American Society for Education and Religion, Kingsville, Maryland, USA.
- 1969, *The Life of Muhammad*, West Pakistan Islamic Publications Ltd, Lahore.

Further information can be found at the website:
<www.kaukabsiddique.net>.

73. Some Contemporary Islamic Female Thinkers

Dr 'Aishah abder-Rahman (Egypt)

Dr 'Aishah abder-Rahman or Bint Ash-Shati', as commonly known by her pen-name, is an outstanding pioneer in the history of Egyptian culture. In the time of the seclusion of women, Dr Rahman forged her way into university as a student and into the broader circles of cultural life of open-minded thoughts and comprehensive visions. She had student followers all-over the Arab countries.

Dr Rahman took up her pen-name *Bint Ash-Shati'* (Daughter of the Bank) which refers to the banks of the river Nile. Traditions at that time did not allow girls names to be mentioned in publications.

As a researcher she made substantial contributions to Qur'anic and *Hadith* interpretation. Some of her major developments in this area are found in the following publications:

- *The Rhetorical Wondrous Nature of the Qur'an*
- *The Qur'an and Free Will*
- *The Qur'an and Human Rights*

Many of her other publications concerned the women of the Prophet's household (PBUH), E.g.

- 1959, *The Wives of the Prophet*
- 1963, *The Daughters of the Prophet*
- 1966, *The Mother of the Prophet*

As a poet and a woman of letters, Dr Rahman wrote and published poems in *An-Nahda an-Nissaiyya* magazine, in addition to social-type short stories in *Al-Balagh*, *Kawkab Ash-Sharq*, and *Al-Ahram* newspapers.

She was involved, through her visits, in the cultural and literary life of all Arab countries. Dr Rahman declined an offer to grant her the title of ‘the Lady of Damietta’, her birthplace, arguing that she was no better than the mothers who had sacrificed their lives for the sake of the country.

She was the first woman to lecture at Al-Azhar University in a public symposium attended by an audience of 10 000 people.

In 1973, the late President Sadat of Egypt, awarded her the medal for “The Highest Order of Merit”. In 1978, President Mubarak bestowed upon her “The Nation’s Recognition Award” (Egypt State Information Service, 2002, pp. 11-13).

Dr Leila Ahmed (Egypt/USA)

Dr Leila Ahmed is a Professor of Women’s Studies in Religion at Harvard Divinity School, USA. Prior to this appointment she was Professor of Women’s Studies and Near Eastern Studies at the University of Massachusetts in Amherst, where she also served as Director of the Women’s Studies Program from 1991 to 1995, and as Director of the Near Eastern Studies Program from 1991 to 1992. Dr Ahmed was a distinguished visiting professor at the American University in Cairo, Egypt. In 1997, she was elected to a life membership at Clare Hall in the University of Cambridge in England and also received a distinguished faculty fellowship award for the 1996-97 academic year.

Dr Ahmed has been a member of the Women’s Studies in Religion Program (WSRP) Advisory Committee since 1992. Her most recent book, *A Border Passage: From Cairo to America – A Woman’s Journey*, is a memoir of her coming of age in Egypt during and after the collapse of European imperialism. Dr Ahmed’s other publications include: *Women and Gender in Islam; The Historical Roots of a Modern Debate; Edward William Lane: A Study of His Life and Work and of British*

Ideas of the Middle East in the Nineteenth Century; ‘Arab Culture and Writing Women’s Bodies’, in *Feminist Issues*, Spring 1989; and ‘Between Two Worlds: the Formation of Turn of the Century Egyptian Feminist’, in *Life/Lines Theorising Women’s Autobiography*. She received her BA, MA, and PhD degrees from the University of Cambridge, UK.

Further Information: Women’s Learning Partnership for Rights, Development and Peace, 2007:
<<http://www.learningpartnership.org/viewProfiles.php?profileID=572>>.

Dr Zeenath Kausar (India/Malaysia)

Associate Professor Dr Zeenath Kausar received her first degree from Osmania University, Hyderabad, India in 1978, and a Masters in Political Science from Sri Venkateswara University, Tirupati, AP, India, in 1980. She obtained a Masters in Philosophy in 1986 and a PhD in Political Science in 1991 from Algarth Muslim University, India.

Dr Kausar’s books include *To An Abode of Peace* (1980), *Woman and Islam* (tr) (1990), *Dialogue for Truth* (1991), *Islam and Nationalism: An Analysis of The Views of Azad, Iqbal And Mawdudi* (1994) and *Women’s Issues: Women’s Perspectives* (ed) (1995). Her most recent work is *Muslim women at the crossroad: the rights of women in Islam and general Muslim practices* (2006).

Dr Kausar has regularly contributed articles in various international journals. Her area of specialisation and interest include: Western and Muslim political thought; modernisation and development theories; feminism; and women’s studies. Presently, Dr Kausar is working as an Assistant Professor in the Department of Political Science, Kulliyah of Islamic Revealed Knowledge and Human Sciences, International University Malaysia. She is a strong advocate of Muslim women’s rights.

This biographical information was provided by the publisher of Dr Kausar's work, Selangor Darul Ehsan, Malaysia.

Dr Fatima Mernissi (Morocco)

Dr Fatima Mernissi was born in 1940, in Fez, Morocco, near the Qarawiyyeen University, a medieval centre of learning which later became a stronghold of nationalist resistance to the French Colonial presence. She received her education in local schools opened by the nationalists for the traditionally veiled and secluded women of the city. Later, Dr Mernissi studied Political Science and Sociology at Mohammad University, where she became a lecturer.

Women's Studies is her particular area of research, and she wrote about women in the Muslim subconscious. Dr Mernissi believes that Muslims will eventually feel the pressing need to root their lives in the more liberating memory of the practice of the Prophet Muhammad (PBUH).

She is famous for several books, including her best seller *Beyond the Veil*.

Why is it that we find some Muslim men in some Muslim states saying that women cannot be granted full enjoyment of human rights? What grounds do they have for such a claim? None – they are simply betting on our ignorance of the *past*, for their argument can *never* convince anyone with an *elementary* understanding of Islam's history ...

The vast inspiring records of Muslim history so brilliantly completed for us by scholars such as Ibn Hisham, Ibn Hajar, Ibn Sa'd and Tabari, speak to the contrary. We Muslim women can walk into the modern world with pride, knowing that the quest for dignity, democracy, and human rights, for full participation in political and social affairs of our countries, stems from no imported Western values, but is a true part of the Muslim tradition ...

They give me evidence to feel proud of my Muslim past, and to feel justified in valuing the best gifts of modern civilization: human rights and the satisfaction of full citizenship.

(Mernissi, 1992, pp. vii-viii)

Other significant works include: *Beyond the Veil: Male-Female Dynamics in Modern Muslim Society* (1987), *Dreams of Trespass: Tales of a Harem Girlhood* (1994), which has been translated into more than twenty languages; *The Veil and the Male Elite: A Feminist Interpretation of Women's Rights in Islam* (1991); and *The Forgotten Queens of Islam* (1997), which goes back through fifteen centuries of Islamic history and examines the stories of fifteen Islamic queens.

Extensive information about Fatima Mernissi's books, articles and civil society projects can be found at: <www.mernissi.net>.

Dr Souad Salah (Contemporary Scholar, Assistant Mufti, Egypt)

Dr Souad Salah was raised in Cairo and educated at Al Azhar Islamic University (the oldest existing university in the world). Having received Bachelor's, Master's and Doctoral degrees from the prestigious university, she became a professor and administrator for 35 years.

Currently, Dr Salah is the head of the Department of Islamic Jurisprudence *Fiqh* in the Faculty of Islamic and Arabic studies.

She is also the author of several books on women's issues and rights within Islam. She gives religious advice and opinions on radio and T.V. programs.

Dr Salah states, "In the field of *Ifta'* (giving authoritative religious opinions) I will try my best to prove that women are not less than men, that they are able to fill the same roles and just as effectively."

Despite the fact that no woman in the Muslim world has ever been a mufti (a religious scholar given the authority to issue religious decrees), Dr Salah asserts that neither the Qur'an nor the actions of the Prophet (PBUH) indicate a woman is unfit for this post. (Recall that 'Aishah (r) Bint Abu Bakr's word was final when it came to questions of jurisprudence, in the founding period, 7th Century AD. (Ahmed, S 1999)

Imam Ibn Hazm confirms the rights of women to bear witness and to judge. For further information about this issue, see also Qur'an Chapter 58, 'The Woman Who Debated'.

Dr Amina Wadud (USA)

Dr Amina Wadud was born in the USA and is an Associate Professor of Islamic Studies at Virginia Commonwealth University (VCU) in Richmond, Virginia. She joined the university after holding a position as Assistant Professor at the International Islamic University in Malaysia, a post she had held since 1989.

Dr Wadud received her PhD from the University of Michigan. During graduate school, she studied Arabic in Egypt at the American University, Cairo, Cairo University, Cairo, and Al-Azhar University, Cairo.

Her first book: *Qur'an and Woman: Rereading the Sacred Text from a Woman's Perspective* (1992) became a world-wide phenomenon. By matching Dr Wadud's scholarship with the most recent advances in Modern Islamic studies and movements, her approach is both interactive and active. Consequently, Dr Wadud was an invited speaker, teacher and consultant within the United States, including Hawaii, as well as in Jordan, South and Southern Africa, Nigeria, Kenya, Pakistan, Indonesia, Canada, Norway, Netherlands, Sarajevo, and Malaysia. The first edition

of the book, published by Sisters in Islam in Malaysia, continues to be used all over the world as a basic text for activists and academics alike.

Dr. Wadud's research specialisations include Gender and Qur'anic Studies. Her most recent book is *Inside the Gender Jihad: Women's Reform in Islam* (2006).

For further information visit:

<<http://www.has.vcu.edu/wld/faculty/wadud.html>>.

74. A New Approach to Da'wah: Amr Khaled (Egypt/UK)

Amr Mohamed Helmi Khaled is an Egyptian Muslim, activist and preacher. *The New York Times Magazine*, in reference to Khaled's popularity in Arab countries, described him in the April 30, 2006 issue as "the world's most famous and influential Muslim televangelist". In 2007, Amr Khaled was ranked as number 62 in 'The Most Influential People in the World', in *Time*..

Khaled graduated from Cairo University in 1988 with an Accounting degree. In 2001 he received a diploma from the Islamic Studies Institute, Egypt. Khaled is currently studying for a PhD at the University of Wales, UK.

He rejects extremism and strongly denounces the actions of Osama bin Laden. Khaled announced that Arab Muslims want to live peacefully in coexistence with the West. His main teachings remain the same as those before him in more modern media, talking about everyday actions to get closer to Allah (SWT) such as honesty, humbleness, and being polite. Khaled believes that for society to improve it must change from the grassroots.

What really put Khaled on the world stage was his decision to host an interfaith conference in Copenhagen in March 2006, after the

controversies over the Danish cartoons mocking the Prophet Muhammad. Muslim clerics criticized him for extending an olive branch to the Danes. But Khaled didn't back down. An accountant by training who favors Hugo Boss shirts and designer suits, he maintains some traditional views—he believes women should wear headscarves, for example—but Khaled is a needed voice for moderation from within the Muslim world. “[Osama] bin Laden is saying he is talking on behalf of Muslims,” he says. “Who asked him to talk on behalf of us? Nobody.”

(Nomani, 2007, p. 19)

See also:

<http://www.time.com/time/specials/2007/time100/article/0,28804,1595326_1615754_1616173,00.html>.

Some of Khaled's TV programs are:

- *Life Makers*
- *On the Path of the Beloved*
- *In Thy Name We Live*

Life Makers was a TV program which aired from 2004 to 2005. It was presented by Amr Khaled, and was the main concept of his life. In this program the focus shifts from purely religious talk to action projects. The stated goal of the program is to produce a renaissance for the Arab and Muslim world. Projects in agriculture, education, small industries, healthcare, and other fields have been started due to his program.

On the Path of the Beloved was Amr Khaled's TV series for Ramadan 2005 in which he recounted and discussed the *Sirah* (life journey) of the Prophet Muhammad (PBUH). This show focused on Prophet Muhammad's personal side (PBUH) and how he dealt with difficult situations in his life.

In Thy Name We Live was Amr Khaled's TV series for Ramadan 2006, aired live every night from Makkah. The main concept of this show was strengthening viewer's faith through the meanings of the 99 Names of God in the Qur'an.

Further information can be found at the website: <www.amrkhaled.net>.

Part 5. Muslims in Australia

75. A brief history of Muslim women in Australia

In the early 1700s the first Muslims that we know of came to Australia. They were the Trepang fishermen from Macassar in Indonesia who established a friendly trading relationship with the Aboriginal people of Arnhem Land. Some even married Aboriginal women from Arnhem Land.

In the 1860s Afghan camel drivers arrived to help explore the interior of Australia. They were not allowed to bring any women or family members because of the White Australia Policy of the time. There were no such restrictions for Muslim women in Europe during the 1930s when Muslims arrived from Albania and Eastern Europe escaping from war and Communist regimes.

From then on Muslim women, who are mostly quiet workers, have been contributing to and raising funds to build mosques and schools. They now play a major role in maintaining religious and cultural practices in the home, keeping the family together and contributing to Australian society.

Always regarded as the first educators of the child, Muslim women are highly respected and work in many professions: as teachers, midwives, nurses and doctors to name a few. They have made a valuable and far reaching contribution to Islamic education in Australia: as fund raisers, teachers, principals and authors of Islamic books and programs. Here are some examples of well respected Muslim women living in Australia:

- Silma Ihram is an author and Principal of an Islamic high school, Nur Al-Huda, Sydney, which was featured in a documentary called *Silma's School* that screened on ABC TV in 2007.

- Madenia Abdurrahman is Principal of Arkana College in Stoney Creek, Sydney, and is an active member of the Muslim charity organisation called ‘Muslim Aid Australia’.
- Hanifa Dean is a well-known writer and author.
- Nasya Bahfen is a practising journalist and lecturer in journalism at RMIT, Melbourne.
- Jamila Hussain lectures in comparative law at the University of Technology, Sydney.
- In Queensland, Shifa’ Mustapha is a researcher in theological issues and an author.
- In Western Australia, Dr Samina Yasmeeen is an Associate Professor at the University of Western Australia and teaches world politics, women and citizenship issues, etc.

Other prominent women include Najla Fahd, a well-established columnist with Arabic media in Australia, Majida Abboud, head of SBS Arabic Radio, and Neemat El-Safty, health educator and campaigner for Arabic women’s education.

The first full time Islamic school in Sydney, Al Noori Muslim Primary School, was founded mainly by Silma Ihram, who, in the initial stages relied on an all-women team of teachers.

The first research by a Muslim woman in Australia was by Aziza Abdel-Halim on ‘Women in Islam’. It was included in a book, *Deliver us from Eve*, published by the Australian Council of Churches in 1977.

The first Muslim women’s organisation in Australia, called Al-mu’minah, was established in 1982 in Sydney by Fawzia Ahmad. It published a newsletter whose main focus was education, religious and secular, for Muslim women and children. The newsletter aimed to present a positive image of Islam and Muslim women to the rest of society. Since then, many other Muslim women’s organisations, associations and study groups have come into being over the years.

Australian Muslim women work in many different occupations:

Academics	Accountants	Artists
Business Managers	Court officers	Dentists
Dress Makers	Doctors	Engineers
Entrepreneurs	Hair Dressers	Health Scientists
Homemakers	Human Resource Managers	I.T Professionals
Journalists	Lawyers	Local Council Me
Marketing Executives	Medical Practitioners	Nurses
Office Workers	Pharmacists	Podiatrists
Public Servants	Researchers	Social Workers
Shopkeepers	Students	Teachers
Translators	University Lecturers	

They are making great contributions to the education and welfare of the Muslim community, and to Australian society at large.

76. A Timeline of Muslims in Australia

- Early 1700s The first known Muslims to come to Australia were the trepang_fishermen from Macassar in Indonesia. They would make annual journeys to Australia in search of trepang (sea cucumbers). The fishermen established a trading relationship with the Aborigines of Arnhem Land. This contact is still reflected in the language of the Aborigines and in rock paintings which can be seen today. Many Aborigines journeyed to Macassar during this time. The Macassans were stopped from fishing in the area in 1907 by the British.
- 1860 Three Afghans arrived in Australia with a consignment of 24 camels to be used by Bourke and Wills in their expedition into the interior central desert. The term ‘Afghan’ was used to describe all the camel drivers that were brought to Australia, the majority of whom came from Peshawar, Pakistan. Most of the camel drivers were Muslims but in fact they came from a number of countries including Turkey, Egypt, Afghanistan, Pakistan (Baluchistan), Punjab and Kashmir.
- 1865 Large scale introduction of camels was initiated by Thomas Elder in South Australia when he imported 31 handlers and 124 camels. Though the handlers were from a variety of countries they were recognised as one group because of their religion.
- 1870-72 Afghans with their camels assisted with the construction of the Overland Telegraph and camels became the major means of transport in the outback.
- 1871 The Muslim population in Australia is estimated at 20.²⁴
- 1872-76 Many ‘Afghans’ (Muslims) involved in exploration of the

²⁴ All population estimates are referenced from NSW Department of Education 1992, *Introducing Islam*, pages 50 onwards.

- Australian interior.
- 1880s Assam Khan began an independent transport business in Western Australia. His two sons became camel drivers when they were 10 years old. The business passed from generation to generation until the 1930s when camels were no longer needed because of the introduction of trains and trucks.
- Marree in South Australia becomes known as ‘Little Afghanistan’.
- Early 1880s the first Mosque is erected in Broken Hill.
- 1887 The ‘Ghan’ railway track began construction. Afghans were very much involved in the work and the train was later to take over their jobs in transport.
- 1890 Abdul Wade in Western Australia had 400 camels and sixty Afghan drivers. Camels were the major method of transporting goods across wide areas of Australia.
- Camels are used in the Western Australian gold fields.
- 1894 A wandering camel leads to a gold discovery in WA. Gold brings further demand for Afghans and their camel transport.
- 1896 Bejah Dervish was honoured for his part in saving the Calvert Expedition.
- Taqh Mohamed (well known camel owner) was murdered in the Mosque in Coolgardie, WA.
- Faiz Mahomet was refused naturalisation papers because he was an Asian.
- 1898 Adelaide Mosque erected.
- 1901 Estimated Muslim population 394.
- 1905 Perth Mosque erected.
- 1907 Brisbane Mosque erected.
- 1913 Malays working in the pearling industry at Broome.

- 1914-1918 An Australian Camel Corp is posted in the Middle East during World War I.
- 1919 Camel trains commonly used in Queensland.
- 1925 The Camel Destruction Act is passed. The Afghan camel drivers had transported goods all over the outback areas and therefore opened up much of the country for agricultural development but by 1925 the camels and their handlers had outlived their usefulness).
- 1927 A petition is presented to the Governor of Adelaide complaining of the harsh treatment of the Afghans.
- 1929 The last camel train leaves Broken Hill with supplies for the outback.
- 1930s A large Albanian Muslim community settles in Shepparton, Victoria. Bosnian Muslim immigrants arrive from Yugoslavia.
- 1949 Albanian Muslim refugees arrive as a result of the communist take over in Albania.
- 1950s Only two practising Muslims at the Mosque at Adelaide. First Lebanese Muslims arrive in Australia.
- 1956 NSW Islamic Society created.
- 1960s Lebanese Muslim migration increasing.
Small migration of Pakistanis to Australia.
Pakistanis represent about 1% of the Australian Muslim population.
Palestinians arrive as a result of the Six Day War and other conflicts in the region.
- 1960 Shepparton Mosque built by the oldest Muslim community in rural Victoria.
- 1961 Lebanese Muslim Association established.
- 1965 Australian Federation of Islamic Associations established in Melbourne (ten years later it moved to Sydney).

- 1967 Agreement between Australian and Turkish Governments to allow migration to Australia. Many of the Turks who migrated were Muslim.
- 1968 Last original Alice Springs Afghan, Saidel died.
- 1970s Some Kurds settle in Australia (90% of Kurds are Muslim).
- 1974 Dr Ali Kattani from Saudi Arabia visited and tried to unite the Islamic institutions in Australia and established Islamic societies in each state with each being a member of the Australian Federation of Islamic Councils.
- 1975 Outbreak of civil war in Lebanon brings large numbers of Lebanese to Australia. Approximately one third of these were Muslim.
Sallay Mohamat (descendant of the camel drivers) accompanies a gift of four Australian camels to Saudi Arabia.
- 1975-77 About 14 000 Lebanese Muslims arrived in Australia, mainly through family sponsorship.
- 1976 Census records show 45 206 Muslims living in Australia
Lakemba Mosque completed in Sydney.
The majority of Indonesian born migrants coming to Australia are Muslim.
Surry Hills Mosque in Sydney was officially opened by the Hon. Gough Whitlam.
- 1979 Revolution in Iran brings around 3000 Iranians to Australia. The majority of them are Muslims.
- 1980s Estimated population of Egyptian Muslims in Australia is 2500.
A number of Kurds arrived in Australia as part of a special humanitarian program.
- 1980 Last passenger run of the original Ghan. The Dadleh brothers, descendants of the camel drivers, were at the

- ceremony.
- 1981 Estimated 1470 Malaysian Muslims (Malays) in Australia. Census shows 76 792 Muslims (41 329 men and 35 463 women) living in Australia.
- 1983 Traditional Muslim funeral arrangements permitted in Australia
- 1985 100 sponsored Afghan families arrive as refugees following USSR invasion of Afghanistan. Arncliffe Mosque completed in Sydney.
- 1986 Census records show 109 500 Muslims in Australia.
- 1990s Estimated number of Muslims in Australia 250 000
Approximately 45 Mosques in use.
The construction of new Mosques is causing controversy in some local government areas.
Middle East crisis.
Broken Hill Mosque is a tourist attraction and a reminder of the contribution of the Afghans to Australia's past.
- 1990-2007 Migration from war torn areas such as the Sudan, Somalia, Eritria, Ethiopia, Fiji, Afghanistan and Eastern Europe. Australian Muslims come from over 70 countries. Over one third of the Muslim population is Australian-born.

Sources

Jones, May Lucille (Ed.) 1993, *An Australian Pilgrimage: Muslims in Australia Seventeenth Century to the Present*, Victoria Press, Australia.

NSW Department of Education, 1992, *Introducing Islam*, Curriculum Resources, NSW Department of Education, Australia.

77. Statistics about Muslim women in Australia

Australia has a population of approximately 21 million people. The Australian Federation of Islamic Councils (AFIC) estimates that over 350 000 are Muslim and roughly half of these are Muslim women!

Today, Muslim women study and work in many fields in Australia:

Employed Australian Muslim Women Aged 15 and Over by Level of Occupation – 2001 Census

Occupation	Muslim Women
Managers and Administrators	794
Professionals	4 306
Associate Professionals	2 446
Tradespersons & related workers	840
Semi-skilled	8 716
Unskilled	7 858
Not stated/inadequately described	975
Grand Total	25 935

The Labour Force Status for Australian Muslim Women Aged 15 and Over – 2001 Census

Labour Force Status	Muslim Women
Employed	25 935
Unemployed	5 866
Not in labour force	57 684
Not stated	1 479
Grand Total	90 964

78. Conclusion

Bismillahi Arrahman Arraheem.

In the name of God, the Compassionate, the Merciful.

When I set out to write this book, I was attempting to answer all the persistent queries that come from so many Australians of all ages. Most of these questions came from Muslims, but quite a few were also raised by non-Muslims. I have faithfully used reliable and enlightened sources. But if by any chance you still have some doubts concerning some issues, I hope that the recommended reading list will supply you with very interesting and informative material.

I also hope that this attempt on my part will succeed in bringing Muslim and non-Muslim Australians closer together, promoting very positive and flourishing friendships. Such friendships help us coexist in peace and harmony in a safe and prosperous Australia.

Assalamu Alaikum.

Peace be with you.

Aziza Abdel-Halim, AM

Part 6. About the Author and the MWNNA

The Author

Aziza Abdel-Halim AM

BA (Hons) Alexandria University

DipEd. Teachers College, University of Sydney

Aziza Abdel-Halim was born and educated in Egypt. She studied Islamic history and Islamic archaeology at Alexandria University and has a Bachelor of Arts with Honours in English Language and Literature. She worked as a head teacher of the English Department at the prestigious English Girls' College, Alexandria and part-time lecturer at Alexandria University.

In 1970, Aziza migrated to Australia with her husband Mohamed Abdel Halim, a linguist, and their two little girls. She had a contract to teach English at St John's High School in Auburn, Sydney. She then studied at Sydney Teachers College and majored in English/History and ESL methods of teaching. Her first appointment was at Parramatta High School. She then taught at Auburn Girls High School, where she led the drive for multiculturalism, the study of Arabic and Islamic culture, and helped introduce an Islamic Arts course for HSC students. She opened three rooms at the school for Arabic students to study Arabic and Islam on the weekend. She was also a member of the first curriculum development committee to introduce Arabic as a subject in Australian high schools.

The first committee for the Egyptian Islamic Society elected her as Vice President. She also wrote a children's page in the newsletter published by the first mosque in Surrey Hills, Sydney. On religious festival days, Aziza was often called upon to speak to groups of people, at churches, schools, Rotary Clubs, and at Guides NSW, where she was asked to be an examiner for Muslim Guides.

In 1977, her first paper on ‘Women in Islam’ was published in the book *Deliver Us From Eve*, (Thiering (ed), 1977). She was appointed as Islamic Education Adviser to the Islamic Council of NSW, which commissioned her to write the Islamic syllabus for Islamic primary and high schools. She was also appointed as education advisor to the Islamic National Body (AFIC) and organised the first long-weekend training about Islam for teachers in Islamic schools. Later, Aziza organised another training program for teachers of Arabic at Malek Fahd School in Sydney. She published a research paper on ‘Meeting the Needs of Muslim Students in the Australian Education System’, which was later accepted by the SCOTT Committee; a body that was appointed by the NSW Education Department to review aspects of the education system in NSW.

Aziza presented papers at Sydney University, ANU, UTS, and contributed research papers at three consecutive international Islamic conferences at Monash University. Other papers were published overseas in: *Al Nahda* in Malaysia, *The Muslim Reader* in Singapore, and *The D’awah Magazine of the Islamic Council of the Philippines*. She also helped set up the women’s wing of the D’awah Council of the Philippines and gave several lectures there over many years.

Aziza attended the youth camp in Hong Kong where she gave six lectures over three days and a special interfaith presentation at the Central Mosque in Kowloon after September 11, 2001. She has been the Chairperson of the Muslim Women’s National Network of Australia (MWNNA) since 1991 and the Deputy Chairperson of the Women’s Movement of the Regional Islamic D’awah Council of South East Asia and the Pacific (RISEAP) since 1984. She was a member of the Muslim Community Reference Group and the Chairperson for the Women’s Sub-Group. She has been researching Islamic issues pertaining to women and to living in a non-Muslim country for the past 32 years. As a result, she is a firm believer in building bridges of respect, understanding and cooperation with women of other faith.

Aziza was awarded the Order of Australia in 1988 for service to the Muslim community, especially women and has received several other awards from Australian and regional organisations.

Aziza and her husband now have four Australian grandchildren.

The Muslim Women's National Network of Australia Incorporated

In 1991, the Muslim Women's National Network of Australia Inc. (MWNNA) was founded to establish links and lines of communication between various Muslim women's organisations now in existence.

The MWNNA takes the lead in addressing the Muslim community's needs and problems in a range of areas.

It was established to meet the need for a national organisation that would build bridges between various Muslim women groups as well as between these groups and the Government. For example, the Network addressed the issue of *Halal* food at the '*Halal* Food/Business Function' with food producers in Sydney in April 1992. Later it addressed issues of justice for women under the law at a national conference on 'Muslim Women and the Australian Family Law/Muslim Women and *Shari'ah*' in Sydney, April 1993. In March 1994, MWNNA organised the second national women's conference, 'The Future of the Australian Muslim Family: A Strategic Plan'. The Network has been involved in several annual 'bridge building' events with non-Muslim Australian women's groups and organisations.

As a proud Australian Muslim womens' organisation, the MWNNA is a member of the Australian Women Coalition (AWC), and a founding member of the Women Interfaith Network (WIN). Over the years the Network has had several joint projects and functions with Catholic women, Jewish women, UNIFEM, Guides NSW, Zonta International, Affinity Intercultural Foundation, and the Human Rights Commission.

The MWNNA has always planned ‘bridge building’ projects to coincide with the United Nations International Days. Some examples include:

- On the UN International Day for Peace, the MWNNA teamed up with the National Council of Jewish Women and screened a Canadian Muslim Women’s documentary *Under One Sky*, which was followed by robust discussion on 5 September 2006. It was attended by participants from various faiths and interested women’s groups.
- To coincide with the International Day for Human Rights, MWNNA teamed up with the National Council of Women, NSW, and Pan-Pacific and South East Asian Women’s Association (PPSEAWA) and organised a visit to the Gallipoli Mosque in Auburn on 13 November 2006. Almost 100 extremely interested non-Muslim women took part. The tour was followed by lunch at a Turkish restaurant, where questions were answered and a handout was presented to participants explaining the essentials of the Islamic faith.
- For the UN Day of the Elimination of Violence Against Women, an event was hosted by MWNNA together with UNIFEM and the Auburn Councillors on 25 November 2006. The speaker was a young Muslim man who spoke about Islam and its opposition to violence against women.

As part of our other activities, a leadership training program for women (SILC) was organised in July 2007 in conjunction with the Islamic Women’s Welfare Council of Victoria, who supplied the trainers.

Research into facilities in Sydney mosques for women was a project completed in July 2007 by Sister Jamila Hussain and a team of researchers.

One of the Network's most important highlights is its annual Muslim Women's Regional Forum where women from every state in Australia and every country in the region come together to discuss achievements, problems and to plan joint projects for the betterment of all women.

Muslim women in Australia are everywhere, in every respected profession. However most are motivated by the Islamic philosophy that service to the community without too much publicity earns them better rewards from God and they often shun the limelight, for this reason.

Further information about the MWNNA is available at:
<www.mwnna.org.au>.

Part 7. Glossary and References

79. Some Terms Frequently Used by Muslims

Allah	the Arabic word for God with no gender and plural forms. (It is also used by non-Muslim Arabs including Christians.)
AD/CE	Anno Domini / Christian Era.
AH	the Islamic Calendar which starts with the migration from Makrah to Madinah (622 AD). The Year of <i>Hadith</i> , 622 AD, is the year during which the Prophet (PBUH) emigrated from Makkah to Madinah. It was proclaimed since that time as the year upon which all events in the Islamic lunar calendar are to be counted.
<i>assalamu 'alaykum</i>	a greeting that Muslims use whenever they meet one another. It means 'peace be upon you'.
<i>azan/athan</i>	the call for the daily prayers.
<i>bid'a(h)</i>	innovation.
<i>d'awah</i>	invitation to understand Islam.
<i>Eid</i>	a festivity; a celebration; a recurring happiness; a feast.
<i>Eid Al-Adhha</i>	a celebration in remembrance of the sacrifice by Prophet Abraham of his son Ishmael.
<i>Eman/iman</i>	belief, faith.
<i>Hadith</i>	the sayings and the traditions of Prophet Muhammad (PBUH); His sayings are found in books called <i>Hadith</i> books.
<i>Hajj</i>	the performance of pilgrimage to Makkah, which is required once in a lifetime for Muslims, if

	means are available.
<i>Halal</i>	lawful within Islam.
<i>haram</i>	unlawful within Islam.
<i>Hijrah</i>	the year that Muslims migrated from Makkah to Madinah. It also marks the beginning of the Islamic calendar in which the 1st century <i>Hijrah</i> (H) corresponds to the 7th century AD.
<i>Iftar</i>	a meal eaten after sunset to break the fast during the month of Ramadan.
Imam	a religious leader or teacher; Any person who leads a congregational prayer is called an Imam.
<i>ijtihad</i>	endeavour to reach the right meaning.
Islam	the word Islam comes from the Arabic word <i>Salam</i> , meaning peace or surrender to the will of God.
<i>Jannat/Jannah</i>	Paradise.
<i>Jihad</i>	an Arabic word, the root of which is <i>Jahada</i> , which means to strive for a better way of life. Other meanings are: endeavour; strain; exertion; effort; diligence; fighting to defend one's life, land and religion. It does not refer to 'holy war' as in the Holy War of the Crusaders in medieval history. It does refer to a defensive war, or a war against an unjust regime. If such a regime exists, the war is to be waged against the leaders, but not against the people of that country. Islam prohibits terrorism, kidnapping, and hijacking.
<i>Jum'a(h)</i>	Friday, when congregational prayer is obligatory for Muslims.
<i>Ka'ba(h)</i>	the first house of worship of the one God in Makkah;

the cube-shaped shrine located in the centre of Makkah's Great Mosque which is a place of Pilgrimage for Muslims.

Qur'an/Koran

Name of the Holy Book of Islam.

Masjid/Jamee

another name for a Mosque.

Makkah/Mecca

the holy city of Islam in west-central Saudi-Arabia, where Muhammad was born.

**Madinah/Madina/
Medina**

a city located almost due north of Makkah, where the Prophet (PBUH) and his followers migrated in 622 AD.

mihrab

Mosque feature that indicates the direction of Makkah.

Minaret

a mosque tower or steeple from which Muslims are called to prayer.

minbar

a stand or steps in the mosque from which the Imam speaks.

Mosque

a place of worship.

mu'zzin

the person who calls Muslims to prayer.

Mufti

a religious scholar given the authority to issue religious decrees.

Muhammad

the Prophet of Islam (PBUH), the last Messenger of God.

Muslim

any person who believes the creed and teachings of Islam, i.e. one who surrenders or submits to Allah (SWT) / God.

PBUH

said or written following the name of Prophet Muhammad (PBUH), meaning 'Peace Be Upon Him'.

People of the Book

Christians and Jews.

<i>qibla(h)</i>	the wall of the mosque which indicates the direction of Makkah.
(r)	abbreviated substitute for ‘may Allah be pleased with her/him’.
<i>rak’ah (singular)</i> <i>rak’aat (plural)</i>	one complete movement of prayer.
Ramadan	the ninth month of the Islamic calendar, the holy month of fasting.
<i>salah/salat/</i> <i>salaah/solah</i>	prayers.
<i>sawm</i>	the act of fasting during Ramadan.
<i>Shaikh/Shaykh</i>	a title for an elderly person or a religious leader in a community. This title is also given to a wise person.
<i>shahadah</i>	declaration of Faith.
<i>Shariah/Shari’ah</i>	the revealed and the canonical laws of the religion of Islam.
Shi’ites/Shi’ah	a sect in Islam.
<i>Sunnah</i>	the sayings, deeds, and behaviour of the Prophet Muhammad (PBUH). The <i>Hadith</i> of the Prophet is part of the <i>Sunnah</i> .
<i>Sunnis</i>	a sect in Islam.
<i>Sirah</i>	the writings of the companions of the Prophet (PBUH) about him, his life history and his ways of handling different situations. Hence it is the life history of Prophet Muhammad (PBUH) which provides examples of daily living for Muslims.
<i>Sufi</i>	a spiritually motivated Muslim.

<i>surah</i>	Qur'anic chapter. The Qur'an is composed of 114 chapters, each of which is called a <i>surah</i> , meaning chapter.
SWT	<i>Subhanahu Wa T'alaah</i> ; following the name of Allah is a glorification of Allah (SWT).
<i>topi or taqiyyah</i>	cap sometimes worn by Muslim men and boys.
<i>zakaat/zakaah</i>	a percentage of income collected once a year and distributed to the needy, students, orphans, widows. The literal meaning of the word is 'purity'. The percentage is 2.5% of savings over one year.
<i>tajdid</i>	innovation; introducing something new.
<i>taqlid</i>	adoption of a legal decision of a school of thought.

80. Relevant Sections of Australian Law

Violence Against Wives

The Australian Government's position is that family violence cannot be tolerated. If a family member is causing you to fear for your safety, or the safety of your children, or other family members, or your property, contact the police. If you need urgent help, telephone 000 and ask for the police. Tell them if there are guns or other weapons involved.

The Government has also established a 24-hour confidential helpline to provide assistance to people suffering from family violence (phone 1800 200 526). Further information can be found on the following website: www.australiasaysno.gov.au/. This website contains information in 14 languages on how to get help if you, or someone you know, is suffering from family violence.

If you have ongoing concerns about your safety, or the safety of your children, seek advice from the police or a lawyer about how to apply for a family violence order.

Family violence orders are made under State or Territory legislation and are commonly known as 'apprehended violence orders', 'domestic violence orders', 'protection orders' or 'restraining orders'. These orders will restrict the behaviour of the aggressor in order to prevent further violence. For example, a person may be prohibited from being in the suburb of the family home or from approaching you.

Polygamy

It is an offence to be married to more than one person at one time in a form of ceremony recognised by the *Marriage Act 1961*. A ceremony which is religious only will not be recognised by Australian law and the offence of bigamy will not apply. There is no prohibition in Australian

law against a person claiming to have more than one spouse recognised under religious laws.

People who enter into religious marriages will not have the legal protection provided by a marriage that is recognised under the *Marriage Act 1961*. This includes the right to access the Family Court for property settlement upon separation. It will also impact on who may be entitled to inherit property upon death.

Marriage in Australia

In order to be married legally in Australia a couple must be married in accordance with the requirements of the *Marriage Act 1961*. These requirements are as follows:

- **The parties must have reached 18 years of age.**
If one party has reached 16 years of age, and they wish to marry a party who has reached the age of 18, they may apply to a Judge or Magistrate for an order allowing them to marry. In addition to obtaining a court order, the parents must either consent to the marriage of the 16 year old or the court must make an order dispensing with the parents' consent. It is not possible for two parties under the age of 18 to marry.
- **The parties must not be in a prohibited relationship.**
Marriages of parties within a prohibited relationship are marriages
 - a) between a person and an ancestor or descendant of the person; or
 - b) between a brother and a sister (whether they are whole blood or half blood).

These relationships include adopted children. For example, an adopted child can not marry their adoptive parents, grandparents or siblings.

- **Neither of the parties can, at the time of marriage, be lawfully married to some other person.**

Marriages recognised under Australian law include marriages performed overseas that were recognised by that country's law. Overseas marriages will not however, be recognised, if at the time of marriage one of the parties was already married; the parties are in a prohibited relationship; the consent of either party was not real consent or either of the parties was not of marriageable age (if at least one party was domiciled in Australia at the time of marriage).

- **The consent of both parties must be real consent.**

Consent will **NOT** be real consent if:

- a) It was obtained by duress or fraud; or
- b) A party is mistaken about the identity of the other party or the nature of the ceremony performed; or
- c) A party is mentally incapable of understanding the nature and effect of the marriage ceremony.

- **Parties must comply with the procedural requirements of the Marriage Act as follows:**

1. A 'Notice Of Intended Marriage' (NOIM) must be given to the marriage celebrant or nominated Minister of Religion who is to marry them, not earlier than 18 months before the wedding and not later than one month and one day before the wedding. The NOIM form can be found at the Attorney-General's Department website at: <<http://www.ag.gov.au>>.
2. At the time of the marriage the parties must sign a declaration that there is no legal impediment to them getting married, including that they are not already legally married to some other person and that they are of marriageable age.
3. There must be two persons over the age of 18 present to witness the marriage ceremony.

4. Parties must make vows to each other in a marriage ceremony. If they are married by a Commonwealth marriage celebrant or a Registry of Births, Deaths and Marriages officer, they must say the following words, “I call upon the persons here present to witness that I, *AB*, take thee, *CD*, to be my lawfully wedded wife/husband” (or words to that effect). If they are married by a religious marriage celebrant parties must use vows agreed to by the celebrant which are in accordance with the marriage ceremony of the religion.
5. A certificate of marriage must be signed by the parties at the time of the marriage ceremony. The marriage celebrant or minister must register the marriage within 14 days by providing a certificate to a Registry of Births, Deaths and Marriages.

A marriage may not be valid if requirements 1, 2, 3 or 5 are not met. If parties are unsure if a valid marriage has occurred they must seek a determination from the Family Court. The Registry of Births, Deaths and Marriages offices are not able to make this decision.

- **Parties must be married by a person who is authorised by Australian law.**

There are three types of people who are authorised to marry couples in Australia. They are as follows:

1. *Ministers of religion who have been nominated by ‘recognised denominations’ under the Act.*

Islam is a recognised denomination under Section 26 of the Marriage Act. Imams are put forward for registration by the Australian Federation of Islamic Councils (AFIC) which is the nominating authority for Islam.

Imams who are nominated are only allowed to perform a marriage in accordance with the rites of Islam.

They are also required to follow the requirements of the Marriage Act when they marry couples. They must, therefore, comply with all of the procedural requirements listed above. They should not perform marriages which are ‘religious only’ if the couple have not already been married under Australian law.

The list of Imams who are able to perform Australian marriages can be found on the Attorney General’s Department website at <www.ag.gov.au/celebrants>.

2. *Commonwealth marriage celebrants.*

Individuals can apply to the Registrar of Marriage Celebrants to become a registered Commonwealth marriage celebrant. The Registrar works for the Attorney-General’s Department. For details of the process of registration and a list of marriage celebrants please see the Attorney-General’s website listed above.

3. *State and Territory marriage celebrants.*

The State and Territory Registries of Births, Deaths and Marriages (BDM) can appoint people to act as marriage celebrants. These celebrants usually work at the Registry of Births, Deaths and Marriages offices. They may also be located in remote areas at places such as a Court.

Divorce in Australia

The Government's aim is to provide for simple and dignified divorce and to ensure that when families do break down, the process of resolving the problems of those involved is as painless as possible.

Major reforms in 2006 aim to bring about a cultural shift in how family separation is managed – away from an adversarial approach and towards cooperation. The Government wants to change the way people think about family breakdowns, and to improve outcomes for children. These reforms ensure that family law puts children first.

The *Family Law Act 1975* contains the law in relation to divorce. The Family Law Act does not require 'fault' to be demonstrated in order to obtain a divorce. To establish that the marriage has broken down irretrievably, the parties must have "lived separately and apart" for a continuous period of twelve months immediately preceding the date of filing of the application.

All applications for divorce are now filed in the Federal Magistrates Court. The Family Court website at:

<<http://www.familylawcourts.gov.au>> provides detailed information on the process of getting divorced. A divorce conducted overseas may be recognised as valid if certain conditions set out in the Family Law Act are satisfied. Australian law does not recognise religious divorces carried out in Australia.

If you cannot agree about the living arrangements for your children you may wish to seek advice from a Family Relationship Centre. The Family Relationship Centre can help you by providing information about family relationships and can also refer you to other services that can help. For people experiencing separation, the Centre can also provide joint sessions with the other parent or family member to help reach agreement on parenting arrangements.

You can find out about services to help you and your family manage family relationships by visiting Family Relationships Online. Family Relationships Online is also a central source of information on family law and family relationship issues. You can access Family Relationships Online on the internet at: <<http://www.familyrelationships.gov.au>>.

General information about family law and family relationships may also be obtained by calling the Family Relationship Advice Line. You can contact the Advice Line by calling 1800 050 321. It is available from 8.00 am to 8.00 pm on Mondays to Fridays and 10.00 am to 4.00 pm on Saturdays (except national public holidays).

Courts are able to make an order under the Family Law Act altering the interests of the parties to the marriage in their property, or splitting future superannuation benefits, where it is satisfied that, in all the circumstances, it is just and equitable to do so.

Equality

The Australian Government condemns discrimination in all its forms. The Australian Government strongly supports the equality of all Australians, regardless of race, colour, national or ethnic origin, sex or religion.

The Australian Government remains committed to ensuring that all Australians respect the freedom of religion and racial equality enshrined in our law and that Australians of all cultures and religions are able to express and to practise their religion and their beliefs without intimidation and without interference.

However, religious practises or particular interpretations of religious tenets should not be seen as legitimising activities that conflict with the laws of Australia. The Australian Government is committed to eliminating discrimination and violence against women and girls.

The Government has introduced a range of initiatives to improve opportunities and choices for women, including in the areas of health, education, training and employment.

Australia has a range of anti-discrimination and human rights legislation aimed at ensuring the equality of all Australians, including the *Racial Discrimination Act 1975*, *Sex Discrimination Act 1984*, *Disability Discrimination Act 1992*, *Age Discrimination Act 2004*, and the *Human Rights and Equal Opportunity Commission Act 1986*). Each State and Territory also has anti-discrimination laws and other legislation that protect human rights.

The *Racial Discrimination Act 1975* makes it unlawful to discriminate against any person by reason of that person's race, colour, descent, or national or ethnic origin, in a number of areas of public life including access to places and facilities, the provision of goods and services, employment and advertisements. The Act also prohibits offensive behaviour based on racial hatred, that is, racial vilification.

The *Sex Discrimination Act 1984* makes it unlawful to discriminate on the basis of sex, marital status, pregnancy or potential pregnancy in a number of areas of public life. The Act also seeks to eliminate dismissal of employees on the basis of family responsibilities and to eliminate sexual harassment in areas of public activity.

There is no federal legislation dealing specifically with religious discrimination or vilification. Religious beliefs are inherently complex and varied, deeply personal, and easily open to misunderstanding. It is for this reason that the Government believes that the most lasting and effective way to promote tolerance of different religious beliefs and assist in minimising discrimination on the basis of religion is through education.

In this regard, under the *Human Rights Equal Opportunity Commission Act 1986*, the Human Rights and Equal Opportunity Commission is tasked with a human rights education role, and plays an important part in increasing community awareness of human rights issues.

Female Genital Mutilation

Female genital mutilation is a repugnant crime and the Australian Government opposes this practice. It is not an accepted feature of Australia’s diverse cultural fabric.

All States and Territories have enacted legislation making it a criminal offence to perform female genital mutilation on any person or to remove a child from the State or Territory in which they reside for the purpose of performing female genital mutilation.

Evidence of the instances of this abhorrent practice occurring in Australia are largely anecdotal. Nonetheless, treatment, prevention and awareness campaigns concerning female genital mutilation are administered by State and Territory Governments and partly funded through agreements between the Australian Government and State and Territory Governments.

The maximum penalties for offences of either performing female genital mutilation or removing a child from the jurisdiction for the purposes of genital mutilation range from 7 years imprisonment to 21 years imprisonment.

A table of penalties for such offences is provided below:

State	Relevant Legislation	Maximum penalty for performing FGM	Maximum penalty for removing a child from the jurisdiction for

			the purpose of FGM
ACT	<i>Crimes Act 1900</i> (ss. 74 and 75)	15 years imprisonment	7 years imprisonment
NSW	<i>Crimes Act 1900</i> (s. 45)	7 years imprisonment	7 years imprisonment
NT	<i>Criminal Code</i> (ss. 186B and 186C)	14 years imprisonment	14 years imprisonment
QLD	<i>Criminal Code 1899</i> (ss. 323A and 323B)	14 years imprisonment	14 years imprisonment
SA	<i>Criminal Law Consolidation Act 1935</i> (ss. 33A and 33B)	7 years imprisonment	7 years imprisonment
TAS	<i>Criminal Code Act 1924</i> (ss178A and 178B)	21 years imprisonment	21 years imprisonment
VIC	<i>Crimes Act 1958</i> (ss. 32 and 33)	15 years imprisonment	15 years imprisonment
WA	<i>Criminal Code</i> (s. 306).	20 years imprisonment	10 years imprisonment

Australia is also a party to both the Convention on the Rights of the Child (CRC) and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW).

Article 24(3) of the CRC provides that “States Parties shall take all effective and appropriate measures with a view to abolishing traditional practices prejudicial to the health of children”.

Article 2(f) of CEDAW obligates States Parties to undertake all appropriate measures, including legislation, to modify or abolish existing laws, regulations, customs and practices that constitute discrimination against women.

Enacting legislation which specifically prohibits the practice of female genital mutilation, and the support of these international Conventions,

sends a clear message that this type of mutilation is not acceptable in Australia.

The Rights of Children in Australian law

The Australian Government, in accordance with its international obligations, condemns the use of torture, or cruel, inhuman or degrading treatment or punishment.

Corporal punishment in the home is lawful throughout Australia under the label ‘reasonable chastisement’ and other similar provisions in States’ legislation. Whether corporal punishment constitutes a violation of one of these criteria will depend on the circumstances of the particular case.

Each State and Territory has a child protection intervention service which is responsible for investigating allegations of child abuse. If, as a result of their investigation, the service believes that a child is being abused they may initiate legal action. The court has the power to make orders in relation to the care of a child including that a child be removed from the care of the parents or guardian.

Australian States and Territories are responsible for regulating school discipline policies and practices. The Australian Government does not endorse corporal punishment as an approach to developing values and respect in students. The National Safe Schools Framework consists of a set of nationally agreed principles for a safe and supportive school environment. It includes appropriate responses which schools can adopt to address issues of bullying, violence, harassment, and child abuse and neglect.

The Australian Government promotes best practice nationally in the areas of child abuse prevention and early intervention and prevention. It supports a range of organisations to work with families to improve outcomes for children, including funding to provide parenting

information and support. The Australian Childhood Foundation (ACF) is one of those organisations funded to deliver positive early childhood development through parenting information.

The ACF runs a program, 'Every Child is Important', which is a universal parenting education program designed to promote positive parenting behaviour and to build parenting confidence, knowledge and access to support.

A key focus of the program is the 'Every Child is Important' book which contains some information on discipline and alternatives to smacking which has been available publicly since 2001. As a whole, information in the book is aimed at supporting parents and enabling them to positively enjoy their role in raising happy and confident children.

The full book is available at <www.kidscount.com.au> in English and other languages.

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I Am A Muslim Woman

I am a Muslim woman
Feel free to ask me why
When I Walk,
I walk with dignity
When I speak
I do not lie
I am a Muslim woman
Not all of me you'll see
But what you should appreciate
Is that the choice I make is free
I'm not plagued with depression
I'm neither cheated nor abused
I don't envy other women
And I'm certainly not confused
Note, I speak perfect English
Et un Petit peu de Français aussi
I'm majoring in linguistics
So you need not speak slowly
I run my own small business
Every cent I earn is mine
I drive my Chevy to school and work
And no, that's not a crime!
You often stare as I walk by
You don't understand my veil
But peace and power I have found
As I am equal to any male!
I am a Muslim woman
So please don't pity me
For God has guided me to truth
And now I'm finally free

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