

A Historical Perspective of the Islamic Concept of Modesty and Its Implications for Pakistani Women at Work

JAWAD SYED

Doctoral Researcher
Department of Business
Division of Economics and Finance
Macquarie University
Sydney, NSW 2109
Australia
Tel: +61-2-9850 7787
Fax: +61-2-9850 6065
Email: thejawad@yahoo.com

FAIZA ALI

Doctoral Researcher
Department of Business
Division of Economics and Finance
Macquarie University
Sydney, NSW 2109
Australia
Tel: +61-2-9850 7787
Fax: +61-2-9850 6065
Email: fali@efs.mq.edu.au

Abstract

First, this paper offers a brief overview of the Islamic concept of modesty as enshrined in the Qur'an, and the socio-cultural contexts in which this concept was introduced. We argue that the Qur'anic concept of modesty is not specifically aimed at women and is applicable to all Muslims irrespective of their gender. However within the Qur'anic text, we identify certain special provisions (such as codes for dress and space), which were introduced to provide extra protection to women in a seventh century patriarchal society that was socially and morally corrupt. We then examine the historical transformations in the Islamic concept of modesty since its inception fourteen hundred years ago. We argue that the originally egalitarian text was subsequently biased and reinterpreted under the patriarchal influences within different cultural and historical contexts, particularly during the Umayyad and Abbasid Caliphates. The protective provisions for women were thus transformed into the misogyny of the following periods resulting in the institutions of *Harem* and *Purdah* (seclusion). The shift was incorporated into Islam by way of the *Tafsir* (exegesis) of the Qur'an and the narratives detailing the life and traditions of the Prophet Muhammad. These secondary texts thus enabled the textualization of an extremely restrictive concept of modesty for Muslim women (such as *Chador* and *Chardiwari* in Pakistan). We specifically investigate the popular concept of modesty in contemporary Pakistani society and its implications for Muslim women at work. The concept poses significant social, physical and emotional barriers for workingwomen in Pakistan. We finally propose that the institution of *Ijtihad* (critical reasoning) should be deployed to emancipate the Islamic concept of modesty from its presently patriarchal interpretations. This would in turn facilitate equal employment opportunity for Muslim women in organizations.

A Historical Perspective of the Islamic Concept of Modesty and Its Implications for Pakistani Women at Work

Introduction

The Islamic concept of female modesty is rooted deep in the primary religious materials such as Qur'an, *Hadith* and other historical texts and traditions. Consequently, women in the Islamic society remain subject to sexual segregation and restriction on the pretext of religious and social values (Ali 2000, Kazemi 2000). It is thus imperative to closely study and analyse early Muslim written genres, objects and traditions to understand the concept of gender segregation and female modesty in the Islamic society. Within this context, the issues of authenticity, narrative, communal identity, social control and the extant bodies of evidence are equally important. The question of what is intrinsically Islamic or un-Islamic with respect to gender issues remains complicated by several misconceptions often confused with Islam such as the concept of female specific modesty, seclusion and the corresponding practices of female oppression and honour killings. To find answers to these and other related questions, a return to history is required, looking at religious texts and Fiqh (jurisprudence) documents in a more critical and objective manner (Yamani 1996: Introduction).

In the Islamic society, men are generally considered as ontologically superior to women. It is commonly believed that a woman is duty-bound to submit to the man in his capacity as her "husband, father or brother" (Khan 1983). This ideology of male supremacy infuses Islamic societies and beliefs to such an extent that it has represented Islam as a religious patriarchy that "professes models of hierarchical relationships and sexual inequality and puts a sacred stamp [onto] female subservience" (Mernissi 1996). Muslim intellectuals today (and Muslim feminists in particular) are investigating Islam's history and are engaged in ever expanding circles of ideologues, political activists, legislators, policy makers, and academics across the intellectual spectrum of gender segregation and gender equity. In the last few decades, many Muslim and Non-Muslim writers have endeavoured to modernize Islam, and in recent years Muslim conservatives have rediscovered an Islamic essentialism that purports to "Islamize modernity." Grafting contemporary concepts such as feminism, liberalism, socialism and rationalism onto the pre-modern Islamic paradigm, these efforts reflect the global ideological trends of the day (Afshari 1994). In this paper, we examine the historical transformations in the Islamic concept of modesty since its inception fourteen hundred years ago, and its implications for workingwomen in contemporary Islamic society. We argue that the originally egalitarian text was subsequently biased and reinterpreted under the patriarchal influences of the following periods.

Women in Pakistani Society

"Back in 1934 when I was a student of the Intermediate (First Year) in the Bareilly College, my Professor of English once asked me: 'Aftab! What is your opinion about girls' education?' Promptly I replied: 'If you wish to make harlots of them, educate them in school.' The answer did not stun or surprise him. By that time, he had become accustomed to receiving such darts from members of the middle and higher classes among the Muslim Junta... My impromptu answer only articulated the feelings and views of the gentry of the town who had nothing but censure and reproof for that valiant champion of women's lift. These were days when even my aged grandmother could not think of going out of the residential house even in a veil which covered her from head to toe." (Hussain 1987:1)

The above incident of his early college years has been narrated by the former Chief Justice of Shariat (Islamic Law) Court of Pakistan, Mr. Justice Aftab Hussain. Later in his life, Hussain by virtue of direct study of Qur'an, and Sir Muhammad Iqbal (renowned philosopher poet of Muslim India), changed his outlook and vision (p.2) that was previously obscured by customary seclusion of women, and the inflexibility of '*Taqiid*' (imitation without questioning) in religious matters. However, the above incident does reflect a major issue in the Islamic society: the rigid concept of modesty and sexual segregation that is rooted deep in the Islamic society (Syed and Ali 2005).

The status of women in Pakistan is based on two fundamental perceptions, that women are subordinate to men, and that a man's honour resides in the actions of the women of his family (FRD 1994). To ensure that they do not dishonour their families, society limits women's mobility, places restrictions on their behaviour and activities, and permits them only limited contact with the opposite sex. These popular perceptions have indeed severe implications for women's participation in economic activities, in particular in the domain of formal work. The concept of modesty requires a specific space protocol for men and women. Space is allocated to and used differently by men and women. By separating women from the activities of men, both physically and symbolically, Purdah (veil) creates differentiated male and female spheres. Most women spend the major part of their lives physically within their homes and courtyards and go out only for serious and approved reasons with the permission of their fathers, brothers or husbands. Outside the home, social life generally revolves around the activities of men. In most parts of the country, except in certain urban settings, people consider a woman--and her family--to be less than modest if no restrictions are placed on her mobility (FRD 1994).

Women have been traditionally confined in '*Chador*' (veil: a big cloth to wrap around body) and '*Chardiwari*' (four walls of house) in Pakistani society. The customary concept of modesty and subsequent gender segregation is also perpetuated in the broadcast media. Women's subservience is consistently shown in print and electronic media. Popular idioms, expressions and poetry – all signify the sanctity of women as 'mothers', 'sisters' and 'wives, and those finding a space for them outside the sanctuary of Chardiwari are ridiculed and criticized. Following is a script in Roman Urdu, and free English translation of two couplets of Urdu poetry. The verses were written by famous Urdu poet Akbar Allah Abadi almost a century ago in the British India, but are still popular in Muslim circles in India and Pakistan.

Urdu:

*Bay Purdah Kal Jo Nazr Aieen Chand Bibyan
Akbar Zameen Main Ghairat-e-Qomi Say Gad Gaya
Poocha Jo Un Say Aap Ka Purdah, Who Kya Hua?
Kehnay Lageen Keh Aql Pay Mardon Kee Pad Gaya*

English translation (by the author of this paper):

Yesterday, as I happened to see some unveiled (Muslim) women
My national (read Islamic) '*Ghairat*' (honour) was deeply hurt
(As I) asked them, 'What happened to your veil?'
(They) replied, '(Our) men have lost their wisdom' ('that's why they allowed us to
unveil ourselves')

These verses (and the likes) are frequently quoted in everyday life in Pakistani society as an expression to humiliate (the immodesty of) unveiled women who step out of the four walls of their house.

Zubair (2003) reports her experiences as a teacher of English literature in a Pakistani university. The class comprised 62 students, 42 of which were women. Her initial efforts to bring feminist pedagogy and critical literacy awareness into the classroom faced stiff resistance. The resistance shown by her young students “created emotions in the classroom which led to intense debates and discussions about women’s role and women’s space within patriarchy” (p.165). Zubair identifies three main reasons for students’ initial resistance to express their emotions in the class: a) sex segregation in Pakistani society, despite mixed-sex classroom in the university, men and women sit in separate rows; b) strong resistance by women to sit and work in mixed-sex groups; and c) resistance by young men from rural backgrounds who felt embarrassed being taught by modern and anglicized women (pp-165-166).

Implications of the Concept for Workingwomen

Religion or popular religious interpretations have historically restricted women’s opportunities in the social, economic and political spheres of life. Pakistani equivalent of the word ‘woman’ in Urdu language is *Aurat*, derived from Arabic word *Aurah*, meaning ‘privity’ or ‘a hidden thing’ (Hussain 1987). The word is one of many symbolic expressions of female seclusion: a concept deeply grounded in Muslim society. For instance, *Chador* and *Chardiwari* are often described as two appropriate domains for women in Pakistani society (Syed and Ali 2005). A woman is expected to remain in *Chador* whenever she is in presence of men, related or unrelated to her, as a sign of modesty. Her mobility outside *Chardiwari* is restricted because of known rationale of modesty (*Haya*), family honour (*Ghairat*), and tribal traditions (*Rivaj*). Modesty is closely related to the concepts of shame (*Sharm*) and humility (*Ijz*). The concept has imposed specific physical and psychological boundaries on the life of a Muslim workingwoman. The concept is embodied in the form of veil and is deeply rooted in the institution of sexual segregation. There are however different types of veil (such as *Chador*, *Hijab*, *Burka*, or *Purdah*) in different Muslim cultures, which have to varying degrees impacted on the social and organizational mobility of Muslim women. Subsequently, there is a distinct protocol for male and female space. A woman in the male space is “considered provocative and offensive”. By entering a male space, she is “upsetting the male’s order and his peace of mind.... actually committing an act of aggression against him merely by being present where she should not be. If the woman is unveiled, the situation is aggravated” (Storti 1990: 66-67). A Muslim workingwoman thus continuously strives to uphold her modesty and dignity, while trying to justify her job and to contribute her best to the organization. To the society, and probably to her self, she is a symbol of defiance to religious and social norms. To the others within her organization, she is required to prove her suitability for the job viz a viz her male colleagues. She experiences the conflicting emotions of fear, anxiety, shame, guilt, depression and anger, at the same time, in response to different social and organizational forces and limitations. She searches for a workable balance between defiance and compliance, while knowing that her every single move is being constantly watched and discussed in private conversations (Syed and Ali 2005). She thus remains in an endless fight with herself, and with the organization to survive in an unfriendly environment.

Due to these socio-cultural and other structural barriers, women in Pakistan remain a largely untapped and neglected human resource in society. Overall, the unemployment rate for women

in Pakistan was 14.9% compared to 4.2% for men, the highest female/male unemployment ratio (3.5) in the whole South Asian region. According to a comparative human development and employment opportunities report for South Asian region, only 15.4% women in Pakistan were engaged in economic activity compared with far higher women's participation rates in neighbouring India (43.5%), Bangladesh (57.2%) and Sri Lanka (85%) (MHHDC 2004). The issue is not only the low participation of women in the productive workforce, but also a lack of recognition and protection. For instance, women's participation as unpaid workers in the work of the family (such as agriculture and other domestic crafts) is seldom acknowledged, and generally not accounted for in national statistics. There are reports that women in Pakistan are kept from key decision-making jobs in the public and private sectors (Gender bias hinders...2001). Women have also reported hostility or harassment by their male colleagues, a low standard of office facilities, a sense of discomfort in seating arrangements, and an absence of separate rest rooms. In 2000, female unemployment had risen to 17.1% compared to 6.1% for males (PAP 2004: Table 3.1). Due to traditional male chauvinism, women's wage work is considered a threat to male ego and identity. Pakistani women do not enter the labour market on equal terms with men. A woman's choice in the Pakistani patriarchal society is limited due to a variety of reasons - social and cultural constraints, inherent gender bias in the labour market and lack of appropriate facilities such as childcare, transport, and accommodation arrangements. Moreover, women's labour is often deemed of lower value due to employers' stereotypes and perceptions of women as homemakers (Pakistani women out...2004). The stereotypical perception has restricted women's role to the secondary sector resulting in work that is low paid, of lower value, and lacking upward mobility.

Textual Roots

The concept of modesty outlines a distinct mobility and interaction protocol for both genders, which is generally more restrictive for women (such as Maududi 1991). The concept entails humility and restraint in dress, conversation, and dealings between men and women who are not 'Mehram' to each other. Modesty is embedded in the institution of seclusion and sexual segregation, supported amply by the traditional sources of the Islamic law. One major rationale put forward by religious scholars in support of modesty is to curb 'sexual anarchy' prevalent in the world (Doi 1989). The concept is equally applicable to Muslim men and women (for example, Qur'an 24:30-31), however on account of the difference between men and women in nature, temperament, and social life, a greater amount of veiling is required for women, especially in the matter of dress" (Doi 1989). *Qur'an* - the word of God - and *Hadith* - the traditions of Prophet Muhammad - are often quoted to highlight the importance of modesty and seclusion for Muslim women (such as Qur'an 24:31 and 33:59). For many centuries, Muslim scholars have promoted the idea of female confinement in the *Harem* or *Chardiwari*. The following verse of the holy Qur'an is generally quoted in support of modesty and the related institution of seclusion for Muslim women:

“And say to the believing women that they should lower their gaze and guard their (sexual) modesty; and that they should not display their beauty and ornaments except what (must ordinarily) appear thereof; that they should draw their veils over their bosoms and not display their beauty save to their husbands, or their fathers or their husbands' fathers, or their sons or their husbands' sons, or their brothers or their brothers' sons, or their sisters' sons, or their women, or the slaves whom their right hands possess, or male servants free of physical desire, or small children who have no sense of sex; and that they should not stamp their feet in order to draw attention to their

hidden ornaments. And O believers! Turn all together towards Allah, that you may attain bliss” (Qur’an 24:31).

The verse defines a specific code of conduct for a Muslim woman to maintain and guard her modesty in terms of eye contact, dress, ornamentation, and walking style. She is required to lower her gaze as a first step to guard her sexual modesty. She is also required to desist from showing her adornment except to the extent of that which is apparent (*illa ma zahara minha*). She must cover her bosom with *Khomor* (cloth to cover upper part of body), and to avoid stamping her feet to reveal what she hides of her adornment. All the relations described in the list of *Mehram* are within the prohibited category of marriage (Hussain 1987:143-157).

In another verse, the Qur’an ordains women to use an outer garment while going out of their dwellings:

“O Prophet! Tell thy wives and thy daughters and the women of the believers to draw their gown or outer garments close around them (when they go out). That will be better so that they may be recognized and not annoyed. Allah is forgiving, Merciful” (Qur’an 33:59).

The Arabic word used for gown or outer garment in the above quoted verse is *Jilbab*. The orthodox scholars take the word to mean a veil which may also cover the face (Hussain 1987: 142). There is however mixed opinion and practice in the Islamic society about whether a Muslim woman must cover her face and hands in addition to *Jilbab* and *Khomor*, while in the presence of unrelated men. Many leading religious scholars including Ahmad bin Hanbal, Shafei and Abu Bakr bin Abdul Rehman treat a woman’s whole body as ‘*Aurah*’ (privity not to be seen), which must be kept concealed (Ibn Rushd 1997, Alusi 1983). The *Hanafite* School, followed by a majority of Muslims in Pakistan, initially considered the uncovering of face and hands permissible for women. The permission was later withheld under apprehension of social corruption.

Some verses in the holy Qur’an have been specially addressed to the wives of the Prophet Muhammad. For instance the Qur’an outlines a detailed etiquette for conversation, seclusion and ornamentation for the wives of the Prophet:

“O ye wives of the Prophet! Ye are not like any other women. If ye keep your duty to Allah then be not soft of speech, let he in whose heart is a disease aspire (to you) but utter customary speech. And stay in your homes. Do not display your finery like it was displayed in the Time of Ignorance. Be regular in prayer, and pay the poor due, and obey Allah and His Messenger. Allah’s wish is to remove uncleanness from you! O folk of the (Prophet’s) household and cleanse you with a thorough cleansing” (Qur’an 33:32-33).

The wives of the Prophet are required to remain confined in their houses, and dedicate themselves to Allah’s prayer in order to remain modest (‘clean’). They are also required to adopt customary instead of soft speech in their conversation with strangers. According to some religious scholars (such as Al-Jassas 1928), the verses are applicable to all Muslim women, and point out the fact that women are ordered to play their role in the house and are forbidden from loitering outside of their houses (Doi 1989).

The Qur'an also outlined a specific protocol for Muslim men about entrance and conversation in the house of the Prophet. The following verse establishes the institution of *Purdah* (veil or curtain) in the Prophet's house:

“... And when ye ask of them (the wives of the Prophet) anything, ask it of them from behind a curtain. That is purer for your hearts and for their hearts.” (Qur'an 33:53).

The injunction is the only unambiguous order from which the rule of a woman veiling her face while going out on business is inferred. The injunction permits the wives of the Prophet to converse with strangers subject to some restrictions, requiring them to remain secluded and hidden from the gaze of the strangers. The orthodox scholars (such as Al Jassas 1928, Doi 1989) however consider this rule applicable to Muslim women in general (Hussain 1987: p.149). The verses revealing the required seclusion of the Prophet's wives were thus generalized for all women, and it was declared that a woman is all *Aurah* from head to foot and no part of her body was to be made visible except for necessity (such as Maududi 1991, Doi 1989). The prohibition against stamping of feet 'so as to reveal what they hid of their ornament' was used by Muslim jurists to argue that if woman's sound of ornaments is not allowed to be audible by others, then there is strong case that her voice as well should not be audible to men. It was further inferred that a woman couldn't call *Azan* (call to prayer). A similar position was adopted by Maududi (1991), an eminent religious scholar in Pakistan, who declared the entire body of a woman to be *Satr* or *Aurah* from head to foot. According to Maududi (1991), the male is aggressive by nature, and if something attracts him, he has a natural urge to acquire it. Woman, on the other hand has a nature of inhibition and escape. Unless her nature is totally corrupted, she can never become so aggressive, bold, and fearless, as to make the first advances towards the male who has attracted her. While conceding that there is no absolute prohibition on women *looking* at other men, Maududi opines that women however should be prohibited from sitting in mixed gender gatherings and staring at them, or looking at them in a manner, which may lead to evil results.

In addition to the generalization of the meaning of the aforementioned verses for all women, orthodox *Ulama* (Islamic scholars) also offer a large number of traditions of the Prophet in support of their position on Muslim woman's seclusion and veil. For instance, there are some traditions of the Prophet recorded in different Islamic books (such as *Tirmidhi*, *Bukhari* and *Muslim*) that support the orthodox version of seclusion and modesty. The authenticity and context of these traditions are however a matter of debate in Islam (Hussain 1987):

"...a woman who freely mixes with other people and shows off her decorations is without light and virtue" (*Tirmidhi*).

"Do not call on women in the absence of their husbands, because Satan might be circulating in any of you like blood" (*Tirmidhi*).

"From this day no man is allowed to call on a woman in the absence of her husband unless he is accompanied by one or two other men" (*Tirmidhi*).

Some traditions impose severe restrictions on female beautification. For instance:

"The Messenger of Allah cursed women who tattooed, and those who got themselves tattooed, those who engaged in sharpening the teeth (as a mark of beauty) and those who had their teeth sharpened" (*Bukhari* and *Muslim*).

"The Messenger of Allah cursed the women who plucked hair and those who were employed to pluck the eyebrows" (*Abu Dawud*).

The prohibited methods of beautification would include the modern practice of shaving or trimming the eyebrows to make them resemble two-inverted crescent (Doi 1989).

There have been mixed responses to such restrictions from the women's side. M'Rabet, an Algerian writer and radio program producer, tells her mother's story in which as a child she was pulled out of school because her teacher asked her to stop wearing her head scarf in the class-room. "Today they tell you to bare your head; tomorrow they will make you eat pork." Her mother decided that her daughter would remain uneducated rather than violate the Muslim code of modesty. The daughter led such a secluded life thereafter that she left home alone for the first time at the age of forty-five (M'Rabet 1978).

Contrary to M'Rabet's mother's experience, Amina sounds non-conformist. Amina, a university student, uses the analogy of a hermit crab to describe her experience of being an Arab woman, the "hermit crab crawls into an empty snail shell on the beach because it has not shell of its own to protect its soft underbelly. Like the hermit crab, which outwardly assumed the identity of the invincible snail, the young woman seems to be master of her destiny, judging by the impressive educational and professional rights that she has gained. But she is vulnerable, because she does not yet have full control over her own body" (Minai 1981: 141)

Even in sacred domains, Muslim women face male supremacy. In Muslim circles of the Indian subcontinent (India, Pakistan and Bangladesh), it is not customary for women to go to mosques to offer prayers. This is despite the fact that in many parts of the Middle East, women are still free to go to mosques. Their experiences at the mosque however remain characterised by male domination. Minai (1981) mentions about her experience as a girl child in the Middle East. As a girl child, she noticed that women at the mosque would never lead the prayers, deliver the sermon, and were the only ones to cover every part of their body except the face, hands and feet. She also noticed that women were generally banished to the least attractive corner of the mosque during prayers. "As a result, they are denied the privilege of contemplating the full splendour of the greatest architectural masterpiece of the Islamic world – just because men are so weak as to forget God if women joined them in the main hall. Women prayed alongside men during Muhammad's times" (p.88).

One should however acknowledge the presence of non-orthodox voices within Islamic society such as Hussain (1987) of Pakistan and Al-Aqqad (1974) of Egypt, who support liberal and contextual interpretations of these verses and traditions. Al-Aqqad (1974) opines that many of these restrictions were laid down only for the wives of the Prophet, and other Muslim women are not bound by them. Hussain (1987: p.4) opines that Islam grants equality to men and women, with the exception of men's additional responsibility and priority in some aspects of family affairs. He interprets that Qur'anic verses "men are a degree above" women (2:28) and that "men are in charge of women" (4:34) only refer to man's position as head of the family consisting of his wife and children, whom he is duty bound to maintain (Hussain 1987: 9). The additional charge however increases "man's liabilities towards woman, makes her immune from financial liabilities and thus magnifies her importance as a human being." She has however like a man "an independent individuality and is economically, socially and politically identifiable as an entity different from her husband, father or son with right to own property, earn money, vote at elections, hold electoral or other public offices, and protect her legal and

constitutional rights or interests. She is thus not subject to the rule of segregation imposed on her by social customs, and whenever necessary may appear in public with face unveiled and hands open. The only restraint upon her is that of covering her adornments and embellishments” (p.1).

It is however a common observation that liberal voices like Al-Aqqad and Hussain are quite unheard in many parts of contemporary Islamic society such as the Arab states, and the Indian subcontinent. Despite official ratification of several international instruments on gender equity and human rights, major barriers continue to restrict women’s employment opportunities in the Islamic society (UNDP 2004). The problem of gender inequity has been described as a ‘freedom deficit’ in many parts of the Muslim world and particularly Arab states (Haass 2003).

The concept of modesty remains popular, with some variations, in all parts of contemporary Islamic society. As discussed, there are diverse opinions about this issue that vary from fairly modern to fairly orthodox approaches. In the next section, we will examine the historical context of the concept of modesty in the Islamic society.

Contextual Interpretations

Islamic laws and cultural traditions rule a woman “largely according to her age and marital status” (Minai 1981: p.xiv). A patriarchal code of ethics prevails in every sphere of life allowing greater freedom to a woman in her childhood and old age, but with numerous compulsions during from her youth to middle age. Her main duty is to produce and care for legitimate heirs to her husband, hence the emphasis on regulating her activities during her reproductive years. A woman is thus prohibited “to sit in the same gathering together with men and stare at them, or look at them in a manner which may lead to evil results” (Maududi 1991).

There is not one Islam but many Islams in different cultural contexts (Said 2001). Subsequently many Islamic concepts including the concept of modesty have many different interpretations in different societies. Ali (2000) thus describes the role of women in Pakistani society, “General and vaguely phrased Qur’anic verses regarding modesty in behaviour of men and women have been interpreted in a variety of ways by male Muslim scholars, a process that many writers believe led to an ever-increasing exclusion of Muslim women from the public sphere of life” (p.76)

The Arabic text of Qur’an is ‘full of subtleties’ open to both liberal and conservative interpretations (Minai 1981: 20). Different readings of the same texts yield “fundamentally different Islams” for women, (Ahmed 1992). Thus what Muslims read the Qur’an to be saying is a function of who reads it, how, and in what contexts (Barlas, Asma??). It is a crucial debate because of the pervasiveness of the view that Islam is “a religious patriarchy that ‘professes models of hierarchical relationships and sexual inequality’ and puts a ‘sacred stamp . . . onto female subservience,’” as many Muslims and feminists claim such as Mernissi (1996: 13-14).

The reinterpretation of the religious texts is not a new practice. The Qur’an has been interpreted and reinterpreted from the time of Revelation to the present. Whilst most interpretations have been products of the discourse of male *Ulama* (Islamic scholars), women’s Islamic discourses (such as Asma Barlas and Fatima Mernissi) provide significant counterpoints, including in the rereading of Islamic religious texts with attention given to the female figures of the early Islamic polity (Stowasser 1994). These researchers have made special references to the lives of Khadija and Ayesha (wives of the Prophet Muhammad) as

practical role models for women in the Islamic society with known activities outside the four walls of their house.

Minai (1981) refers to Khadija as a role model for today's Muslim woman. Khadija was the first and the most revered wife of the Prophet Muhammad. She was as an attractive forty-year old Arabian widow who owned a flourishing caravan business in Makkah in the seventh century AD. She proposed to an intelligent, honest and hardworking twenty-five year old in her employ, the Prophet Muhammad, and married him. Until her death some twenty-five years later, Khadija, not only bore a number of children that kept her busy on the domestic front, but also co-managed her business with her husband. She wholeheartedly supported and stood by Muhammad during all hardships in his mission to propagate the message of Islam in the world. She was a constant source of financial and moral support, advice and solace to her husband in his struggle to institute Islam, which grew to be one of the major religions of the world. In her capacity as *Umm-ul-Momineen* (mother of the believers) and also as a successful businessperson, Khadija indeed offers a viable model of being a modest workingwoman for today's Muslim women.

Barlas (2002) has endeavoured to recover the scriptural basis of sexual equality in Islam and thus to provide a compelling argument about why Islam is not a patriarchy and why Muslim women and men can struggle for equality from within an Islamic framework. Barlas's argument is organized around two sets of questions that have theoretical as well as real-life implications for Muslims, especially women: First, does the Qur'an teach or condone gender inequality? Is it a patriarchal and even sexist and misogynistic text? Closely related to that question is the second: Does the Qur'an permit and encourage liberation for women? (p.1). Barlas argues that the reason Muslims have failed to read the Qur'an as an anti-patriarchal text has to do with "who has read it (basically men), the contexts in which they have read it (basically patriarchal), and the method by which they have read it (basically one that ignores the hermeneutic and theological principles that the Qur'an suggests for its own reading)." Mernissi (1996) has shown how many men tried to misread the verses that extended certain inalienable rights to women. By the third century after the Prophet Muhammad, even Qur'anic exegesis showed that the egalitarianism once associated with the Qur'an had lost its subversive connotation. Similarly, Louise Marlow argues that as early as the second century after the Prophet Muhammad, Islamic scholars (*Ulama*) had begun to dilute "the egalitarian impulse in various parts of tradition," for instance, by justifying hierarchical models of kingship in a society whose Scripture extolled the virtues of egalitarianism. Thus, the *Ulama* who had 'gained incontestable possession of the moral high ground' ...refused to 'translate the anti-hierarchical and antiauthoritarian moral at the heart of their scholarly tradition into an active social and political opposition'. Instead, they sought to justify those pre-dominant hierarchies, and felt obliged to defend patriarchal influences.

The historicism is useful, for normative and analytical purposes, in understanding today's Islamic societies (Afshari 1994). Critical feminism however argues on the basis of the holy text (a trend termed as neo-feminism by Afshari). It has been argued that traditions are layers of societal experiences accumulated under specific circumstances obscuring the true meaning and spirit of Islam. The argument is based on an ideological assumption that there are two different Islams: the good Islam, as reflected in the lay Muslim's understanding of ethical and egalitarian messages of the Qur'an, and the bad Islam of Shariah as interpreted by the *Ulama* who were themselves under patriarchal influences alien to Islam.

In her book, *Beyond the Veil*, Mernissi explains the paradigm of patriarchy: discriminating gender relations have been sanctified by Islamic laws and norms. Mernissi exposes the ideological links between the Islamic normative system and the practices of patriarchy. Her book is effective in showing that historical Islam has deeply ingrained the fear of female sexuality in the male consciousness. Mernissi's describes patriarchy in Islam as a *system*:

Sexual equality violates Islam's premise, actualized in its laws, that heterosexual love is dangerous to Allah's order. Muslim marriage is based on male dominance. The desegregation of the sexes violates Islam's ideology on women's position in the social order: that women should be under the authority of fathers, brothers, or husbands. Since women are considered by Allah to be a destructive element, they are to be spatially confined and excluded from matters other than those of the family. Female access to non-domestic space is put under the control of males (1987: 19).

Mernissi argues that gender discrimination began despite Allah's words and Muhammad's intentions for gender equity within Islamic society. In order to rescue monotheism, compromise was necessary with the patriarchal tradition to the Makkan elite, especially after Muhammad's death, when this same male elite, i.e., Muhammad's companions, began to "fabricate" misogynistic Hadith (sayings and practices attributed to Muhammad) to their own benefit (1991: 45-46). Mernissi maintains that the Prophet's efforts were aimed at renouncing the "phobic attitude" then prevailing toward women and that the Islamic message introduced hopes of sexual equality in the treatment of women (p.81). Muhammad emerges as the first Muslim feminist. Despite Muhammad's efforts, "very quickly the misogynistic trend reasserted itself" (p. 75).

According to Afshari (1994), there are highly restrictive interpretation of some Qur'anic verses, and Mernissi tries to explain them away by attributing them to socio-military conditions specific to the time, for instance her interpretation of Verse 53 of Surah 33, the first verse in the Qur'an to burden women with the *Hijab* (curtain or veil). The Verse enjoins Muhammad's male companions to approach the Prophet's wives "from behind a curtain [Hijab]: that makes for greater purity for your hearts and for theirs." The occasion that induced the revelation was the night Muhammad's wedding to a new wife, which Mernissi explains took place during "an epoch of doubts and military defeats that undermined the morale of the inhabitants of Medina" (1991: 92). A careful rereading of this verse reveals to us that Allah's concerns in this verse are about tact. He wanted to intimate to the Companions certain niceties that they seemed to lack, like not entering a dwelling without asking permission. (p. 92)

Right from the advent of Islam, there have been different groups such as Sufis who consider the ethical and spiritual messages as the fundamental message of Islam. These groups argue that regulations Muhammad put into effect, even his own practices, were merely the transient aspect of the religion, specific to a particular society at a particular time. Thus, the original system (in minute details of regulations and laws) may not be normative or permanently binding for the Muslim community (Ahmed 1992: 66-67). According to this perspective, verses and subsequent guidelines given in the Qur'an are mainly ethical precepts which are general, "rather than specific legalistic formulations" (p. 88). There is however some argument within Muslims as to which groups can be considered as the true transmitters of the spiritual and humanist Islam.

Umayyad and Abbasid Dynasties

The great flourishing of Arab-Islamic civilization took place in the middle of the eighth century (Umayyad dynasty ruled until 750 which was then followed by the Abbasids), mainly as the result of the integration of the Greek humanistic literature and the influence of Persian and Indian thought translated into Arabic. That era witnessed rivalry between rationalist (Mu'tazila) school and the jurists (Shariah) school of Islam. Finally, the Islam of the jurists recovered. As a result, "the Mu'tazila became pariahs and... the Muslim world rolled toward the precipice of mediocrity" (Mernissi 1992: 33-34). "It is that Islam of the palaces, bereft of its rationalist dimension that has been forced on our consciousness as the Muslim heritage today" (p.37). The official Shariah-based Islam was articulated by "key words" like religion, belief and obedience. The egalitarian (rationalist) Islam was conceived in terms of personal opinion, innovation, and creation. "The conflict lies in the fact that this second pole has for centuries been condemned as negative, subversive..." (p.40).

The interaction of Islam with Byzantine and Persian traditions had some repercussions for women. The foundations of Harem had been laid. By the middle of the eighth century, the Arab men had shut their women – wives, sisters and daughter alike --- into complete paraphernalia of the Byzantine harem. No outsider man was allowed in except the inmates' owner and those approved by him. Houses were built with central courtyards, allowing women to take fresh air without being exposed to strangers. Women were prohibited from going out of the house, and if at all they had to, they were required to veil their faces. The rules became rather rigid with the growing influence of patriarchal customs. The Qur'anic verses enjoining the Prophet's wives to stay in their homes and to speak to men across curtains were eventually applied to all women. Through a highly patriarchal interpretation of Qur'anic verse calling on women to 'draw their veils over their bosoms' and 'throw around them a part of their mantle' was seen as an order to hide the face. A local tradition was thus absorbed in Islam in the name of Islam (Minai 1981: 27-28).

Al-Hibri has adopted the reformist paradigm to construct "feminism" within the ideological bounds of Islam. She asserts: "Patriarchy co-opted Islam after the death of the Prophet." In the "hostile milieu" then prevailing in Arabia, the message "could not have survived without an infinite amount of flexibility and adaptability. Thus the Prophet had to resort to a variety of compromises and tactics to achieve his end" (1982: 213). Ahmed (1992) expresses a similar view and reconstructs a gender-equal Islam which is largely based on the assumption that its "spiritually egalitarian voice" is heard through "the Qur'anic verses addressing women and unambiguously declaring the spiritual equality of men and women." She uses the Qur'an as a heuristic device to construct abstract egalitarian principles of the faith. This interpretation gives prominence to the "egalitarian voice" of Islam and dismisses its legal "voice" as derived from the foreign patriarchal influences. Ahmed, like Mernissi, argues that this other "voice" sanctified the subordinate position of women in the social-legal edifice of Islam. Ahmed argues that in the years immediately after the death of Muhammad, women such as Ayesha and Umm-Salma played a key role in transmitting Hadith and were among the "authors" of the verbal texts of Islam (1992: 64,73). The egalitarian voices were largely silenced under the suffocating influences of "the various patriarchal cultures" of the conquered lands where the Muslim Arabs were assimilated and adopted the mores and attitudes of the dominant classes. Ahmed thus places the burden of patriarchal influences on the cultures of Byzantines and Persians. Afshari (1994) however contends this perspective and concludes that these neo-feminist ideas are an attempt to empty Islam of its real historical content. The "new" Islam is then endowed with

new interpretative frontiers in search of an innate truth beyond the confines of Shariah-bound traditions.

Need for *Ijtihad*: Enlightened Interpretation

In the start of this paper, we mentioned about the experiences and perspectives of Justice Aftab Hussain, ex-Chief Justice of Pakistan's Shariat Court about gender issues in Indian and Pakistani societies. Hussain (1987) thus by virtue of his lifelong study of Islam and Islamic law concludes that:

“Research study of these problems, my discussion with the *Ulama* (Islamic scholars) and their prevarications soon convinced me that the various concepts pertaining to the rights of women required to be re-evaluated in the light of Qur'an and the Sunnah (traditions) of the Prophet, peace be upon him, and our fresh experience of intellectual evolution and development of the women inter alia in Pakistan” (p.2).

Hussain criticizes the old system of social stratification that he considers unhealthy for the women and for the society. He discusses at length what he terms 'worked miracles' of modern women in the Muslim League and Pakistan Movement in 1940s. He criticizes *Ulama* who have over many centuries attacked the memory of woman, but the modern girl students of Pakistan “have demonstrated the fallacy and irrationality of their charge by competing successfully with boys in various University and Board of Education examinations. As doctors, engineers, teachers, professors, lawyers, judges, politicians, administrators, ministers, prime ministers, pilots, sportswomen, the women in the modern world have proved themselves either equal to, or even superior to men.” (3-4). Hussain thus concludes that many a women may be superior to men as many men may be superior to women. The deficiency in one and the perfection of the other on the basis of gender alone is not an absolute rule. Moving away from traditional criticism, Hussain welcomes the concept of modern Muslim woman, and remarks:

“The modern woman – and I am proud to call her modern – despite the denunciation of modernism by the *Ulama*, equipped with instruction and education in various sciences and subjects of Art in Colleges and Universities, is entirely distinct in understanding, outlook, behaviour and probity from the woman placed in seclusion though the present ties of segregation of women are quite loose and veiled women are now found walking on the streets and in public places and talking to shopkeepers without shyness and sometimes familiarly. The woman, these days have refuted many of the theories of our jurists and doctors of the early centuries” (p.2).

Hussain also criticizes the reduction of the status of the women by the Islamic scholars, and terms it as “proof of a double standard for modesty and chastity, one of the man and another for the woman” (1987: 11). He bases his argument on Qur'anic verses no. 24:30 and 24:31 that fix a uniform standard of modesty and chastity for men and women. The Qur'an ordains men to guard their private parts (*yahfazu frujahum*) and as a prerequisite to the attainment of this object, asks them to lower their gaze (*yaghuddu min absarihim*). The very next Qur'anic verse repeats the same rule for women and asks them to lower their gaze (*yaghdudna min absare hinna*) as a preliminary to the attainment of guarding their private parts (*wa yahfazna furujahunna*). Qur'an thus treats both genders as “free agents in the achievement of the goal of maintaining his/her chastity. But the doctors in the classical age terminated the agency of the woman and for guarding her chastity as well as the chastity of man, segregated her entirely from male society. Unobtrusively the woman, through the negative attitude of segregation

thrust upon her by the *Ulama*, was made sentinel of male chastity. This is what present day *Ulama* deduce from the seclusion and veiling of women” (p.11).

As an illustration of traditional psychology about women, Hussain (1987) mentions many letters that he received during his tenure as Chief Justice of (Islamic) Shariat Court of Pakistan by the students of various religious schools (Madrassahs). Hussain reports that while some Madrassah students communicated their point of view in civilized language, others described in the “most abusive language possible how their sexual feelings were aroused at the sight of unveiled and well-dressed women in public places.” Through these letters, these students actually demanded only one-way traffic free either of feminine presence or at least of unveiled women, and “conveniently forget their own (Qur’anic) duties to guard their chastity and to lower their gaze.” Hussain however finds it remarkable that the leading religious scholars of Pakistan are now frequent visitors of Western countries “where if they turn their glance from one feminine face it is more often than not, likely to fall at another face, and if they lower their gaze it falls on bare legs and sometimes bare thighs” (p.12).

Hussain’s views have also been shared by Muslim scholars in other Islamic societies. For instance, at a public lecture at an American University in 2004, Cherif elaborated the historical status of women in Islamic society. According to Cherif, “in the earliest version of Islam there was no gender segregation such as we see now in the modern, conservative, fundamentalist societies.” On the contrary, in the seventh century even women in the immediate family of Muhammad “were highly active in the public life of the society. There was much gender equality.” Cherif contrasts the relatively equitable, early world of Islam with the popular modern image of the religion as hostile toward women. She terms this dramatic change as rooted in the internal conflicts that divided the Muslim world after the death of Muhammad. Violence was common in that age, legitimacy of rule was in question, and Islam broke into factions espousing varying degrees of conservatism. In that troubled time, Shariah laws--ostensibly linked to the sacred texts of Islam--codified gender roles and the status of women. “Among all the Shariah laws that now exist, the ones which have been maintained over the past 14 centuries are the ones which concern the women”. The tradition is so long that some Muslims now consider the Shariah laws themselves to be sacred. In fact, Cherif says, even the traditional stories of the life of Mohammed have been reinterpreted to uphold the Shariah laws and their harsh treatment of women. Cherif argues that the modern use of the veil is derived from a misreading of a verse of the Qur’an. The word used in that verse is “*Hijab*,” which actually refers to a curtain that separates not man from woman but a man’s public life from his private life. Cherif notes that although the head veil did exist in early Muslim culture, it also was worn in Greek and Christian cultures and, as in those cultures, was a mark of social distinction. In fact, originally only the wives of Muhammad wore veils. The same process that codified gender segregation and promoted a view of women as destructive created the present form and function of the veil, which “has absolutely no founding in the Qur’an itself Women in Muslim society (Cherif 2004).

Conclusions

Despite the fact that the Islamic concept of female modesty is rooted deep in the primary religious texts and cultural traditions, the prospects for women’s employment in the Islamic society are not altogether bleak. Women in many Islamic societies such as Bangladesh, Malaysia, Turkey and to some extent Pakistan are now participating in the domain of formal work (Syed and Ali 2005). If emancipated from patriarchal religious and cultural influences, there are good chances of success for wage-earning women in Islamic society. They may

provoke ambivalence and even resentment at first for upsetting the patriarchal order, but as an increasing number of young women join the workforce and share similar responsibilities with men, they will have better potential to win men's cooperation in establishing full equality in all spheres of their lives (Mernissi 1975). Minai (1981: 224) thus concludes her chapter on workingwomen: "Today's professional women should also benefit from the second phase of feminism, because upgrading women's traditional occupations may eventually help blur sexual stereotypes at home. Reforms on the domestic front may be left to the discretion of individual couples, for it does not tangibly serve any country's economic interests, as improvements on the farm are likely to."

We finally conclude that the Qur'anic concept of modesty is not specifically aimed at women and is applicable to all Muslims irrespective of their gender. However within the Qur'anic text, we have identified certain special provisions, which were introduced to provide extra protection to women in a seventh century Arab society. The originally egalitarian text was subsequently biased and reinterpreted under the patriarchal influences of the following periods. The protective provisions for women were thus transformed into the misogyny of the following periods resulting in the institutions of *Harem* and *Purdah*. The shift was incorporated into Islam by some *Ulama* by way of the *Tafsir* (exegesis) of the Qur'an and the narratives detailing the life and traditions of the Prophet Muhammad. These secondary texts thus enabled the textualization of an extremely restrictive concept of modesty for Muslim women (such as *Chador* and *Chardiwari* in Pakistan). The concept in its current form poses significant social, physical and emotional barriers for workingwomen in Pakistan. We finally propose that in line with the ideas offered by Hussain, Barlas and Mernissi, the institution of *Ijtihad* (critical reasoning) should be deployed to emancipate the Islamic concept of modesty from its presently patriarchal interpretations. This would in turn facilitate equal employment opportunity for Muslim women in organizations.

References

- Afshari, R. 1994, "Egalitarian Islam and misogynist Islamic tradition," *Critique* 4, Spring 1994: 13-33.
- Ahmed, L., 1992, *Women and Gender in Islam: Historical Roots of a Modern Debate*, Yale, 41-101.
- Al-Aqqad, A. 1974, *Al-Falsafa al-Qur'aniyya Al-Islam wa abatil khsumihi*, Beirut.
- Al-Jassas, A. 1928, *Ahkam al-Qur'an*, Cairo.
- Al-Hibri, A., 1982, "Study in Islamic Herstory, Or How Did We Ever Get into This Mess", in *Women and Islam* ed. Azizah Al-Hibri. Oxford. Pergamon Press.
- Ali, S. 2000, *Gender and Human Rights in Islam and International Law: Equal Before Allah, Unequal Before Men?*, The Hague: Kulwer Law International.
- Alusi, M., 1983, *Ruh al-ma'ani fi tafsir al-Qur'an al-'azim wa-al-sab' al-mathani*. Beirut: Dar al-Fikr, Divinity-An important Sufi commentary from Ottoman Baghdad (1853).
- Barlas, A. 2002, "Believing Women" in Islam: Unreading Patriarchal Interpretations of the Qur'an, Austin, TX: University of Texas Press.
- Cherif, S. 2004, Samford Lecture on Women's History, Visiting Scholar Helps Reclaim History for Muslim Women, (Online), Available at: <http://www.samford.edu/pubs/belltower/Nov2004/cherif.html> Accessed on 12 May 2005.
- Doi, A. 1989, *Woman in Shariah*, London: Ta-Ha Publishers, Ltd.

- FRD (Federal Research Division) 1994, Men, Women and the Division of Space, Library of the Congress – Country Studies: Pakistan, Online, Available at: <[http://lcweb2.loc.gov/cgi-bin/query/r?frd/cstdy:@field\(DOCID+pk0056\)](http://lcweb2.loc.gov/cgi-bin/query/r?frd/cstdy:@field(DOCID+pk0056))> Accessed on 20 May 2005.
- Gender bias hinders women's career, 2001, *Daily Dawn*, National Page, 29 November, Karachi
- Ghatavi, K., Nicolson, R., Macdonald, C., Osher, S., and Levitt, A. 2002, Defining guilt in depression: A comparison of subject with major depression, chronic medical illness and health controls, *Journal of Affective Disorders*, Vol. 68, 307-315.
- Ghousoub, Mai, 1987, "Feminism – Or the Eternal Masculine – in the Arab World", *New Left Review*, 161.
- Haass, R. 2003, Towards greater democracy in the Muslim world, The Centre for Strategic and International Studies and the Massachusetts Institute of Technology, *The Washington Quarterly*, Vol.26, No.3, 137–148.
- Hussain, A. 1987, *Status of Women in Islam*, Lahore: Law Publishing Company.
- Ibn Rushd, M. 1997, *Bidayat Al Mujtahid wa Nihayat Al Muqtasid*, Beirut: Dar Al Ma'rifat. verified by `Abd Al Majid Tu'mat Halabi.
- Kazemi, F. 2000, Gender, Islam and politics, *Social Research*, Vol. 67, No. 2, 453-474.
- Khan, M., 1983, quoting Maududi in *Purdah and Polygamy*. New Delhi, India: Harman
- M'Rabet, Fadela 1978, Etre Femme en Algeri, *Nouvel Observateur*, July 10
- Marlow, L., 1977, Hierarchy and Egalitarianism in Islamic Thought, Cambridge: Cambridge University Press.
- Maududi, A. 1991, *Purdah and the Status of Women in Islam*, Lahore: Islamic Publications.
- Mernissi, F., 1975/1987, Beyond the Veil: Male-Female Dynamics in Modern Muslim Society. Bloomington and Indianapolis, Indiana University Press.
- Mernissi, F. 1991/1992, Women and Islam: An historical and theological enquiry, Oxford: Basil Blackwell.
- Mernissi, F. 1996, *Women's Rebellion and Islamic Memory*, London: Zed, 13-14.
- MHHDC (The Mahbub-ul-Haq Human Development Centre), 2004, The Human Development in South Asia 2003: The Employment Challenge 2004, Karachi: Oxford University Press.
- Minai, N. 1981, *Women in Islam: Tradition and Transition in the Middle East*, London: John Murray.
- Pakistani women out in the cold in labour market 2004, *OneWorld South Asia*, New Delhi, 14 January.
- PAP (Population Association of Pakistan) 2003, Employed and Unemployed Labour Force by Sex in Pakistan, (Online), Available from: <<http://www.pap.org.pk/Employment.htm>> Accessed on 8 July 2004.
- Said, E. 2001, Islam and the West are inadequate banners, *The Observer*, 16 September.
- Storti, C., 1990, *The Art of Crossing Cultures*, Yarmouth, ME: Intercultural Press.
- Stowasser, B. 1994, Women in the Qur'an, Traditions and Interpretation, New York: Oxford University Press.
- Syed, J. and Ali, F., 2005, The Contextual Dimension of Emotional Labour and Workingwomen in Pakistan, Academy of Management Conference, Honolulu, 5-10 August (forthcoming)
- UNDP (United Nations Development Program) 2004, *Human Development Report: Cultural Liberty in Today's Diverse World*, New York: UNDP.
- Yamani, M. 1996, (Ed.), *Feminism and Islam: Legal and Literary Perspectives – Introduction*, Berkshire: Ithaca Press
- Zubair, S. 2003, Women's critical illiteracies in Pakistani classroom, *Changing English*, Vol.10, No.2, 163-173