

A COLLECTION OF FATWAS AND LEGAL OPINION
on the issue of:
WOMEN LEADING PRAYERS

APRIL 5, 2005
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EDITOR'S NOTE:

This is in no way a complete collection of Islamic legal opinion on the issue of women leading men in obligatory (*fard*) prayers (*salat*). It does, however, represent a consensus amongst contemporary Islamic and Muslim legal scholars on this specific issue.

This is designed with the intent of guiding Muslims to the right path. The opinions are simply arranged alphabetically.

May Allah accept this as an act of worship by His slave, and forgive him of his sins, and increase his knowledge, wisdom, and proximity to the Divine.

Amin.

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The Assembly of Muslim Jurists of America (AMJA)

In the Name of Allah, Most Gracious, Most Merciful

All praise is due to Allah and may the Prayers and Blessings be upon the Messenger of Allah.

To proceed, the Assembly of Muslim Jurists of America (AMJA) was asked to clarify the Islamic legality of a women leading the Friday prayer and delivering the Friday Khutbah, and this question arose due to what has been publicized that some women are determined to deliver the Friday Khutbah and lead the Friday prayer in one of the mosques in New York.

The Assembly believes that the position taken is a misguidance, an innovation in the religion, and it loathes it. It would like to confirm to the Ummah the following facts:

First: The most decisive proof and the highest judge is the Book of Allah and the Sunnah [of the Prophet (saaw)]. The prophet (saaw) said: "I left with you that which if you hold on to it you will not be misguided after me ever: the Book of Allah and my Sunnah". Also, the Consensus of the Scholars upon an understanding of one of the sacred texts is a decisive proof [in itself], for Allah has made it impossible that the body of the Muslims to be united upon misguidance. Whoever strays away from the Consensus of the Muslims over the generations is opening a door of misguidance, and is following a path other than the path of the Believers, and Allah Most High has said: "And whoever contradicts and opposes the Messenger after the right path has been shown clearly to him, and follows other than the Way of the Believers, We shall keep him in the path he has chosen, and burn him in Hell - what an evil destination" (An-Nisaa 4:115). In addition, the Prophet (saaw) said in his description of the characteristics of the Saved Sect opposing the destroyed sects: "Whoever is upon what I am upon and my Companions".

Second: Verily, the whole Muslim Ummah in the East and the West has collectively agreed that there is no leeway for women to deliver the Friday Khutbah or to lead the Friday prayer, and whoever is part of this prayer then his or her prayer is invalid and nullified whether he or she is the Imaam or a follower [in the prayer]. There is not one line in any book from the books of the Muslim [scholars], from what we know, over the generations in Islamic history, or any verdict from even one faqeeh, whether he is Sunni or Shiite, or Hanafi or Maliki or Shafi'ee or Hanbali, that allows the women to deliver the Friday Khutbah or to lead the Friday prayer. So this matter is an innovation in the Religion from all aspects, invalid and forbidden in all the followed schools of Fiqh, whether it is Sunni or otherwise.

Third: From the proofs of this consensus is what has been established from the guidance of the Prophet that the women in the prayer are to stand behind the men; so their rows are behind the rows of the men. The hadeeth of Anas narrated in Bukhari states that the Prophet (saaw) lead him and his mother or aunt in prayer. He said: "He placed me on his right, and let the woman stand behind us". Malik has narrated from Anas also that he said: "I lined up with the orphan (boy) behind him (saaw), and the old woman stood behind us." And this was the Prophetic guidance that was always followed in his masjid (saaw) and the guidance of the Ummah after him over the generations. The

Prophetic Guidance even made the best rows of the men the first row, and made the best row for the women the last row. Muslim narrated in his Sahih (authentic book known as Sahih Muslim) that Abu Huraira (raa) said that the Messenger (saaw) said: “The best row for the men is the first one and the worst one [for them] is the last one, and the best row for the women is the last one and the worst one [for them] is the first one.” And this is not except to protect them from tribulation, and blocking the steps leading to Fitnah from all aspects. So how can it be allowed for them to climb the pulpits (to deliver the Khutbah) and to step up to lead the men in Prayer in the public gatherings?

And from the proofs [of this consensus] what has been established that Allah, Most Glorious and Most High, has dropped the obligation of attending the Friday prayer and the congregational prayers for women; as the Prophet (saaw) said in the authentic hadeeth that has been narrated by Abu Dawud: “Friday prayer is a due obligation upon every Muslim in congregation, except four: an owned slave, a woman, a male child, and a sick person”. Furthermore, he (the Prophet saaw) made their prayers (the women) in their home better for them [than in congregation in the masjid] as a mercy to them and to protect them from any tribulation. The Prophet (saaw) said: “Do not prevent the women to go out to the mosques, and their homes are better for them” (Narrated by Ahmad and Abu Dawud). So how is it that he dropped for her the obligation of the Friday prayer and the congregational prayer, and made her prayer at home better for her than her prayer in her masjid, which fulfilling the intent of the Lawmaker (Allah) of protecting her and making it easier upon her, and then he will push her to climb the pulpit to deliver the Khutbah and to lead the rows of men in prayer?

Fourth: It has never been established that even one woman in all of Islamic History has went forth to do this act or even asked to do it, throughout the consecutive ages, from the birth of Islam; Not in the age of the Prophet (saaw), or the age of the Righteous Caliphate, or in the age of the Followers (The generation after the Companions), or in any age that followed after that. This fact is a clear indication that this is an act of misguidance and calling to it or assisting in it is an innovation [in the religion].

If anything of this sort was permitted then the first people to do it would have been the Mothers of the Believers, and from amongst them were shining scholars [of the religion], and some of them relayed a great portion of the Religion. And enough for you is the eloquent, articulate, intelligent scholar- the Truthful daughter of the Truthful, Mother of the Believers, Aisha, may Allah be pleased with her. If this act was good they would have beat us to it and established it for us as a way to be followed. Surely the Islamic history has known women who were shining scholars of Fiqh (Islamic Jurisprudence) and trustworthy scholars of Hadeeth-- great scholars. Indeed the women have exerted a great effort in this area, and they were known for their honesty and trustworthiness, to the extent that Imam Adh-Dhahabee said: “It has not been reported that a woman has lied in hadeeth”. And he said, may Allah have mercy upon him: “I do not know of a woman [who narrates hadeeth] that has been accused [of lying] or has been abandoned [by the scholars of hadeeth]”. [They exerted such a great effort] to the extent that Al-Haafidh Ibn ‘Asaakir had amongst his Hadeeth teachers eighty-some women! Similar to him is Imam Muslim Al-Faraaheedee, the hadeeth scholar who wrote hadeeth from seventy women. Some of the women in the history of this

Ummah were teachers to scholars such as Ash-Shafi'ee, Al-Bukhari, Ibn Khalkaan, Ibn Hayyaan, and others! With all of this, it has not been reported that any one of [these women] wanted to deliver the Friday Khutbah, or desired to lead the [Friday] prayer, even though they surpassed many of the men in that day in Understanding the laws of this religion and narrating [the hadeeth] of the Prophet (saaw).

Verily the Islamic History has the woman to be a worker in all fields. It knew her as a working woman and a scholar of Fiqh, and it knew her to take part in the congregational acts of worship, the humanitarian and rescue efforts, and in commanding good and forbidding evil. However it never knew her as a Khutbah speaker, nor as a leader of a congregational [prayer] that includes men. Knowing this, it is known essentially and undisputedly from the religion of the Muslims that manliness is a condition for the [delivery of] the Jum'ah Khutbah and the leadership of a congregational prayer that has men.

And we [like to] give the ones who dispute this fact the lifespan of [Prophet] Nuh [950 years] to search in the books of Islamic heritage to show us anything of the sort. How Far, Very Far! Neither would it befit them, nor will they be able to.

Fifth: And for those who alleged this, their extracting this opinion from what has been narrated that the Prophet (saaw) gave permission to Umm Waraqah to lead the members of her household... this hadeeth, assuming it is authentic has no relation to what is occurring now, for [this hadeeth] speaks about the women leading in her house with women in it, and some men [of her family] according to the most lenient explanations. So how far is this from delivering the Friday Khutbah and the general leading of the congregational Prayer?

Indeed the Assembly of Muslim jurists warns the Ummah from falling into Fitnah, due to these misguiding calls, that follow a path other than the path of the Believers, and it calls them to unite and hold fast to the Book [of Allah] and the Sunnah. The Assembly reminds them that this knowledge is the religion, so they must look at where they learn their religion. The one who holds fast to his religion is like the person who is grasping a hot rock. It asks Allah to protect this Ummah from these severe trials and tribulations, and to carry it to the most praiseworthy matters according to Him, with the most beautiful outcome. He is the owner of this and the one able to do this. And Allah is behind every intent, and He is the Guider to the best path.

Shaykh Mohammed Nur Abdullah
Imam of the Islamic Foundation of Greater Saint Louis
and President of the Islamic Society of North America
[with regards to "Toronto Woman Gives Part of Eid Khutbah"]

To understand the role of woman in Islamic society, it is not sufficient to consider the actual status of women in one society or another, but one must look at the Qur'an and the Sunnah of Rasulillah. The main sources of Islamic norms are the Qur'an and the Sunnah of the Prophet SAW. These sources contain regulation and commandments including some, which relate to the role of women in Islamic society.

Allah said: "O you who believe, obey Allah, and obey the Messenger, and those charged with authority among you. If you differ in anything among yourselves, refer it to Allah and His messenger, If you do believe in Allah and the Last Day: That is best and most suitable for final determination" (4:59). He also says, "Whoever obeys the Messenger, obeys Allah" (4:80). And Allah said: "By your Lord they will never attend faith till they make you judge in all their affairs and then they should find any difficulty in their heart to accept and submit to you" al Nisa' (4:)

Salat is an act of worship and all acts of worship we have to follow what our Prophet (SAW) did and after him the Khulafa and Imams of the Ummah. The Prophet (SAW) said: "Pray as you see me praying." The salat has been a practice of the ummah through 1400 years and there is no room for modification of the Salat according to the "changing times."

Woman leading the congregation

The scholars have put requirements and qualifications for the Imam of the salat, as they saw Rasulillah and his companions praying. Those qualifications:

- 1) To be a Muslim. If a Muslim prays behind a non-Muslim, the prayer should be repeated, because it is not valid.
- 2) To be 'Aqil (have a sound mind).
- 3) To be Baliq (reach the age of puberty). If a minor should lead the prayer, Abu Hanifa says the prayer (whether Fard or Sunnah) is not valid. Malik and ibn Hanbal allow it though.
- 4) To be a man. Many fuqaha allow women to lead women in prayer (Hanafi, Hanbali and Shafi'e). Imam Malik did not allow her to lead the prayer (Ref: Jawahir Al Akil, vol 1, pg 78; Ibn Abdeen, vol 1 pg 388; Al Dosouqee, vol 1 pg 326).
- 5) To be pure (have Tahara and Wudu). If someone does not have wudu or breaks his wudu, he should not lead the prayer.
- 6) To know the Ahkam (rules) of salat and to be able to read the Qur'an properly.

Women's position in prayer

In a hadith the prophet (SAW) said: "The best line of salat for men are the front and worse are the last. The best lines of salat for women are the last, and the worst are the front." In a hadith narrated by Ibn Majah the Prophet said: " A woman should not lead men in prayer," (Ibn Majah Vol:1,P343).

According to the general consensus of jurists and scholars of Hadith, a woman is not allowed to lead men in Fard or Sunnah prayer or in congregation. She is, however, allowed to lead a congregation consisting only of women. In the latter case, it is not only permitted for women to do so, rather it may even be considered highly recommended according to Imam Sha'fee, because of the greater rewards of praying in congregation (jama'ah) as compared to praying individually. The Prophet (peace and blessings be upon him) never said that such rewards are solely applicable to men and that women are excluded. The authentic practice of the Mothers of the Faithful, such as `Ayesha and Umm Salamah (may Allah be pleased with them), also confirms this conclusion they lead women in fard prayer and they stood in the middle of the line (Al Muhalla Imam Ibn Hazem Vol 4 P 126,127). Ibn Umar (RA) he instructed his daughter to lead women in Ramadan, and Ayesha RA led women in Tarweeh prayer and in Maghrib prayer and she stood in the middle of line. Both of the esteemed wives of the Prophet (peace and blessings be upon him), who were highly regarded for their deep grasp of religion, used to lead women in Salah (Prayer).

Although the vast majority of scholars are of the opinion that a woman may not lead men at all, there is a minority of them, including scholars such as Imam Ibn Jarir, and a jurists such as Abu Thawr and Al-Muzani, who consider it permissible for a woman to lead members of her own household in Salah.

The last mentioned group of scholars have based their ruling on the following report of Abu Dawud on the authority of Umm Waraqah: The Prophet (peace and blessings be upon him) used to visit her in her own home; he appointed a mu'adhin (one who calls the adhan for Prayer) for her, and ordered her to lead the members of her household (in Salah)." Umm Waraqah as stated in the sources was an esteemed woman of Al-Ansar who had memorized the Qur'an. `Abdul-Rahman Ibn Khalid, the narrator of the Hadith, further states: "I happened to see her mu'adhin, who was a person advanced in age."

Based on the above evidence, some scholars have concluded that a woman is allowed to lead her own family members in Salah especially in the following cases:

- 1) If she is exceptionally qualified and others are not so well versed in the rules of Salah and knowledge of the Qur'an.
- 2) If her husband is a new Muslim who is struggling to learn the rules of Salah and the Qur'an, while she herself is perfectly well versed in them;
- 3) If she is a mother of minors who are still learning the rules of Salah and the Qur'an

What happened in Toronto Canada with a woman giving part of the Khutba, breaks all the tradition in our religion and has never happened before in the 1400 year history of Islam. No

'Alim who knows and has studied fiqh and the rules of Rasulillah and the Sunnah would have allowed it. It is Haram and their salat is batil (not valid) according to the 5 main schools of thought (Hanafi, Maliki, Shafi'e, Hanbali, and Ja'fari, as well as the Zaydi's and the Zahari's).

Shaykh Muhammad Afifi
Shafi'i Faqih
Oxford, UK
[with notes by G.F. Haddad]

In the name of Allah, the Compassionate and Merciful.

Alhamdulillah al-muwaffiq li-s-sawab!

1. Masha'allah; indeed we are living in interesting times! Aren't we taught to shy away from the position of Imam and that Imamship is a burden as the Imam acts as the guarantor for his or her followers? Who would want such a responsibility!
2. It would be best for us not to dignify those who wish to go against the general consensus [ijma' al-'amma] of the Muslims (may Allah forgive them!) in this mas'ala [legal case] by responding with a discussion of the scriptural evidences [ta'arrud al-adilla], primary and otherwise, of why in Islam women simply do not lead men in the formal prayer [Salat] (just as Catholics think it inconceivable or some Protestants find it damagingly schismatic for a woman to lead the formal liturgical services), but not so in offering other prayers [Du'a], conducting a class, or - subject to the differences of opinions, rahmatan [out of mercy], among the jurists of our ummah - in becoming the judge of a courtroom or even, executing the affairs of a nation.
3. Instead, a student of fiqh and a jurist can only do what must be done in this case, that is to inform the Muslim public, and to remind ourselves our knowledge of Fard 'Ayn in this matter that our daughters and sons should know even before they reach the age of baligh [pubescent], the legal ruling and the status of the prayer of a woman who has led a mixed congregation made up among women, men also.
4. As a Shafi'i, I can only relate what our own Mujtahid Imam himself have said in the motherbook of our books [Kitab al-Umm by Imam al-Shafi'i rady Allahu `anh] about the status of those taking part in that congregation (and of course, this ruling applies only to those men whose knowledge of this was before the event and were conscious of what they were doing):

"If a woman leads men, women and male children, the Salat of the women [the woman Imam including the women Ma'muns] are valid whereas the Salat of the men and the male children are invalid. This is because Allah (Glory and Exalted is He!) has made men supporters of women and has discouraged them from becoming protectors and so forth. It would not be permissible for a woman to be an Imam of a man in any prayer at any time whatsoever. Likewise, were a disputed hermaphrodite [khuntha mushkil; i.e., his male characteristics being more dominant over his female ones] to be among those following the woman in Salat, his Salat in her company would not have been valid." [Umm, 1:292]

5. So, alhamdulillah, if it was a case of leading one of the five daily Salats, the lady and her women followers are absolved from any misconduct and they would have in this case fulfilled their minimum religious duty and that only the men who had followed them in this are sadly the only losers from this affair and will have to make up their prayers [qada'] again.

6. If, however, it was a case of leading the Friday Prayer, then, according to our [Shafi'i] school, even the Salat of the womenfolk in this case will be insufficient [ghayr mujzi'ah] and unfortunately invalid in which case everyone there must later make up their Zuhr prayers.

7. If it was the case of the Friday Prayer, then I for one, find it humorous why those who are not obligated to perform the Jumu'ah and have been given dispensation from not doing so would go heads over heels to attend and moreover lead it. Surely, it will be a hardship for the umma, especially today, if our women are expected to also perform the Friday duty. (The original fiqh ruling [asl] for them to attend is only Mandub and not Wajib.) I am sure that even the "Progressive Muslim" women of Malaysia will not welcome the thought of relinquishing the *rest* they enjoy that day? Didn't Allah the Most High say: wa-mA ja'ala 'alaykum fI d-dIni min Harajin [He did not impose hardship on you in religion] (al-Hajj, 78)? And as in the Hadith of Tariq b. Shihab (may Allah be well pleased with him!) makes clear, our beloved Messenger (may Allah's blessings and peace be upon him!) said: "al-jumu'atu Haqqun waJibun 'alA kulli muslimin fI jamA'atin illA arba'atan mamlUkun wa-mra'atun wa-Sabiyyun wa-marIdun" [The Friday [prayer] is something obligatory upon every Muslim in congregation except for four [people]: a slave, a woman, a child, and a sick person.] (Related by Abu Dawud, al-Hakim and al-Bayhaqi.)

++Fa'ida++ [Benefit]

8. Unlike the Friday Prayer, a woman may even become an Imam for the 'Id Prayer for her same-sex congregation. She could do all of this except for the formal sermon [khutba] which has to be delivered by a man since this is among the condition [shart] of the khutba. However, if the women wanted, (but the hukm is khilaf awla [=status of contrary to best]) they could even do without the man and his formal khutba and have in his place, a woman. This is permissible and valid in our school-except that that on a point of technicality, her talk is not called a khutba but a maw'iza. This is made clearly by Imam al-Bujayrimi (may Allah be pleased with him!) among others in the Hashiya of the Iqna': "Likewise [to have the khutba after the two rak'as of the 'Id Prayer, even if it is directed to a congregation made up of only] for women. However, only a man can deliver the formal sermon. On the other hand, if a woman were to stand and deliver a talk to them without a formal sermon, there is no harm in doing so." [Bujayrimi, Iqna', 2:447].

9. It is not a surprise therefore that armed with this precedent, for example, we find today in Indonesia of mosques that offer exclusive 'Id Prayers for women only led by women scholars. Aren't these the progressive and efficient ones who work within the framework of our laws and our processes?

[GF Haddad: And among the Hui women of Central China also with their women-only schools and mosques cf. www.smh.com.au]

10. One hikma arising from this American event is that it will ironically be something of a

bad press for the "Progressive Muslim" women in a country like Malaysia where the issue of a woman leading a man in Salat is simply a non-issue may even a turn off. There, the general audience, whether men and women will be able to preview the package of 'progressive' light waiting at the end of this tunnel and indeed scare people away from it. Equally, the other hikma should be a warning for us men who have transgressed and have been unjust [zulm = wad' al-shay' fi ghayri mahallih] by abusing his position of authority and trust; let this episode be a wakeup call for the Muslim communities everywhere especially if we have denied the rightful rights of our mothers and our sisters to drink from the fountains of knowledge and share our fontes sapientiae. Nothing happens without a reason and students of theology know only too well that it is but natural (for it is from Sunnatullah) that all forms of imbalances and injustices will inevitably undergo divine correction [ta'dil] even if in the process the temporary solutions turn out to be extremely perverted. The lesson for our men is to be aware that the original grievances and questions leading to these distorted answers are often right and legitimate. May Allah open our eyes and make us understand that which we know not!

11. Those who are blessed with knowledge and use their common sense will in the end come to realize that despite the deviations by certain sectarian groups such as the Khawarij and the irregularities of at most one or two jurists, the Umma has never practiced nor accepted nor witnessed a precedent in any of our communities since the earliest times until today the practice of a woman leading a man in Salat. This indeed is a genuine case of a misguided innovation [bid'a dalala], a type of khilaf that is not from rahma but of fitna, and a munkar that deserves to be censured and kept well away from our children. Wouldn't it be more beneficial for a "progressive" women group to come down from these lofty issues and fight instead the bread and butter ones and address the real problems faced on the ground by our sisters today such as their physical welfare and education?

~~Hikaya~~ [A Story]

12. Perhaps, in this group's overzealous calls towards equality and freedom on behalf of our women, they had overlooked two separate legal issues: the case of a woman leadership vs. Imamship. For this, we may derive benefit from the following true story that happened in Malaysia during the recent general election for a parliamentary seat contested by two candidates: an Imam of a famous mosque vs. a Muslim woman (note: the presence of Muslim women MPs in this country is a normal sight). During the election campaign, in his attempt to curry favour with his constituency, the Imam questioned the suitability of the woman for the office arguing that religiously, she could not even lead the Salat. She responded famously by saying: "That's OK, let him remain an Imam in the mosque but give her his parliamentary seat!" In the end, this cost him his seat. fi-ha kifaya li-ahli l-'ilm! [A sufficient lesson for the knowledgeable]

13. Subhanallah: how true are the words of one of our great predecessors, Imam Abu Zakariyya al-Razi (may Allah sanctify his secrets!) for both the woman and the man respectively in this congregation: "I am amazed at someone who seeks something extra while abandoning a duty!"

14. And masha'allah: this episode shows how appropriate were the words of our great Imam, Abu Bakr al-Warraq (may Allah sanctify his soul!) who remarked that most of what is spent in our time are 4 x 4: "(1) the extras over the obligatory; (2) the outer form over the inner

state; (3) other people over oneself; and (4) speaking over action".

I end with a du'a and a reminder for myself mostly: allAhumma innA na'Udhubika min 'ilmin lA yanfa'u wa-min 'ilmin yaSiru Hujjatan 'alaynA fl yawmi l-qiyAma [O Allah, protect us from knowledge which are useless and from knowledge that will become a proof against us in the Next world!]

Muhammad Afifi al-Akiti
1st Safar 1426
12 III 2005

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End of the response from Shaykh Muhammad Afifi, Allah reward him!

Amin. This response from our dear teacher is better than any response we might require and any artifice we might deploy to coax our people to safety and goodness once they decide to stop their ears and follow their desires.

How rewarded and enlightened here and hereafter should US Muslims be to put aside their natural American hankering for world leadership and follow instead the excellent models of their true progressive Chinese and Malaysian sisters who have long since pioneered the establishment of women-only scholarly centers and mosques! With enough hard work and prayer, this would be and still can be the Western Muslima's model for sakina, dhikr, education and dawah. That would be the way of tawqa and hence the Qur'anic way of competing in leadership. If such a lofty and licit model were to prevail it would armor our sisters and brothers in faith against the fitna of our times! Would that not be better than a bullyish media show that mocks our islamic principles and sets an ugly precedent of disunity? May Allah save you and me, dear reader, from the causes of regret and sorrow on the Day of regrets and sorrows. We belong to Allah and unto Him do we return.

- G.F. Haddad

Can a Woman Lead Men in Salat?
Shaykh Abdullah bin Hamid Ali
<http://lamppostproductions.org>

Let's get right to the point.

The first problem with this scheduled event is that the theme is 'Muslim Women Reclaim Right to Lead Prayer,' while it should read 'Muslim Women Claim Right to Lead Prayer,' since there is no basis for the belief that it was ever a right for women to lead a mixed-group prayer. And there are no explicit accounts of women ever leading a mixed-group of men and women in prayer.

Three of the four Sunni Schools of law (Hanafis, Shafi'is, and Hanbalis) permit for a woman to lead other women in prayer except that the one leading is not to stand out in front of the row.[1] Rather, she is to remain aligned in a single row with the other women, so as not to appear to be leading as a man would. They base this on the following reports:

1- Imam Baihaqi, Daraqutni, and Ibn Abi Shayba report from Ra'ita Al-Hanafiyya that she said: "Aisha led us. And she stood between us during the obligatory prayer."

2- Ibn Abi Shayba and `Abdur-Razzaq Al-San'ani report by way of Hujayra bint Husayn that she said: "Umm Salama led us in Salatul- `Asr. And she stood between us." [2]

Imam Al-Nawawwi says about these two hadiths, Daraqutni and Baihaqi related them with sahih chains.[3]

As for Imam Malik and the popular view held in the Maliki School, any prayer that a woman leads others in whether women, men, or mixed is invalid. Ali ibn Abi Talib is reported to have said, "The woman is not to lead (Salat)." [4] This was also the view of Sulaiman ibn Yasar and Al-Hasan Al-Basari.[5]

As for the other three schools, their position in general[6] was that it is permitted for women to lead other women in Salat.

As for the cause of this disagreement, we can reasonably say that it is the direct result of the different views of the Sahaba, in so much as that 3 of the Imams adopted the views of Umm Salama and `Aisha who were both wives of the Prophet while Imam Malik and those who held the same view accepted the report of `Ali ibn Abi Talib -.

If we were Hanafis, it would be easy to resolve this matter by just having everyone follow the particular Companion's opinion we deem most worthy of following.

If one is a Maliki, it would similarly seem easy to resolve by just ascertaining that there was a consensus found among the scholars of Medinah during Malik's time that went contrary to these hadiths supported by the majority.

But if a Muslim is one who champions the hadith of the Prophet and doesn't place anything over it as is the view of Shafi'i and Ahmad, the solution would seem easy to resolve by simply relying on the most authentic report found that demonstrates what the Prophet's sunnah was in this regard, since it is possible that some Sahaba heard what others may have not.

So after searching, we find that the strongest report found that goes back to the Prophet is the following:

Abu Dawud reports that Umm Waraqa y said, "I said: "O Messenger of Allah! Permit for me to participate in the raid with you. I'll nurse your sick. Perhaps Allah will grant me martyrdom." He said: "Remain in your house. For verily Allah I will grant you martyrdom." And she asked his permission to take a muadhdhin in her home. And he allowed her."

In another version Abu Dawud reports: "The Messenger of Allah used to visit her in her house. And he assigned to her a muadhdhin who would make the summons to prayer (adhan) for her. And he ordered her to lead the inhabitants of her home."

The hadith was reported by Baihaqi, Daraqutni, and Hakim. And Hakim said, "Muslim advanced Al-Walid ibn Jami' (one of the narrators) as being authoritative.[7] But this is a hadith with a single chain of narration (sunnah ghariba). I don't know of any hadith with a connected chain to the Prophet (musnad) in this chapter other than this one." And Imam Dhahabi concurred with his findings[8].

Al-Mundhiri said, "Al-Walid ibn Jami' is the subject of dispute (fihi maqal). And Muslim has reported through him." Ibn Al-Qattan said, "Al-Walid's state isn't known." [9] Ibn Hibban mentioned him in (his book) Al-Thiqat (Trustworthy Narrators).[10] And Ibn Hajar said, "In its chain is `Abdur-Rahman ibn Khallad (a second questionable narrator). And his status is unknown (fihi jahala)."

If this is true in that this report has two suspect narrators, Al-Walid ibn Jami' and `Abdur-Rahman ibn Khallad, then this hadith can't really have much if any authority.

And if it had not been for its weakness, it could be used by those who argue for the right of women leading men in prayer to support their argument even though the indications in the hadith are very subtle. That is, the fact that it states that the Prophet assigned a muadhdhin for her and then ordered her to lead those in her house in prayer, gives the impression that she led at least one man in prayer who was likely a bondsman or unmarried relative of hers, since she would only be allowed to keep the company of a bondsman or a male relative, and men are usually those who make the call to prayer.

One could just as well assume that the muadhdhin appointed by Allah's Messenger e while presuming the hadith is authentic was another woman, and that Umm Waraqa led a group of women in prayer as the other authentic reports make clear.[11]

But all of this is overshadowed by the weakness of the hadith. So it falls as a basis for argument.

Another important point is that Imam Abu Ja'far Ibn Jarir Al-Tabari (died 310 AH) held the view that a woman could lead Salat in spite of it being a view never accepted by the Ummah, and it has never been witnessed in all of Islamic history.[12]

Imam Al-Tabari was an absolute mujtahid and is known as the Imam of the Exegetes (Mufassirin). But his school didn't thrive and it didn't last as the 4 surviving schools did. So his view is extremely ancient and contradicts what the Ummah later unanimously agreed upon in that a woman cannot lead a man in prayer.

Add to that, it would difficult to know what exactly Imam Al-Tabari based his ijtiḥad on today, since his school hasn't been preserved with an unbroken chain as the 4 schools have. So are we to accept his opinion just because it was an opinion without proper scrutiny and research?

Furthermore, what lends to the understanding that a woman's proper place is not leading a man in prayer are the following:

- If it was permissible, it would have been reported from the Salaf.
- Since the Sunnah for women in prayer is for them to be behind the men, it is known from that that it is not permitted for them to be in front of them. For Abdullah bin Mas'ud said: "Put them back to where Allah put them back." Al-San'ani and Tabarani reported it. It is also mentioned in Majma' Al-Zawa'id. And for that reason, some of the allowed them to lead other women, since they are all to align straight in one row.
- The Prophet also said, "The best ranks of the men are those at the front. And the worst of them are those at the back. And the best ranks of the women are those at the back. And the worst of them are those at the front."

And if the Messenger had intended any other arrangement for women in Salat, then we would have found him at least on one occasion allow the women to pray directly behind him or for a woman to lead the men in Salat.

So we are to understand that this is from the divinely inspired direction of the Creator. And to contravene it would be to question His wisdom. And to question His wisdom, would be to follow in the footsteps on Satan. And to follow in the footsteps of Satan, one is surely to be damned as he is.

So it becomes clear that such people who insist on the permissibility of a woman leading men in prayer have nothing firm to rely on in their position other than the following of their fancies and what their lusts dictate to them.

The Issue of Apostasy

The next important question would be, are such people Muslims who contravene the consensus of the Ummah, which upholds that a woman leading men in prayer is prohibited?

The short answer is, no! But that `no' is a `no' that doesn't remove the danger from being damned by the Almighty One.

In other words, the decisive consensus for Sunnis cannot be violated. Were one to contravene that consensus, he/she would be considered an apostate from Islam.

But this consensus is one that occurred after a well-known disagreement due to the view of Al-Tabari and Abu Thawr. And scholars have differed about whether or not contravening this kind of consensus is enough to expel a person beyond the pale of Islam.[13]

One can also reply that the Shiites do not consider consensus to have the same authority that Sunnis do. And they do not accept it.

But we can reply that in spite of that Shiites do not allow for women to lead men in prayer. So even though they may not consider it to be a valid source of law, their practice shows that they share with Sunnis in their traditional belief that a woman may not lead the Jumu'a prayer or any other prayer for that matter unless it be a woman leading other women in a prayer that is not Jumu'a.

So even if Shiites don't accept scholarly consensus as a valid source of law, they do accept that Allah says in the Qur'an, "Whoever splits from the Messenger after guidance has become clear to him, and then follows other than the way of the believers, We will turn him to what he has turned, and enter him into Hell. And how evil a destination!" [4:115]

And it is the way of the believers that from the time of the Prophet until now that no woman has ever been reported leading the Jumu'a Prayer, Eid Prayer, or any other prayer when those being led were a mix of men and women.

In the end, I seriously doubt that many people will be in attendance at this event, at least not many real men or women.

We know that the enemies of Islam have many tactics they use in trying to get a misdirected and emotional response out of the Muslims. And perhaps they do that in order to produce a situation where they can justify taking action against those they label as extremists, radicals, terrorists, and fundamentalists.

I think that if people want to make up their own religion, let them do as they like. We just ask them to give us a little respect and not call it Islam, and don't call themselves Muslims. That's all.

Was Salam

Abdullah bin Hamid Ali

Ustadh Abdullah bin Hamid Ali is the first American to attend and graduate from the University of Al- Qarawiyeen's Faculty of Shariah. The focus of his study was the understanding of the science of fiqh, Usool Al-Fiqh, and `Aqeedah. He has studied under some of the top scholars of Islam including Dr Abdullah Ghaazeewee, Professor of Usool Al-Fiqh, Sheikh Muhammad At-Ta'weel, Muftee, Scholar, and Professor of Usool Al-Fiqh, Sheikh Muhammad Al-Ghaazee Husainee, Grand Muftee of Morocco and Professor of Al-Fiqh Al-Muqaaran, Sheikh Ahmad Zweetin, Professor of Fiqhul-Hadeeth and many others!

Footnotes:

[1] This was also the view of Imams Awza'i and Thawri.

[2] Ibn Abi Shayba also reports from Umm Al-Hasan that she saw Umm Salama lead the women. And she would stand with them in their rank.

[3] Al-Majmu' li al-Nawawwi: 4/173.

[4] Imam Sahnun reported it in Al-Mudawwana Al-Kubra from Ibn Wahb from Ibn Abi Dhi'b from a client of Banu Hashim from `Ali ibn Abi Talib that he said: "The women is not to lead." [Al-Mudawwana: 1/85]

[5] Al-Majmu' li Al-Nawawwi: 4/173.

[6] Abu Hanifa's view was that it was permitted but with dislike [Al-Majmu': 4/173].

[7] Just because Imam Muslim relates a hadith on the authority of a suspect narrator doesn't automatically make that narrator's reports acceptable in other places, because Imam Muslim merely relates a report from such a narrator when there are other versions of the same report that strengthen it.

[8] Imam Hakim Al-Nisapuri has a book he wrote entitled `Al-Mustadrak', which contains a number of hadiths that fulfill the conditions of the Sahih of Imams Bukhari and Muslim that neither of them reported in their two books. But after the scholars had a close look at Al-Mustadrak they found that many of the claims made by Imam Hakim weren't true. For that reason, his claims of the hadiths reported in that book are usually not accepted unless Imam Dhahabi concurs with his findings.

[9] To be unknown (majhul) is of two kinds according to the scholars of hadith. 1) To be an unknown person altogether (majhul al-`ayn), and 2) to be of unknown status (majhul al-hal) such that a person may be known but his character and memory will be unknown. Refer to the books related to the science of hadith like Suyuti's Tadrīb Al-Rawī Sharh Taqrīb Al-Nawawī.

[10] Simply to be mentioned in a book dedicated to trustworthy narrators doesn't render a narrator to be trustworthy, because many times the author will mention a kind of narrator whose mention wasn't the original intent of the work. Add to that, a hadith isn't authenticated just because its narrators are trustworthy.

[11] One might respond that the word used in the hadith was muadhhdhin for the male not `muadhhdhinah' for the female. So it is clear that it was a male. If someone says this, we can respond by saying two things: 1) Sometimes the male is used and the female is intended as in most of the verses of the Qur'an and the hadiths, for example, the hadith that states, "None of you will believe until he loves for his brother what he loves for his self." Are we to assume this hadith doesn't apply to women? 2) is that even if we accept that the muadhhdhin was male, the hadith is still not clear in that he participated in the prayer, since it is possible that all he did was call the adhan and then leave the room or the house.

[12] Bidaya al-Mujtahid: 1/206. Abu Thaur also held this view.

[13] Refer to Tuhfat Al-Murid Sharh Jawharat Al-Tawhid of Baijuri

A Critique of The Argument For Woman-Led Friday Prayers

Dr. Hina Azam

March 18, 2005

All Muslim eyes today are turned toward New York, where [Muslim WakeUp!](#) and the [Muslim Women's Freedom Tour](#) have organized the first public woman-led Friday prayer service in ... well, perhaps ever. Needless to say, this event has stirred up quite a bit of controversy. In order to justify the event, MWU has posted an article by [Nevin Reda](#) arguing for the religious validity of female imams for mixed-sex Friday prayers. A few other such pieces, though not having the depth of Nevin Reda's, also exist on the internet. On the other side of the court, one can find articles opposing female imams for jumu'ah services. My contention here is that the argument in favor of woman-led jumu'ah salat is not persuasive, for reasons that have been only partially explained in some of the existing critiques.

As a starting thought, let me say that [PMU](#)/MWU! serves an important function in the Muslim community in its role as gadfly. Many of the issues they raise, pertaining to women, sexuality, the use of violence, interfaith relations and the like, are ones that need to be raised in an open way. They have thrown down the gauntlet to the rest of the ummah, and that is to be lauded. I agree with their overall goal of improving women's position within Islamic law, and of seeking gender equity. I also support a critique of classical Islamic legal methodology, and revision where appropriate. As for the issue of women leading salat al-jumu'ah, I have no personal objection to it. However, it is the divine will that I believe we are charged with discerning, not our personal sensibilities. Thus, my disagreement with the progressive position is not over the content of the rulings, but with the legal methodology by which the rulings are being argued, which does not appear to me to be sound.

In order to arrive at any new legal doctrine, or hukm, one must employ a systematic methodology by which to extract meaning from the sources. Traditionally, this methodology has been categorized under the rules of ijtiḥad. If the classical principles of ijtiḥad are not viewed by progressive Muslims as being adequate, either in whole or in part, for discerning the will of God, then they must present an alternative.

The centerpiece of a proper juristic methodology is a sound system of legal reasoning which is consistent with the texts of the Qur'an and the most-likely-authentic Sunna, and which emerges from a spirit of piety and submission to Allah (or khushu'). By sound reasoning, I mean that any argument that is proffered should progress along logical lines that are internally consistent. The classical jurists of Islam developed such a methodology. They devised ways of both grading the reliability of, and extracting meaning from, the texts, ways that by and large are very sound. For example, the fuqaha' isolated different degrees of textual clarity: Does a text reasonably permit of only one meaning? Two? More? Are there other texts that help us decide between two possible meanings in the first text? They also came up with principles for determining when a strict application of the law might be set aside for reasons of individual or social necessity. The important point for our purposes is that while jurists might have disagreed about specific rulings, they followed a well-elucidated methodology that was highly rational, that was consistent with the Qur'an and Sunna/hadith, and that appears, from my readings, to have emerged from a very real spirit of humility

before God. The classical methodology of discerning the divine intent is truly awe-inspiring, and a formidable challenge to anyone who seeks to arrive at wholly new hukms, in large part because -- as a method — it remains highly persuasive.

I do not say that the classical juridical methods were flawless. There were clearly differences of opinion between the jurists over specific rulings, and these differences arose from methodological disagreements. However, despite these differences in methodology and content, there were broad swaths of moral action that were treated in nearly identical fashion by most expounders of the law. Any attempt to come to fiqh positions that are not given somewhere within the existing corpus must:

a) explain why the existing methodology is unacceptable (that is, why it necessarily leads to conclusions that are makruh or haram), and

b) provide an alternate methodology that is more capable than the existing one at discerning the divine intent.

The proposed ruling — that women may lead men in salat al-jumu'ah -- violates several basic texts and classical interpretive principles, and its proponents provide neither a sound critique of the traditional legal methodology or nor an improved one to replace it. The impression one gets is that there is no consistent methodology, that in fact, the desired ruling (the permissibility of women leading mixed-sex congregations for salat al-jumu'ah) dictates their use of texts and of interpretive method. Heaven knows I have wished for women to be able to lead salat al-jumu'ah. But wishful thinking is not a sound methodology.

Because the arguments in favor of women leading jumu'ah, and mixed congregations generally, is being made using traditional sources and methodology, let me explain why I think their argument is flawed.

1. Salat al-jumu'ah and the requirements of the imam are issues of worship ('ibadat), and thus should not be modified.

Some might ask, is the issue of women leading salat one of social norms or religious law?

Answer: In a nutshell, the laws of Islam have been divided by the scholars into two broad categories, those that have to do with the rights of God, and those that have to do with the rights of human beings. Certain acts are purely in fulfillment of one, and some the other, and some fulfill both. Prayer, as one of the 'ibadat (forms of worship) has been considered to be almost purely in the category of rights of God. This is in distinction to social, economic and political activities, which are seen as having to do with the rights of human beings.

The jurists gave human interpretation very little scope in modifying the rules regarding the forms of worship. They reasoned as follows: The elements of salat — its physical format, the formulae read within it, the specifics of the surahs that may be read, the rules regarding special types of salat (such as jumu'ah, eid, janaza), the rules regarding what constitutes tahara (ritual purification), the number of raka'at in each type, the times of day, the alignment of men and women, the khutab — all of these were established during the life of the Prophet under divine guidance. We simply do not know the reasons for their form.

Furthermore, because salat is so critical to proper practice of Islam, it is not an area that one may tamper with.

Thus, the scholars operated according to the principle that the rule (asl) in social laws (mu'amalat) is permissibility (ibahah), and the rule in religious observance ('ibadat) is prohibition (tahrim). In ordinary language, this means that in the area of ordinary life (social and individual), we may assume that a lack of evidences (dala'il) regarding an activity indicates that we can do it. In the area of the ibadat, however, we are to take the opposite approach: Unless there is a dala'il indicating that something is permissible, we are to assume it is prohibited. It is a very conservative approach to the ibadat, undoubtedly, and I believe for good reason.

The consensus among the scholars on the issue of leadership of salat (imamah), both in terms of leading the actual salat and of delivering the khutba, falls under the laws of 'ibadah, and is not simply a question of social norm. We submit to the form of the salat that the Prophet did, and pray as he did. Just as we cannot decide that the ritual aspect is old-fashioned and we now want to pray sitting in pews, we cannot modify the rules of imamah. A hard pill to swallow for some, perhaps, but the goal is jannah, in the end.

2. Women leading mixed congregations in fard salat does not constitute a grave need, for which ordinary rules of salat and imamah may be set aside.

According to the traditional methodology, the selection of a weaker hukm over a stronger hukm can only be done when there is a dire social or individual need, or a threat of injustice or loss of life. For example, when Umar b. al-Khattab suspended the law of cutting off the hand for theft in a period of hunger, that was a dire need. When one is permitted to consume alcohol or pork when on the verge of death, that is a dire need.

Women leading salat simply does not qualify as a dire need, either individually or socially. Nor does a woman delivering the khutba (which is part of the salat). Nor does bringing the women up to the front or having a mixed congregation. Furthermore, non-engagement in any of these actions does not result in a loss of life or well-being, intellect, property, lineage, or religion. Non-engagement does not constitute injustice. On the level of necessity, then, this proposed hukm does not pass the muster.

This is not to say that there are not grave problems concerning gender equity in our community. Women in the Muslim community generally, and in the mosque in particular, are seen as being "good Muslims" when they are most silent, most unobtrusive, most compliant with male-driven policies. Walls and curtains, crowded and substandard prayer areas, prohibitions from entering the "main" area or going through the "main" door, lack of comfortable and direct access to imams/scholars, gender separation of couples and families upon entrance into the mosque — all of these contribute to a feeling of alienation among Muslim women. All of these problems, however, should be rectified without violating the sanctity of our 'ibadat.

3. Tarawih and leading one's slaves and kin is fundamentally distinct from jumu'ah, and the rules from one cannot be translated to the other.

Although the majority of scholars said that women cannot ever lead men in jama'ah (congregation) for any prayer, there were a few (such as al-Tabari, al-Muzani, Abu Thawr and Ibn Taymiyya) who made exceptions. The exceptions were based not on any one hadith, such as that of Umm Waraqa, but on all the textual and rational evidences taken together. These exceptions were of two sorts:

- 1) That a woman may lead salat al-tarawih if there is no male who has memorized the Qur'an, as long as segregation and the rows are maintained, and
- 2) That a woman may lead her own male kin (her husband, her children, her slaves) in her own household, if she is the most knowledgeable of them.

Each of these exceptions has its particular logic, a logic that cannot be extended to Friday prayer within the existing interpretive methodology.

Tarawih is distinct from jumu'ah in several key respects: Tarawih is a nafl salat, while jumu'ah is a fard salat. Tarawih is ideally offered in one's own home, while jumu'ah is the most public of congregations. Tarawih becomes the grounds for an exception, according to the Hanbali jurists, because of the importance of reciting and hearing Qur'an during the month of Ramadan. So important is it, they reasoned, that if a woman were the only one who had memorized or could read and recite Qur'an, it warranted an exception to the rule of male-led salat. It is very difficult to argue that in an entire locality, there is no man who is capable of leading jumu'ah, while for the much smaller tarawih, it is more likely that a woman may be the one who has memorized most Qur'an.

Leading salat al-fard in one's own household is distinct from jumu'ah in several key respects, which all stem from the fact that in one's own home, the assumption is that one is leading maharim (blood-relatives) only, while the assumption is that in jumu'ah, one is leading mostly ghayr maharim (strangers). The rules for relationship between maharim are well-known: A woman need not cover herself or be as concerned for modesty around her husband, parents, siblings, children. She can touch them, relax, etc.

In short, the jurists who were open to women's imamah still limited their exceptions to tarawih and household salat. They took the hadith of Umm Waraqa seriously, but did not run with it to the point of trampling all the other dala'il, as does the progressive approach to this issue.

4. The hadith of Umm Waraqa does not provide a sufficiently persuasive basis for women leading mixed congregations in salat al-jumu'a.

At most, one might reasonably argue that a woman can lead her own household, as have a minority of jurists. The progressives' argument on the general permissibility of women's imamah hinges in part on the idea that in the hadith of Umm Waraqa, "dar" means area or locality. While this is one of the possible meanings of "dar," it is highly unlikely in this context. For example, no one ever suggests that when the early Muslims prayed at the "dar" of al-Arqam, they were praying in al-Arqam's locality rather than within the confines of his private residence. Perhaps the strongest evidence that "dar" literally means her home is the fact that there are multiple variants of this hadith. While in Tabaqat Ibn Sa'd, the word used

is "dar," the version given by Abu Dawud in his Sunan uses the word "bayt," which not only means "home" but even "room within a home."

Nevin Reda's argument (on the MWU site) is particularly inconsistent on the meaning of "dar" in Umm Waraqa's hadith. On one hand, she says that "dar" likely means "area," and that Umm Waraqa was thus designated to be imam of her locality. On the other hand, she says that "dar" means "home," and that Umm Waraqa's home functioned as the jami' masjid of her area. Both readings are speculative, and cannot be used as a basis upon which to construct a general permissibility of women's imamah, especially when there are no other supporting texts for that idea, and when there are several texts indicating that in all other known circumstances, men served as imams over other men.

In the same way, the argument that Umm Waraqa's congregation must have included more than just her 2 slaves and perhaps the elderly man who served as her muezzin can hardly pass as strong evidence for women leading jumu'ah or mixed jama'ah. Likewise, the contention that there must have been more than 3-4 people in order for there to have been a designated muezzin is not strong. There can be a muezzin even for such a small group, and most jurists held that even a lone man doing salat should call adhan for himself. Numbers have nothing to do with the need for a muezzin.

In general, the arguments that are given in support of the upcoming female-led jumu'ah, in combination with the extent of the modifications being made to traditional laws of salat, reflect an ends-justify-the-means approach. It appears that it has already been decided that it is permissible for women to lead a mixed congregation in jumu'ah. Any textual or rational indicants that these rulings might be invalid are conveniently rejected. At the same time, texts that are seen as supporting the pre-determined ruling are championed in a way that is highly selective and methodologically inconsistent.

Furthermore, the claims being made are far more sweeping than the evidence warrants. For example, Nevin Reda writes, "From the above evidence it is abundantly clear that Qur'anic and hadith evidence is overwhelmingly in favor of woman imams." Can it really be that the same scholars who preserved for us the hadith of Umm Waraqa could have been so dimwitted as to have missed "abundantly clear" rulings? That we are the first to realize that the Prophet had actually established a second mosque in Madina and designated Umm Waraqa as its imam? While it may be fashionable to ignore or undermine the classical legal tradition, I have a hard time understanding how one could reasonably think that those interpretive methods were all flawed, that the jurists were all wrong, and that we have arrived at the true Islam — which happily enough, matches our own cultural sensibilities.

My recommendation is that we study and critique the tradition, and work on developing a legal interpretive methodology that leads to more equitable rulings, yes. But I would also recommend a much greater dose of caution and of humility, in light of the gravity of the task. I would seek to remind us all that our first priority is to seek the good pleasure of Allah, whose guidance for humanity may not always be scrutable.

Given both a recognition of the marginalization of women from public religious life and the need to preserve the sanctity of the 'ibadat, there are other ways for women to become integrally involved in jumu'ah in a public teaching capacity, and I would encourage masjid

to implement these. I realize that my recommendations will not satisfy those who favor women leading mixed congregations, and this is fine. I think it is also clear by now that I am not willing, at this point, to concede the legitimacy of that route, wallahu a'lam. I suggest these avenues for those who remain unconvinced of the progressive position, who seek to preserve the integrity of the 'ibadat, but who also would feel that women must have greater visibility within the religious life of the community:

1) Women may write the Friday khutbas to be delivered by the khatib with proper attribution to the author. In my experience, imams are more than happy to have someone else do the work of putting together the khutba, and the practice of khatibs reading sermons written by others is well-known.

2) Women may deliver public lectures just prior to the khutba. The practice of a public talk between the adhan and the beginning of the khutba is found in much of the Muslim world and is an even more direct way than the above for women to communicate their ideas directly to the congregation. One idea for dual-language communities is that the talk delivered by the woman can be the basis for the khutba, which would essentially be a translation of it.

3) Women may be the translators of the khutba, as the translation is not technically part of the khutba. This is clearly not a function in which her own ideas will be disseminated, but in many communities, even hearing a woman's voice, either through one's headset or after the khutba, would be a significant improvement over the status quo.

Some might regard these suggestions, particularly #2, as being so close to women giving the khutba that I am just hairsplitting. Others may feel that these suggestions do not go far enough, since they stop shy of restructuring the jumu'ah rules. My hope, however, is that for those who seek a middle course, these will provide a sound basis for action while remaining within the parameters of the tradition.

Hina Azam is an incoming Professor of Islamic Studies at the University of Texas at Austin. Her specialty is Islamic law.

Dr. Mohammad H. Fadel

March 21, 2005

Email Correspondence from the National Association of Muslim Lawyers (NAML) email listserv

Salam alaikum,

I will try to give a quick response to [name omitted] points. I think she has summarized the basic outlines of the issue, but leaves out an important point regarding the ritual element of the Friday prayer. The presumption within Islamic jurisprudence is that matters of ritual are established only by revelation, because the manner by which we worship God is completely arbitrary. Rules dealing with secular matters, however, are presumptively subject to rational analysis and can be subject to change with time in accordance with preserving the goals of the law. In the case of ritual law, however, the only goal is obedience, and therefore, it is satisfied whatever the form it takes. The only question to be determined is to find out how God wants us to discharge the specific act of worship.

The basic problem that must be overcome with respect to women leading men and women in prayer is the fact that there were scores of highly-competent, learned, and eloquent women in various periods of Islamic history, and there is no evidence that they ever thought to act as Imam of men and women in congregational prayer. I agree that history is irrelevant to a question such as whether women can be a judge or a head of state because these are not matters that relate to worship, and history is relevant to the way we worship. The Prophet said "Pray in the manner you see me praying." A basic assumption of Muslim jurisprudence is that the Prophet (S) had an obligation to communicate the rules of God to humanity. This would be especially true in the case of matters dealing with ritual. Given the fact that at the time of Prophet's life there existed women who had the skills to lead men in prayer, combined with the Prophet's obligation to communicate the rules of Islam, it's hard to imagine that he would have been silent in the face of simply social pressures not to allow women to lead men in prayer, if indeed that was a misapprehension of the community. The Prophet (S) corrected many misapprehensions of the community, and he could have easily done so in this case. The fact that he did not suggests that it was not a misapprehension at all, but that in fact it is a requirement of a valid congregational prayer which includes both men and women that the imam be a male. (I would point out that for technical reasons, one does not say that it is "haram" for a woman to lead a man in prayer, only that such a prayer is invalid, and must be repeated. It would only be haram if a person believed it to be contrary to God's revelation, and did so anyway, as if to prove that he knows better than God.)

I would add finally that it does not appear to me that there is any special merit in serving as an imam. While there are special merits for praying in a congregational prayer, that merit accrues equally to all members of the congregation, not specifically to the Imam. This is perhaps further indication of the arbitrary nature of this rule.

I would also agree with [another name deleted] more general point: is this really the burning issue facing gender relations in our community? It's conceivable to me that one day, this could be a genuine issue in which something meaningful is at stake, if it developed organically within the community. My particular feeling, however, is that it is not "ripe" yet for mature consideration.

Mohammad H. Fadel earned a Ph.D. from the University of Chicago in Islamic Studies from the Department of Near Eastern Languages and Civilization, and J.D. from the University of Virginia.

Shaykh Ali Jumu'a
Mufti of Egypt
Professor of Islamic Jurisprudence, Al-Azhar University
March 20, 2005

In the Name of Allah, Most Merciful and Compassionate:

“Ask the followers of Remembrance if ye know not!” (Q:16:43)

All praise is due to Allah, and peace and blessings upon the one after whom there is no prophet, our master Muhammad the Messenger of Allah and his family, companions, and those who follow him in righteousness until the last day.”

Q: What is the religion's ruling concerning a woman leading men in prayer; is their prayer correct? What is the religion's ruling concerning the permissibility of a Friday prayer in which a woman leads the congregation? Is it permissible for men and women to pray in the same row mixed together? What is the ruling concerning a woman giving the adhan and calling Muslims to the Friday prayer or any other congregational prayer? What is the ruling of religious law concerning the new dissenters who want to change fixed elements of the religion?

A: Islam commands chastity and virtue and it forbids adultery and fornication. It is because of this that we find Islam has commanded both the male and female believers to lower their gaze in the same fashion, and it has forbidden seclusion that leads to temptation. Islam has commanded for men to cover themselves between their navels and their knees, and for women to cover themselves entirely save the face and hands: Allah exalted is He said, “Tell the believing men to lower their gaze and be modest. That is purer for them. Lo! Allah is Aware of what they do.” (Q:24:30).

And the Prophet, peace and blessings be upon him, said, “Oh Asma', if a woman reaches the age of puberty it is not fitting for her to be seen except for this and this” and he pointed to his face and hands (Abu Daud). One of the Islamic rulings with this intention behind it is that Allah exalted is He has commanded women to stand behind the rows of men in prayer. This was done in order to honor women, because the prayer of the Muslims is comprised of prostration. Thus the command is like the saying of the Arabs “He only held you back so he could put you forward.” Putting the prayer lines for women behind the prayer lines for men is not a form of degradation, rather it is a means of raising their station and upholding high manners and virtue, and it is a means of mutual cooperation for the believing men and women to follow the command of lowering their gaze. It is for this reason that we see that the Muslims in the East and the West, during the times of the Pious Forebears and their successors, have unanimously agreed in practice that women are not assigned to give the adhan, or be the imam of Friday or [mixed-sex]-congregational prayers.

As for men and women praying in one row mixed together: this is not permissible in any situation. As for a woman giving the adhan and giving the Friday sermon and leading the Friday prayer: we do not know of a single difference of opinion between the Muslims

- scholars and laymen alike - concerning its impermissibility and the fact that should such a prayer and adhan be performed, it would be incorrect.

As for a woman being the Imam of men in an unscheduled prayer: the overwhelming majority of scholars have said that it is forbidden and the prayer is invalid. However al-Tabari, and Abu Thawr, and al-Muzani from the Shafi'i School and Muhyi al-Din ibn Arabi from the Dhahiri School held the opinion that it is permissible for a woman to lead men in prayer and that their prayer is valid. However, some scholars have her stand behind the men – even if she were to lead them - taking into consideration the principles mentioned above. The evidence these scholars used is the hadith from Abu Daud and al-Darqutni stating that the Prophet, peace and blessings be upon him, allowed Umm Waraqa to lead her household in prayer. The majority of scholars have understood this hadith as referring to supererogatory prayers, or to leading the women of her household, or as being specific to Umm Waraqa. In spite of this, not a single Muslim from the East or West has followed this anomalous opinion.

As for what the entire world and we see happening today in the mixing between two issues: the issue of leading a prayer and the issue of delivering the Friday sermon: the latter was never permitted by anyone. These confused people who adhere to schools of dissent are divided into various movements: some deny the Sunna and consensus, some tamper with the significations of words in the Arabic language, and others call for the permissibility of homosexuality, fornication, alcohol, abortions, and changing the prescribed portions of inheritance. These movements appear in almost every age. Then they disappear, and the Muslims follow the path Allah has made incumbent upon them, bearing the standard of felicity to all the worlds “Then as for the foam, it passeth away as scum upon the banks, while, as for that which is of use to mankind, it remaineth in the earth.” (Q:13:17)

Shaykh Yusuf Al-Qaradawi
March 16, 2005

In the Name of Allah, Most Gracious, Most Merciful.

All praise and thanks are due to Allah, and peace and blessings be upon His Messenger.

Brother, we really do appreciate your question, which shows how interested you are in becoming well acquainted with Islam and its teachings. May Allah bless your efforts in the pursuit of knowledge!

The vast majority of scholars agree that it is not permissible for a woman to lead men in obligatory Prayers. However, there is a minority of scholars who consider it permissible for a woman to lead members of her own household including men in Prayer, on condition that she is old and well-versed in the Qur'an and that she stands behind, not in front of them.

A woman is allowed to lead other women in Prayer, in which case she is to stand along with them in the row, not in front of them.

As for women's leading men in general in Prayers, there is a scholarly consensus that it is impermissible. So is also the case with women's leading people in the Friday Prayer and delivering them the Friday sermon, though they may give other religious lessons in general to people.

In his response to your question, the eminent Muslim scholar Sheikh Yusuf Al-Qaradawi states:

Throughout Muslim history it has never been heard of a woman leading the Friday Prayer or delivering the Friday sermon, even during the era when a woman, Shagarat Ad-Durr, was ruling the Muslims in Egypt during the Mamluk period.

It is established that leadership in Prayer in Islam is to be for men. People praying behind an imam are to follow him in the movements of prayer, bowing, prostrating, etc., and listen attentively to him reciting the Qur'an in Prayer.

Prayer in Islam is an act that involves different movements of the body; it does not consist merely of saying supplications as it is the case with prayer in Christianity. Moreover, it requires concentration of the mind, humility, and complete submission of the heart to Almighty Allah. Hence, it does not befit a woman, whose structure of physique naturally arouses instincts in men, to lead men in Prayer and stand in front of them, for this may divert the men's attention from concentrating in the Prayer and the spiritual atmosphere required.

Islam is a religion that takes into account the different aspects, material or spiritual, of man's character. It does not treat people as super angels; it admits that they are humans with instincts and desires. So it is wise of Islam to lay down for them the rulings that avert them

succumbing to their desires, especially during acts of worship where spiritual uplifting is required.

Hence, it is to avoid the stirring the instincts of men that the Shari`ah dictates that only men can call for Prayer and lead people in the Prayer, and that women's rows in Prayer be behind the men. The Prophet (peace and blessings be upon him) was reported to have said, "The women's best rows (in Prayer) are the last ones, and the worst of theirs are the first ones, while the men's best rows (in Prayer) are the first ones and the worst of theirs are the last ones."

Rulings pertaining to leadership in Prayer are established by evidence of authentic hadiths as well as the scholarly unanimity of Muslims. They are based on religious teachings, not on social customs as it is has been claimed.

The different juristic schools agree that it is not permissible for women to lead men in the obligatory Prayer, though some scholars voice the opinion that the woman who is well-versed in the Qur'an may lead the members of her family, including men, in Prayer on the basis that there is no room for stirring instincts in this case.

However, there is no single Muslim jurist ever heard to have agreed to the woman's leading people in the Friday Prayer or delivering its sermon, though if we review the religious texts pertaining to the rulings of Prayer, we will not find a text that states pointblank that women are not permitted to lead people in Prayer or deliver the Friday sermon.

There is only one hadith, which is not well-authenticated, reported by Ibn Majah on the authority of Jabir ibn `Abdullah in this connection; it is to the effect that "A woman may not lead a man in Prayer, nor may a Bedouin lead a believer of the Muhajirun or a corrupt person lead a committed Muslim in Prayer." The eminent scholars of Hadith say that the chain of reporters of this hadith is extremely weak, and hence, it is not to be taken as evidence in the question in hand.

Furthermore, there is another hadith that contradicts this one. It is reported by Imam Ahmad, Abu Dawud, and others on the authority of Umm Waraqah, who said that the Prophet (peace and blessings be upon him) appointed a muezzin for her, and ordered her to lead the members of her household (who included both men and women) in Prayer.

Though scholars of Hadith also regard the chain of reporters of this hadith as weak, yet it has to do with a special case in which a woman well-versed in the Qur'an led the members of her family in Prayer where usually would be no place for arousing instincts among them.

Furthermore, Ad-Darqatani reported that the order the Prophet (peace and blessings be upon him) gave to Umm Waraqah here was that she lead the women among her household in Prayer.

Commenting on this report of Ad-Darqatani, Ibn Qudamah said in his book *Al-Mughni*, "This addition of Ad-Darqatani must be accepted even if it had not been mentioned pointblank in the hadith in question. It is to be logically deduced from the hadith that the

Prophet (peace and blessings be upon him) ordered Umm Waraqah to lead the women of her household in obligatory Prayer, for (according to the hadith) he (peace and blessings be upon him) appointed her a muezzin, and the Adhan is practiced only in the obligatory Prayer; besides, there is no scholarly disagreement regarding it being impermissible for women to lead men in obligatory Prayers.”

Ibn Qudamah then said, “Even had Umm Waraqah been ordered to lead both men and women of her household in Prayer, this would have been peculiar to her, for no other woman was appointed a muezzin (by the Prophet, peace and blessings be upon him) as was the case with her, and hence, it would have followed from this that leading men of her household in Prayer had been peculiar to her.”

Ibn Qudamah, moreover, supported his view by saying that since women are not permitted to call the Adhan for Prayer for men, they are also not allowed to lead them in Prayer.

But I do not agree with Ibn Qudamah that it is probable that the permission given to Umm Waraqah to lead her household, including men, in Prayer was peculiar to her. I believe that any woman well-versed in the Qur’an like Umm Waraqah may lead her family members, including men, in both obligatory and supererogatory Prayers, especially the Tarawih Prayers.

There is a dependable opinion in the Hanbali School of jurisprudence that says that women can lead men in the Tarawih Prayers.

Az-Zarkashei said in this respect, “According to Imam Ahmad and the majority of his followers, it is permissible for women to lead men in the Tarawih Prayers.”

This has been also reported by Ibn Hubairah to have been held by Imam Ahmad. (Al-Ifsah`an Ma`ani As-Sihah, vol. 1, p. 145.)

But it is to be kept in mind that this applies only to women who are well-versed in the Qur’an when it comes to leading their household and relatives in Prayer. Moreover, some scholars see that this is confined to women who are advanced in age.

In addition, the author of Al-Insaf said, “A woman may lead (her household of) men in Prayer, (but) in which case, she is to stand behind them, to be on the safe side (with regard to arousing instincts).”

Standing behind men in leading Prayer in this case is an exception from the rule that states that the imam of Prayer is to stand before the people he leads, but it should be done here to avoid stirring seduction as far as possible.

A Woman Leading Other Women in Prayer

Regarding a woman leading ONLY women in Prayer, there are a number of hadiths such as these:

The hadith of `A'ishah and Umm Salamah (may Allah be pleased with them). `Abdur-Raziq (5086), Ad-Daraqutni (1/404) and Al-Bayhaqi (3/131) reported from the narration of Abu Hazim Maysarah ibn Habib from Ra'itah Al-Hanafiyyah from `A'ishah that she led women in Prayer and stood among them in an obligatory Prayer. Moreover, Ibn Abi Shaybah (2/89) reported from the chain of narrators of Ibn Abi Layla from `Ata? that `A'ishah used to say the Adhan, the Iqamah, and lead women in Prayer while standing among them in the same row. Al-Hakim also reported the same hadith from the chain of narrators of Layth Ibn Abi Sulaim from `Ata', and the wording of the hadith mentioned here is Al-Hakim's.

Furthermore, Ash-Shafi'i (315), Ibn Abi Shaybah (88/2) and `Abdur-Raziq (5082) reported from two chains of narrators that report the narration of `Ammar Ad-Dahni in which he stated that a woman from his tribe named Hujayrah narrated that Umm Salamah used to lead women in Prayer while standing among them in the same row.

The wording of `Abdur-Raziq for the same hadith is as follows: "Umm Salamah led us (women) in the `Asr Prayer and stood among us (in the same row)."

In addition, Al-Hafiz said in Ad-Dirayah (1/169), "Muhammad ibn Al-Husain reported from the narration of Ibrahim An-Nakh'i that `A'ishah used to lead women in Prayer during the month of Ramadan while standing among them in the same row."

Further, `Abdur-Raziq reported (5083) from the narration of Ibrahim ibn Muhammad from Dawud ibn Al-Husain from `Ikrimah from Ibn `Abbas that the latter said, "A woman can lead women in Prayer while standing between them."

Would that our sisters who are so enthusiastic about women's rights revive this act of Sunnah, a woman leading other women in Prayer, instead of innovating this rejected novelty: a woman leading men in Prayer.

The following is stated in Al-Mughni:

"The narrations differ as to whether it is desirable for a woman to lead other women in congregational Prayer. It is reported that the matter is desirable, as the following scholars said that a woman can lead other women in Prayer: `A'ishah, Umm Salamah, `Ata?, Athawri, Al-Awza'i, Ash-Shafi'i, Ishaq, and Abu Thawr. Furthermore, it is narrated that Ahmad ibn Hanbal (may Allah be merciful to him) said that the matter is desirable. However, ahul ar-ra'i (scholars who mostly depend on reason in deducing rulings) regard the matter as undesirable, but if such congregational Prayer is done, it will be sufficient for the women who perform it. As for Ash-Sha'bi, An-Nakh'i and Qatadah, they say that women can perform Prayer this way in supererogatory Prayers but not in obligatory ones."

It is important here to state that the original judgment concerning acts of worship is that anything not prescribed in Shari`ah in explicit texts is prohibited, so that people may not innovate matters in religion not ordained by Allah. Thus, people may not innovate a certain act of worship, change or add things in the ordained ones according to their own fancies or only because they think such matters are desirable. Whoever innovates anything in religion or adds to it whatever is not in it that addition or innovation is rejected.

That is exactly what Allah has warned us from in the Qu'an when He dispraised the disbelievers saying, (Or have they partners (of Allah) who have made lawful for them in religion that which Allah allowed not?) (Ahs-Shura 42: 21)

The Prophet (peace and blessings be upon him) also warned against the same wrongdoing in the hadith which states, "Whoever innovates in this matter of ours (i.e., in our religion) whatever is not in it, that innovated thing is rejected" (Al-Bukhari and Muslim). The Prophet (peace and blessings be upon him) also said, "Beware of innovated matters, for every novelty is perversity" (Ahmad in his Musnad and regarded as authentic). All scholars are resolved that acts of worship are unchangeable and must be taken exactly as Allah has ordained them.

Other religions were distorted and their acts of worship and rituals were changed when people innovated in them, and their men of religion did not stand against innovators.

However, as regards matters like transactions and worldly affairs, the original judgment concerning them is that they are permitted, for the Islamic rule is following in religious matters and innovating in worldly matters. This was the rule to which Muslims adhered during the times of their superiority in civilization. They followed in religion and innovated in life, and that was how they created a lofty civilization. But when their condition worsened, they reversed the matter; they innovated in affairs of religion and kept the worldly affairs.

A last word to conclude this issue: What is the necessity of making all this fuss? Is that what the Muslim woman lacks, to lead men in Friday Prayer? Was that one of the Muslim women's demands at any time?

We see other religions specifying many matters for men and their women do not protest. So why do our women do so, exaggerating in their demands and arousing what will cause dissension among Muslims at such time when they need their unity the most to face afflictions, hardships, and major plots that aim at their complete destruction?

My advice to the sister referred to in the question is that she should revert to her Lord and religion and extinguish this strife which is unnecessary to be lit. I also advise my Muslim brothers and sisters in the United States not to answer this stirring call and to stand as one in front of these trials and conspiracies woven around them.

I ask Allah to inspire our sons, daughters, brothers, and sisters everywhere sound judgment in speeches and right guidance in deeds. I also ask Him to make them all see what is right and grant them to abide by it, and see what is wrong and grant them to avoid it. Ameen. (Our Lord! Cause not our hearts to stray after Thou hast guided us, and bestow upon us mercy from Thy Presence. Lo! Thou, only Thou art the Bestower) (Aal `Imran 3:8).

In The Name of God¹, Most Gracious, Most Merciful

Introduction

Imam al-Jurjani mentions that *fitnah* is “that which clarifies the state of a person, be that good or evil.”² It is also defined as “Strife breaking out among various peoples.”³ In both of these meanings the controversy surrounding the “historic” female-led *Jumu’ah* prayer is a *Fitnah* for many Muslims in this country. This is undeniable when we see the deep divisions, bitter contestation, and outright enmity it is creating in the ranks of the believers. This is so when we see some people’s very faith shaken. This is so when we see spiteful accusations hurled by some Muslims at others. This is so when we see non-Muslims of nefarious intent seeking to exploit the situation to create confusion among the general public and the Muslims as to what Islam is, and who its authoritative voices are.

As I consider this a *fitnah*, the first thing I wish to say about this matter is that we should all stop for a moment and take time to ask God to protect us. We should ask God that He protects the fledgling Muslim community of this land. We should ask that He bless us to have wisdom equal to the challenges He has placed before. We should ask Him that He grants us all strength to continue working for Islam in our various capacities. We should ask Him to help us resist the many and increasingly sophisticated efforts to divide us.

Now, I wish to clarify my position on this matter. What I write below is based on the Sunni legal and linguistic tradition, as it has been historically understood. This is the tradition of the Islamic orthodoxy, which remains to this day, the only religious orthodoxy, which has not been marginalized to the fringes of the faith community it represents. My comments will be structured around specific evidences mentioned by Nevin Reda, in an article entitled, “What Would the Prophet Do? The Islamic Basis for Female-Led Prayer.”⁴ Of the evidences ushered by Reda, only one is substantive to the issue at hand. Another is ancillary. The rest are considerations that would affect how rulings relating to gender issues might be implemented. However, they have no real weight in establishing a particular ruling in the divine law.

¹ Throughout this article I use the word “God” instead of “Allah.” Use of the word God makes our writing far more accessible to non-Muslims, without betraying in any sense the essential meanings conveyed by the Divine Name. For example, in the American Heritage dictionary God is defined as, “A being conceived as the perfect, omnipotent, omniscient originator and ruler of the universe, the principal object of faith and worship in the monotheistic religions.” See William Morris, ed., *The American Heritage Dictionary of The English Language*, (Boston: Houghton Mifflin Company 1976) p. 564.

² Quoted in Salih b. ‘Abdullah b. Humayd, *Nadra an-Na’im*, (Judda, Kingdom of Saudi Arabia, 1999/1419) 5180.

³ *Ibid.*, 5178.

⁴ See Nevin Reda, *What Would the Prophet Do? The Islamic Basis for Female-Led Prayer*, March 10, 2005, at <http://www.muslimwakeup.com/main/archives/2005/03/002706print.php>.

Part 1 The *Hadith* of Umm Waraqa

As for her lone substantive evidence, it is the following:

The Prophet (peace be upon him) commanded Umm Waraqah, a woman who had collected the Qur'an, to lead the people of her area in prayer. She had her own *mu'adhdhin* [person who performs the call to prayers].⁵

This narration, found in the compilations of Abu Dawud,⁶ ad-Daraqutni,⁷ al-Bayhaqi,⁸ al-Hakim,⁹ the *Tabaqat* of Ibn Sa'd,¹⁰ and others, is questioned by some scholars of *hadith* (prophetic tradition) because of two narrators in its chain of transmission.¹¹ The first is al-Walid b. 'Abdullah b. Jumay'¹². Imam adh-Dhahabi mentions in *al-Mizan* that although Ibn Ma'in, Imam Ahmad, and Abu Hatim considered him an acceptable narrator, others refused to accept his narrations, among them Ibn Hibban. Imam al-Hakim also questioned his probity.¹³ Ibn Hajar al-'Asqalani mentions that al'Aqili said there was inconsistency in his narrations.¹⁴

Although a case can be made for accepting the narrations of al-Walid, based on those who do affirm his probity, the state of another narrator in the chain of this *hadith*, 'Abd ar-Rahman b. Khallad, is *Majhul al-Hal* (unknown).¹⁵ Al-Walid also relates this tradition from his grandmother. Imam ad-Daraqutni mentions that her state is also unknown.¹⁶ In the opinion of the overwhelming majority of scholars, the existence of a narrator whose state is unknown would make the transmission conveyed by that chain, weak.¹⁷ This combination of two potentially weak narrators makes it questionable to use the tradition of Umm Waraqa as the basis for establishing any rulings in the Divine law. While the questionable nature of this *hadith* does not undermine the widespread acceptance it has received from the earlier scholars, it does make it difficult to use as the primary evidence for a major precept of the religion, which is the case in this discussion.

Were we to assume that the tradition is sound, it would still be difficult to use it as the basis for establishing the permissibility of a woman leading a public, mixed-gender

⁵ Ibid., p. 1.

⁶ Imam Muhammad al-'Adhimabadi, *'Awn al-Ma'bud Sharh Sunan Abi Dawud*, (Beirut: Dar al-Kitab al-'Arabi, nd) 2:300-301, #577-578.

⁷ Imam "Ali b. 'Umar ad-Daraqutni, *Sunan ad-Daraqutni*, (Beirut: Dar al-Kutub al-'Ilmiyya) 1:284, #1071.

⁸ Abu Bakr Ahmad b. al-Husayn al-Bayhaqi, *as-Sunan al-Kubra*, Muhammad 'Abd al-Qadir 'Ata, ed., (Beirut: Dar al-Kutub al-'Ilmiyya, 1994/1414) 3:186-187.

⁹ Imam Muhammad b. 'Abdullah al-Hakim, *al-Mustadrak 'ala as-Sahihayn*, (Beirut: Dar al-Kutub al-'Ilmiyya, 1990/1411) 1:320, #730.

¹⁰ Muhammad b. Sa'd az-Zuhri, *at-Tabaqat al-Kubra*, (Beirut: Dar Ihya at-Tarath al-'Arabi) 8:460, #4610.

¹¹ See Ahmad Khan, trans., *Sunan Abu Dawud*, (Lahore: Sh. Muhammad Ashraf, 1984) 1: 155-156.

¹² His name is properly pronounced in the diminutive form *Jumay'* as opposed to *Jami'*. See Ibn Hajar al-'Asqalani, *Tahdhib at-Tahdhib*, (Beirut: Dar al-Ma'rifa, 1996/1417) 6:87.

¹³ See Shams ad-Din Muhammad b. Ahmad adh-Dhahabi, *Mizan al-'Itidal*, (Beirut: Dar al-Kutub al-'Ilmiyya, 1995/1416) 7:129.

¹⁴ Ibn Hajar, *at-Tahdhib*, 6:88.

¹⁵ See Ibn Hajar al-'Asqalani, *Taqrib at-Tahdhib*, (Beirut: Mu'assah ar-Risala, 1999/1420) p. 281; Ibn Hajar, *at-Tahdhib*, 3:339.

¹⁶ Imam 'Ali b. 'Umar ad-Daraqutni, *Sunan ad-Daraqutni*, (Beirut: Dar al-Kutub al-'Ilmiyya, 1996/1417) 1: 284, #1071. Imam ad-Daraqutni mentions al-Walid as narrating the tradition from "his mother."

¹⁷ See Imam Jalaladdin as-Suyuti, *Tadrib ar-Rawi*, (Beirut: Dar al-Kitab al-'Arabi, 1996/1417) 1:268; Mulla 'Ali al-Qari, *Sharh Nukhba al-Fikr*, (Beirut: Dar al-Arqam, nd) p. 519.

congregational prayer, for reasons we shall now mention, if God so wills. First of all, the Prophet, peace and blessings of God upon him, advised Umm Waraqa to stay in her house – *Qarri fi Baytiki*. This command is of import, as it creates two possible scenarios for the prayer she led. Either she remained in her house to lead the congregation, or she went out to lead it in a mosque outside of her home. If she left her house to lead the prayer, she would have been acting contrary to the order of the Prophet, peace and blessings of God upon him. There is no transmitted evidence that the prayer took place outside of her home. Nor does the literal meaning of the text indicate that. Hence, we can conclude that her mosque was in her house.

Her establishing the prayer in a mosque located in her home would be consistent with numerous narrations where the Prophet, peace and blessings of God upon him, permitted various companions to establish mosques in their homes.¹⁸ Imam al-Bukhari mentions that al-Bara' b. 'Azib led congregational prayers at a mosque in his house – *Salla al-Bara' Ibn 'Azib fi masjidih fi darihi jama'atan*.¹⁹ Imam al-Bukhari also mentions a *hadith* where the Prophet, peace and blessings of God upon him, went to the house of a blind companion, 'Itban b. Malik, to establish a mosque there.²⁰ Ibn Majah produces several narrations of this event.²¹ In fact, the Prophet, peace and blessings of God upon him ordered the generality of believers to establish mosques in their homes. 'Aisha relates, “The Messenger of God ordered that mosques be established in the homes [*Dar* plural of *Dar*], and that they be cleaned and perfumed.”²²

Based on these and other relevant narrations, we can safely conclude that Umm Waraqa had a mosque in her house, and that the prayer she led was not in a public place outside of her home. A more controversial point is who was being led in the prayer? Here there are three possibilities: her *mu'adhdhin* and two servants – a male and a female; the women from the neighborhood surrounding her home; the women of her house. As for the first possibility, the wording of the *hadith*, along with the narrations we quoted above, would lead one to believe that the residents of her house were being led in the prayer. All of those narrations use *Dar* to refer to house. This would support the interpretation of *Dar* as “house” as opposed to “area.” This interpretation is also consistent with the literal meaning of the term *Dar*. Al-Fayruzabadi, Ibn Mandhur, and Raghīb al-Isfahani all define *Dar* as a walled structure encompassing a building and a courtyard.²³ An interpretative principle relates “the origin in expressions is their literal meaning, there is no resorting to derived meanings without a decisive proof.”²⁴ Hence, the term *Ahla Dariha* would best be translated “the people of her house.”

Based on what has been narrated that would apparently include a male and female servant, along with the old man who was appointed by the Prophet, peace and blessings of

¹⁸ Imam al-Bukhari has included a section in his compendium of rigorously-authenticated ahadith entitled, “Mosques in the Houses.” Ibn Hajar al-'Asqalani, *Fath al-Bari: Sharh Sahih al-Bukhari*, (Damascus: Dar al-Fayha', 1997/1418) 1:672.

¹⁹ *Ibid.*, sec. 46.

²⁰ *Ibid.*, #425.

²¹ Imam Muhammad b. Yazid b. Majah, *Sunan ibn Majah*, (Riyad: Dar as-Salaam, 1999/1420) 108, #755.

²² *Ibid.*, #759.

²³ Tahir Ahmad Zawi, *Tartib al-Qamus al-Muhit*, Beirut: Dar al-Fikr, nd) 2:229; Muhammad b. Mukram b. Mandhur, *Lisan al-'Arab*, (Beirut: Dar as-Sadir, 2000/1420) 5:325; Raghīb al-Isfahani, *Mufradat Alfadh al-Qur'an*, (Beirut: Dar al-Ma'rifa) 321.

²⁴ 'Ali Ahmad an-Nadwi, *al-Qawa'id al-Fiqhiyya*, (Damascus: Dar al-Qalam, 2000, 1420) 223.

God upon him, to serve as her *mu'adhdhin* (caller to prayer).²⁵ Reda rejects this interpretation, arguing that three people would not need a *mu'adhdhin*.²⁶ This is not the case. Those scholars who consider the *Adhan* (prayer call) a right associated with the obligatory prayer, or a right associated with the congregation, hold it to be *Sunna* (highly desirable in deference to the prophetic practice) to issue the call for any congregation assembled to undertake the five obligatory prayers.²⁷ The size of the congregation in this regard is irrelevant. According to a *hadith* mentioned by al-Bukhari and others, even a person who is praying alone in an isolated area should make the call to prayer.²⁸ Hence, Reda's conclusion is not sound.

On the basis of this interpretation, it is related that Imams al-Muzani, at-Tabari, Abu Thawr, and Dawud Adh-Dhahiri allowed for females to lead men in prayer.²⁹ Some modern scholars use this interpretation to allow for females to lead men in prayer in the confine of their homes, if the males lack the qualifications to lead the prayer.³⁰ The relevant point here is that the prayer was a private matter, conducted in the confines of Umm Waraqa's home, limited to the inhabitants of her house.

Were one to reject this first line of reasoning, a second possibility is that the people being led in prayer came from the area surrounding Umm Waraqa's home. This is the interpretation preferred by Reda. It has a basis in narrations from the Prophet, peace and blessings of God upon him. In the *hadith* of 'Itban b. Malik, it is related that *Ahli'd-Dar* used to gather there –*fathaba fi'l-bayt Rijalun min ahli'd-Dar*. Ibn Hajar mentions in his commentary on this *hadith* that *Ahli'd-Dar* refers to the people of the neighborhood –*al-Mahallah*.³¹

Based on this understanding, it is not unreasonable to interpret *Ahla Dariha*, in the *hadith* of Umm Waraqa, as the people of her "area," as Reda does. However, we are not left to guess as to who those people are. Imam ad-Daraqutni's narration of this *hadith* mentions that Umm Waraqa was ordered to lead her women in prayer –*wa ta'umma Nisa'aha*.³² Hence, if the people praying with Umm Waraqa were from the surrounding area, they were all women, as Imam ad-Daraqutni's version of the *hadith* makes clear. Based on this second line of reasoning, we have to accept that they were women, in accords with an interpretive principle, "There is no room for speculation when transmitted evidence exists."³³ Here the text specifically states, "...her women." Ad-Daraqutni's version would clarify a potentially vague expression in the other versions.

A third possibility, also based on joining between the majority narration and ad-Daraqutni's version of the *hadith*, would lead us to understand that the people of Umm Waraqa's house were all women. Hence, *Ahla Dariha* (the people of her house) being led in prayer were women. There is no transmitted evidence to the contrary, as the opinion that *Ahla Dariha* were the two servants and the *mu'adhdhin*, mentioned above, is an assumption.

²⁵ See Adhimabadi, 'Awn al-Ma'bud, 301-303.

²⁶ Reda, 4.

²⁷ For the Shafi'i position on this issue see Muhammad b. al-Khatib ash-Shirbini, *Mughni al-Muhtaj*, (Beirut: Dar al-Ma'rifa, 1997/1419) 1:209.

²⁸ Ibn Hajar al-'Asqalani, *Fath al-Bari Sharh Sahih al-Bukhari*, (Damascus: Dar al-Fayha', 1997/1418) 2:116, #609;

²⁹ We will discuss the opinions of these four Imams subsequently.

³⁰ 'Abd al-Karim az-Zaydan, *al-Mufassal fii Ahkam al-Mar'a wa'l Bayt al-Muslim*, (Beirut: Mu'assa ar-Risala, 1994/1410) 1:252. Muhammad b. Isma'il as-Sana'ni, *Subul as-Salaam*, (Beirut: Dar al-Kutub al-'Ilmiyya) 2:76.

³¹ Ibn Hajar, *Fath al-Bari*, 1:675.

³² Ad-Daraqutni, *as-Sunan*, 1:284, #1071.

³³ 'Ali Ahmad an-Nadwi, *Qawa'id*, 180, 459.

In al-Mughni, Ibn Qudama al-Maqdisi mentions the incumbency of accepting this third interpretation.³⁴ God knows best.

This latter understanding that Umm Waraqa only led women in prayer is strengthened by two ancillary evidences: 1) The numerous narrations mentioning that ‘Aisha, Umm Salama, and other female Companions led all women congregations;³⁵ 2) and the fact that when the Prophet, peace and blessings of God upon him, established a mosque in the house of ‘Itban b. Malik, the congregation was all male – *Rijalun* (men) *min ahli’d-Dar*. It would therefore make perfect sense for the Prophet to establish an all female congregation elsewhere.

Summary and Rulings

Based on the *hadith* of Umm Waraqa, its possible interpretations, and the other *hadith* that mention women leading the prayer during the prophetic epoch, the Sunni jurists have deduced the following rulings:

1. The Shafi’i and Hanbali schools allow for a woman to lead other women in prayer without any restrictions. She can lead such prayers in the mosque or other places. The Hanafis permit a woman to lead other women in prayer. However, they hold it to be disliked.³⁶ All three of these schools stipulate that the woman leading the prayer should stand in the middle of the front row, without being in front of the women praying along with her. This is based on the description of the prayer led by ‘Aisha and Umm Salama. The Malikis hold that a woman cannot lead other women in the prayer.³⁷
2. Of the three Sunni schools that hold it permissible for a woman to lead other women in prayer, none of them hold it permissible to lead men. Although there is a minority opinion in the Hanbali school which permits a woman to lead men in *Tarawih*, if certain conditions prevail, providing she stands behind them.³⁸
3. Imam an-Nawawi mentions the following ruling in the *Majmu’*, “If a woman leads a man or men in prayer, the prayer of the men is invalid. As for her prayer, and the

³⁴ See Muwaffaq ad-Din b Ibn Qudam al-Maqdisi, *al-Mughni*, (Beirut: Dar al-Fikr, nd) 2:34.

³⁵ For a examples of these female-led prayers see For a summary of these narrations see al-‘Adhimabadi, 2:301-302; Abu Bakr Ahmad b. al-Husayn al-Bayhaqi, *as-Sunan al-Kubra*, Muhammad ‘Abd al-Qadir ‘Ata, ed., (Beirut: Dar al-Kutub al-‘Ilmiyya, 1994/1414) 3:186-187; Muhammad b. Idris ash-Shafi’i, *Kitab al-Umm*, (Beirut: Dar al-Fikr, 1983/1403) 8:117. ‘Abd al-Karim az-Zaydan, *al-Mufassal fii Ahkam al-Mar’a wa’l Bayt al-Muslim*, (Beirut: Mu’assa ar-Risala, 1994/1410) 1:251-256.

³⁶ See Muhammad Amin b. ‘Abideen, *Hashiya Radd al-Mukhtar*, (Beirut: Dar al-Fikr, 1995/1415) 1:609; ‘Ala ad-Din b. Mas’ud al-Kasani, *Bada’ii As-Sana’ii Fi Tartib ash-Shara’ii*, (Beirut: Dar al-Kutub al-‘Ilmiyya, 1986/1407) 1:157.

³⁷ See Ahmad Zarruq and Qasim b. ‘Isa at-Tannukhi, *Sharh ‘Ala Matn ar-Risala*, (Beirut: Dar al-Fikr, 1986/1402) 1:192.

³⁸ For the Hanafi position on this issue see Ibn ‘Abideen, *Hashiya*, 1:609; for the Shafi’i position see Abu Zakariyya b. Sharaf an-Nawawi, *Kitab al-Majmu’ Sharh al-Muhadhdhab*, Muhammad Najib al-Muti’I, ed. (Beirut: Dar Ihya at-Turath al-‘Arabi, 1995/1415) 4:151-152. For the Hanbali position see, Ibn Qudama, *al-Mughni*, 2:34.

prayer of the women praying with her, it is sound.”³⁹ As for *Jumu'ah*, he mentions the following, “...if a woman leads men in the *Jumu'ah* prayer, there are two rulings [concerning her prayer]. They have been mentioned by al-Qadi Abu Tayyib in his *Ta'liq*, the preponderant opinion is that her prayer is invalid, the second is that it is lawfully begun as the noon prayer.”⁴⁰

4. Some modern scholars hold it permissible for a woman to lead men in prayer within the confines of her house, if there are no men qualified to lead the prayer.⁴¹
5. Imams Abu Thawr, Dawud adh-Dhahiri, and at-Tabari, whose legal schools have been defunct for centuries, are related to have held it permissible for a woman to lead men in prayer. This opinion is also related from Imam Muzani, one of the principal narrators of the Shafi'i school. We will examine this issue in greater detail, as it serves as one of the evidences offered by Reda for the validity of unrestricted female prayer leadership.

Part 2 The Ruling of al-Muzani, Abu Thawr, Dawud adh-Dhahiri, and at-Tabari

As for the ancillary evidence⁴² ushered by Reda, it is her saying:

The above Prophetic tradition (hadith) is the reason why several medieval Muslim scholars supported female leadership. These include Tabari (d. 310/923), author of the famous Tafsir: Jami' al-bayan 'an ta'wil ay al-Qur'an and Tarikh al-Rasul wal Muluk, Muzani, Abu Thawr and Abu Sulayman Dawud ibn Khalaf al-Isfahani (d. 270/884, founder of the Zahirite school.⁴³

We mention this evidence as ancillary because it cannot be the basis for establishing a ruling. None of the extant Sunni schools consider the opinions of extinct schools as independently valid. This fact is not due to prejudice against the Imams of the extinct schools and unjustly favoring those whose schools have survived. It is due to a simple methodological issue. Namely, neither the full corpus of rulings from the extinct schools, nor the details of their legal methodology have reached us in their entirety. Therefore, we do not know if a particular ruling attributed to an extinct school has been abrogated. In the case of the unrestricted female-led prayer, attributed to Imams at-Tabari, Dawud adh-Dhahiri, or Abu Thawr, we do not know if that ruling has been abrogated by a contrary one.

As for al-Muzani, he was a qualified jurisconsult within the Shafi'i rite and it cannot be established with certainty that he founded an independent school.⁴⁴ It is known that he narrates, in his *Mukhtasir*, the accepted opinion of the Shafi'i school that a woman can only

³⁹ An-Nawawi, *al-Majmu'*, 4:152.

⁴⁰ Ibid., 4:165.

⁴¹ See as-San'ani, *Subul as-Salaam*, 2:76; az-Zaydan, *al-Mufassal*, 1:252.

⁴² I use the term “ancillary” to describe this “evidence” as it cannot serve as a primary source of legal rulings. In some circumstances, it could possibly support or strengthen a ruling established by one of the primary sources of law. Hence, its description as ancillary.

⁴³ Reda, 1-2.

⁴⁴ Muhammad Hashim Kamali, *Principles of Islamic Jurisprudence*, (Cambridge: Islamic Texts Society, 2003) 491-492.

lead other women in the prayer.⁴⁵ Concerning the opinion of Imam Dawud adh-Dhahiri, Ibn Hazm attempted to revive his school, based on a coherent, if debatable methodology.⁴⁶ This methodology led Ibn Hazm to some very liberal positions, such as an endorsement of music, and the permissibility of female prophets. However, on the issue of unrestricted female prayer leadership, Ibn Hazm opined that it was forbidden by consensus. The point here is that, based on a literalist methodology we can assume to be close to that of Imam Dawud adh-Dhahiri's, a contrary opinion has been reached.⁴⁷

As for the reports of unrestricted female prayer-leadership that are attributed to the Imams we have mentioned, they have not reached us with unbroken chains, certainly not with irrefutable chains of transmission—*Tawatur*, as is the case of the extant schools. In other words, there is no way for us to say with any degree of certainty that those opinions are indeed the opinions of Imams at-Tabari, Abu Thawr, and Dawud adh-Dhahiri. That being the case, there is no basis to establish the preponderance of the position of the extinct schools over that of the extant schools.⁴⁸ Since the extant schools have a clear position on unrestricted female prayer-leadership, and it is established at the highest level of proof, in the Sunni rite,⁴⁹ one is obliged to take that position. This obligation arises from a legislative principle, “Certainty cannot be removed by doubt.”⁵⁰

Part 3 The Legislative implications of Hadith

The principal basis for Reda's argument for unrestricted prayer leadership is the *hadith* of Umm Waraqa. However, when the evidence advanced by *hadith* refutes her contentions, she discards the prophetic tradition. For example, she implies that the word *Saff* (rows) mentioned in the *hadith* narrated by Abu Hurayra has no connection to the prayers, rather it refers to “battle rows.”⁵¹ She arrives at this conclusion based on her position that this latter meaning of *Saff* is the only one that comes in the Qur'an.

⁴⁵ See Muhammad b. Idris ash-Shafi'i, *Kitab al-Umm*, (Beirut: Dar al-Fikr, 1983/1403) 8:117.

⁴⁶ See Ibn Hazm al-Andulusi, *al-Ihkam fi Usul al-Ahkam*, Ahmad Shakir, ed., (Beirut: Dar al-Afaq al-Jadida, 1980). The differences between the methodology of Ibn Hazm and the mainstream of Ahl as-Sunnah have been most prominently highlighted by Imam al-Baji. See, Al-Mustafa al-Wadifi, *al-Munadhira fi Usul ash-Shari'ah al-Islamiyya: Dirasa fi at-Tanadhur bayna Ibn Hazm wa'l-Baji*, (Rabat: Ministry of Endowments and Religious Affairs, Kingdom of Morocco, 1998/1419).

⁴⁷ Ibn Hazm, *Maratib al-Ijma'*, (Beirut: Dar Ibn Hazm, 1998/1419) 51.

⁴⁸ This point is made for the sake of argument. In reality, the issue under discussion is not one that is eligible to be settled by establishing preponderance, because one of the conditions for such issues is that the two opposing positions be acceptable for establishing a ruling. See Imam Sayfuddin b. Abi 'Ali al-Amidi, *Al-Ihkam fi Usul al-Ahkam*, (Beirut: Dar al-Kutub al-'Ilmiyya, 1985/1405) 4:460.

⁴⁹ The prohibition of unrestricted female prayer-leadership is established by the consensus of the four Sunni Imams: Abu Hanifa, Malik, ash-Shafi'i, and Ahmad. A generally accepted principle among the Sunnis is that what the four Imams agree on is a binding ruling. In the last section of his treatise on the Creed of *Ahl as-Sunnah wa'l-Jama'ah*, Muwaffaq b. Qudamah al-Maqdisi writes, “Association with one of the Imams in jurisprudential matters, such as the four Sunni schools, is not condemnable. Their [the Imams] differing in legal rulings is a mercy. Those who differed among them are praised for their differences, rewarded for their assertion [in trying to ascertain the truth]. [Again,] their differing is an expansive mercy, and what they agreed on is a decisive proof.” Muwaffaq b. Qudamah al-Maqdisi, *al-Itiqad*, (Cairo: Maktaba al-Qur'an, nd) 75. Ibn Hazm, and others, claim that the prohibition of unrestricted female prayer-leadership is established by binding consensus. See Imam Ibn Hazm adh-Dhahiri, *Maratib al-Ijma'*, (Beirut: Dar Ibn Hazm, 1998/1419) 51. Were it indeed the case that binding consensus has occurred on this issue, to reject it would be considered disbelief in the Sunni tradition.

⁵⁰ 'Ali Ahmad an-Nadwi, *al-Qawa'id*, 105.

⁵¹ Reda, 7.

An objective survey of the relevant a *hadith* reveals there is absolutely no way to support the conclusion that *Saff* has nothing to do with prayer. Examples of the use of the word *Saff* (row) in connection to the prayer are too numerous to mention. For example, the Prophet, peace and blessings of God upon him, is related to have said just before the congregational prayer, *Sawwu Sufufakum fa inna Taswiya as-Saff min Tamam as-Salat* “Straighten yours lines (Sufuf, plural of Saff), for straightening the line (Saff) is from the completion of the prayer.” Imam Muslim alone, in his rigorously authenticated collection of *hadith*, relates six versions of this narration from four different Companions.⁵² This *hadith* is also related by al-Bukhari,⁵³ Abu Dawud,⁵⁴ at-Tirmidhi,⁵⁵ an-Nasa’i,⁵⁶ and Ibn Majah.⁵⁷

She also mentions that there was no gender segregation in the Prophet’s lifetime, rather it was introduced later⁵⁸ This claim is also refuted by *hadith*. In addition to the *hadith* narrated by Abu Hurayrah,⁵⁹ which Reda dismisses, there is overwhelming evidence to support gender segregation during worship services. As for gender segregation in the prayer, again, proof for that during the prophetic epoch is irrefutable. I will relate a few instructive examples. Imam al-Bukhari relates in his rigorously authenticated collection of *hadith*, from Anas b. Malik, “I prayed along with an orphan boy behind the Prophet, peace and blessings of God upon him, in my house. My mother, Umm Sulaym, [prayed] behind us.”⁶⁰ There are numerous sound narrations of this and similar *ahadith*.

Another tradition relates that there was an extremely beautiful woman who used to pray in the congregation behind the Prophet, peace and blessings of God upon him. Some of the men would hasten to the front row of men in order not to be distracted by her. Others would procrastinate in order to be in the last row of men to look behind themselves at her when they bowed during the prayer.⁶¹ This arrangement of the men in front of the women in the congregational prayer led by the Prophet, peace and blessings of God upon him, is affirmed by the Qur’an, as this incident was the occasion for the revelation of the verse, *We know those of you who hasten forward [to the front prayer rows], and we know those who lag behind.*⁶²

Imams al-Bukhari⁶³ and Muslim⁶⁴ produce a tradition relating that the Prophet peace and blessings of God upon him, used to address the women separately on the day of ‘*Eid*. One of Imam al-Bukhari’s versions is particularly instructive as it mentions, “...then he [the Prophet] advanced, splitting them [the rows of men] until he came to the women.”⁶⁵ He would then address them and exhort them to charity. The point here is that if the men and women were not segregated, as is the custom in our congregational prayers until today, why

⁵² An-Nawawi, *al-Minhaj*, 4:376-388, #974-979.

⁵³ Ibn Hajar al-‘Asqalani, *Fath al-Bari*, 2:272, #723.

⁵⁴ Imam Abu Dawud as-Sajistani, *Sunan Abu Dawud*, (Riyad: Dar as-Salaam, 1999/1420) 107, #668.

⁵⁵ Imam Abu ‘Isa at-Tirmidhi, *Jami’ at-Tirmidhi*, (Riyad: Dar as-Salaam, 1999/1420) 72, #227.

⁵⁶ Imam Ahmad b. Shu’ayb an-Nasa’i, *Sunan an-Nasa’i*, (Riyad: Dar as-Salaam, 1999/1420) 112, #812-814.

⁵⁷ Ibn Majah, 140, #993-994.

⁵⁸ Reda, 7.

⁵⁹ *Ibid*.

⁶⁰ Ibn Hajar al-‘Asqalani, *Fath al-Bari*, 275, #727.

⁶¹ This narration is produced by Imam al-Bayhaqi in his collection. Al-Bayhaqi, 3:139, #5169, 5170.

⁶² Al-Qur’an 15:24. For an explanation of the circumstance surrounding the revelation of this verse see Imam Jalal ad-Din as-Suyuti, *Lubab an-Nuqul fi Asbab an-Nuzul*, (Beirut: Dar al-Ma’rifa, 1997/1418) p. 172. This tradition is also related by Imams at-Tirmidhi, an-Nasa’i, al-Hakim, and others.

⁶³ Ibn Hajar al-‘Asqalani, *Fath al-Bari*, 2:601, #978-979.

⁶⁴ An-Nawawi, *al-Minhaj*, 3:420-421, #2054.

⁶⁵ Ibn Hajar al-‘Asqalani, *Fath al-Bari*, 2:601, #978-979.

would the Prophet, peace and blessings of God upon him have to wade through the men to reach the women? He would have had to first gather the women. Hence, any claim that there was no gender segregation during the prophetic epoch is baseless. We could bring many more examples to prove this point, but what we have mentioned should suffice.

Similarly, Reda avoids the implications of *hadith* when she states, “Moreover, of the numerous occurrences in the Qur’an of *fitnah* or its derivatives, none apply to women.”⁶⁶ Based on this, and the authority of G.H.A. Juynboll, she concludes “...a hadith in which the Prophet supposedly referred to women as constituting man’s greatest *fitnah* in life.”⁶⁷ is “unreliable.”

As for the *hadith* in question, it reads, “I have not left a *fitnah* (tribulation) more harmful to men than women.” Al-Bukhari,⁶⁸ Muslim,⁶⁹ and at-Tirmidhi,⁷⁰ have all related this *hadith*. Although we could discuss its meaning, the report itself is rigorously authenticated. As for the authority of Juynboll, Harald Motzki has demonstrated the unreliable nature of his *hadith* scholarship. In discussing Juynboll’s effort to discredit all of the narrations from Nafi’ on the authority of Ibn ‘Umar, Motzki shows that his premises, conclusions, and methodology are all flawed. He notes:

The point of departure for our investigation has been the hypothesis that the main conclusions of Juynboll’s study on Nafi’ are not tenable. One of his hypotheses claimed that all of the Prophetic *ahadith* with the *isnad* Nafi’ –ibn ‘Umar found in the “canonical” collections –which are highly esteemed amongst Muslims –do not go back to Nafi’ but rather to Malik b. Anas.⁷¹ We were able to show, using the same examples as Juynboll, namely the *hadith* on the alms of the breaking of the fast, that his hypothesis is wrong. There is no doubt that this *hadith* goes back to Ibn ‘Umar and was not invented by Malik.⁷²

Motzki further states:

Juynboll’s conclusions in his article on Nafi’ are generalizations. They are not limited to the analyzed example, the *zakat al-fitr hadith*, but are judgments on all the Nafi’ – Ibn ‘Umar –*ahadith*. Since we were able to prove Juynboll’s conclusions wrong in at least one case, his general statements can be refuted.⁷³

Reda presents the thinking of the orthodoxy on the issue of ‘*Ijma*’ as a state of confusion. This disguises the fact that after the initial centuries of debate, most of the Sunni scholars were able to settle on a consistent definition of “*Ijma*’. Wahba az-Zuhayli captures this meaning with the following definition, “The agreement of the qualified scholars from the Community of Muhammad, peace and blessings of God upon him, on a legislative

⁶⁶ Reda, 8.

⁶⁷ Ibid.

⁶⁸ Ibn Hajar al-‘Asqalani, *Fath al-Bari*, 9:172, #5096.

⁶⁹ An-Nawawi, *al-Minhaj*, 9:57, #6880.

⁷⁰ At-Tirmidhi, 627-628, #2780.

⁷¹ Juynboll insists that Imam Malik fabricated all of the *ahadith* he relates from Nafi’.

⁷² Harald Motzki, “Whither hadith-studies? A Critical examination of G.H.A. Juynboll’s ‘Nafi’ the mawla of Ibn ‘Umar, and his position in Muslim *Hadith* –Literature Part 2” trans. Frank Griffel. *Der Islam* 73 (1996): 1.

⁷³ Ibid., 18.

ruling, after his death, during any subsequent era.”⁷⁴ As this definition hinges on the agreement of qualified scholars in a particular era, the consensus claimed by Ibn Hazm concerning unrestricted female prayer-leadership, would not be impossible. The Kharijites, due to their literalism, are not known to have produced high-level scholars. Hence, in the era ‘*Ijma*’ may have occurred on the issue of unrestricted female prayer leadership, there could well have been no qualified scholars among the Kharijites to dissent. As for groups such as the Ja’fari Shiites, who generally do not recognize the legislative import of ‘*Ijma*’, their ruling on the issue being discussed, agrees with the position of Sunnis. Hence, there would likely be no dissension from their camp. As for the opinions of al-Muzani, Abu Thawr, Dawud adh-Dhahiri, and at-Tabari, we have mentioned some considerations earlier in this article which would lead us to reject any statement attributed to them on this issue as being definitive. Surely, God knows best.

Conclusion

The other evidences mentioned by Reda, numbered from 3-7, dealing with the Qur’anic story of the Queen of Sheba, gender justice, gender discrimination, justice in general, and the need for men to listen to women, will not be dealt with in this article because they have no bearing on the derivation of legal rulings.⁷⁵ However, they are of importance in determining how existing rulings are to be understood and implemented. In this regard, Reda’s passionate plea for greater compassion, justice, and understanding is appreciated.

From what we have presented above, it should be clear that a woman leading a mixed gender, public congregational prayer is not something sanctioned by Islamic law, in the Sunni tradition. Her leading the Friday congregational prayer is even more unfounded, as she would be required to do things that are forbidden or disliked in other prayers. Saying this, we should not lose sight of the fact that there are many issues in our community involving the neglect, oppression, and in some instances, the degradation of our women. Until we address those issues, as a community, in an enlightened manner, we are open to criticism, and will likely encourage various forms of protest.

In addition to gender issues, we are faced by many other nagging concerns. These problems defy simplistic solutions. Only through the attainment of the prophetic virtues that Islam seeks to cultivate in its adherents will we have a chance to even begin dealing with them. One of the greatest of these virtues is humility. Perhaps, if the men of our community had more humility, we would behave in ways that do not alienate, frustrate, or outright oppress our women. Greater humility will help immensely in improving our condition. Our Prophet, peace and blessings of God upon him, has said in that regard, “No one humbles himself/herself for the sake of God except God elevates him/her.”⁷⁶ One interpretation of this *hadith* is that the esteem of the humble person will be magnified in the hearts of others. Certainly, a healthier appreciation of each other would go a long way towards relieving the growing tension between the sexes in some quarters of our community.

Islam has never advocated a liberationist philosophy. Our fulfillment in this life will never come as the result of breaking real or perceived chains of oppression. That does not

⁷⁴ Wahba az-Zuhayli, *Usul al-Fiqh al-Islami*, (Beirut: Dar al-Fikr, 1998/1418) 1:490.

⁷⁵ Reda, 2.

⁷⁶ An-Nawawi, *al-Minhaj*, 9:358, #6535.

mean that we should not struggle against oppressive practices and institutions. However, when we understand that success in such worldly struggles has nothing to do with our fulfillment as human beings, we will be able to keep those struggles in perspective, and not be moved to frustration or despair when their outcomes are counter to our plans.

Our fulfillment does not lie in our liberation, rather it lies in the conquest of our soul and its base desires. Our enslavement to God is the key to that conquest. Our enslavement to God in turn means that we have to suppress many of our souls' desires and inclinations. Therein is one of the greatest secrets to unleashing our real human potential. This is so because it is our spiritual potential that separates us from the rest of this creation, and it is to the extent that we are able to conquer our physical nature that we realize that spiritual potential.

We must all realize that we will never achieve any meaningful change in our situation relying on our own meager personal resources. The great sage Ibn 'Ata Allah as-Sakandari has said, "Nothing you seek through your Lord will ever be difficult; and nothing you seek through yourself will ever be easy."⁷⁷ Now is the time to give ourselves to our Lord, totally. The trials and tribulations we are currently witnessing will only intensify as we move closer to the end of time. If we are not living for our Lord, relying on His guidance and help, and trusting in His wisdom, we will find it very difficult to negotiate our way through this world.

When we live for our Lord it becomes easy to live with each other. If in our personal relations we can come to embody the spirit of mutual love, mercy and affection, encouraged by our Prophet, peace and blessings of God be upon him, we will be able to make a beautiful and lasting contribution towards the uplift of men and women alike. The times we live in cry out for such a contribution. The question is, "Who will respond?"

Your Brother in Islam,
Imam Zaid Shakir
03.23.05

⁷⁷ 'Abdul-Majid ash-Sharnubi, *Sharh al-Hikam al-'Ata'iyya*, (Damascus: Dar Ibn Kathir, 1992/1413) 38.

Woman Imam Leading Men and Women in Salat

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Islam places no restriction on women to teach, preach and guide both women and men. “Men and women are supporters of each other. They command what is right and forbid what is wrong... (Al-Tawbah 9:71) There are many women today who are fully qualified to be jurists (faqihah) and give religious opinions (fatawa). They do issue fatwa and teach Qur’an and Hadith in schools, colleges and universities all over the world. Many Islamic organizations, Islamic centers and mosques in America also have very learned and knowledgeable sisters who participate in their Masajid’s boards and involve themselves in administration, teaching, preaching and counseling. Muslims should give them more opportunities, allow them and encourage them to become full partners in Islamic work.

Leading Salat, however, is restricted to male Imams only when the congregation consists of men and women both, whether the prayer is performed in the mosques or outside mosques, whether they are daily Salat or Friday and Eid Salat. Women are not allowed to lead such prayers.

This has also been the practice of Muslims all over the world since the time of the Prophet – peace be upon him. This Shar’i ruling is not because of any notion of spiritual deficiency among women. Men and women both are equal in the sight of Allah and both of them must be fully respected and honored. Women are allowed to lead the Salat when the congregation is all females. They are also allowed to lead the Salat in their homes among their family members, if they are more knowledgeable of the Qur’an and Islamic rules.

Recently some people have started a controversy about this matter of Shari’ah. Questions are being asked about the Islamic reasons why women are barred from leading the prayers of men and women both. In order to understand the rules and wisdom of Shari’ah in this matter, following points are in order:

There is a difference between Salat and Du’a in Islam. Salat is a fixed and formalized form of prayer. Its timings, positions, postures, style including the wording and recitations are all fixed by the Prophet -peace be upon him. It is not permissible to introduce any new style or liturgy in Salat. Du’a, however, is another form of Islamic prayer that is informal and there is no restriction as to who performs it and how and when it is performed. It can be performed in any language. It can be done individually or collectively. It can be led by males or females. In Salat we are supposed to follow the Sunnah. We cannot add or delete anything from the Salat if we want our Salat to be valid and acceptable to Allah.

About Du’a one can say that since we are not forbidden to do our Du’a in a particular manner we are allowed to do it the way we want it; but in Salat every thing is forbidden unless it is allowed. For example the Prophet –peace be upon him- did not say that Salat cannot be performed in English. He did not say that you cannot have Salat in congregation six times a day. Now based on this argument we cannot start having our Salat in English or six times every day.

In our Salat we stand very close to each other or as we say “shoulder to shoulder and ankle to ankle” almost touching each other. We stand in straight lines. We make ruku’ and sujud. We are supposed to pray with sincerity and devotion concentrating our heart and mind towards the prayer. For this reason the Prophet –peace be upon him- told us that men and women should have separate lines. The lines of men should be in the front area, then the lines of children and then women. The Imam should stand in front of the congregation and should make ruku’ and sajdah before the congregation and they should follow the Imam.

The ideal way in this structure of prayer service is to separate men from women and not allow a woman to be ahead of all men and bow and prostrate in front of them. Haya’ is a special character of Islam. It is emphasized that men and women both must observe Haya’ (modesty) always and especially in their places of worship. Prophet’s wife ‘Aishah and his Companion Ibn ‘Abbas are reported to have said that a woman leading other women in prayer should not stand in front of them like a male Imam, but in their midst.

Some people refer to the Hadith of Um Warqah who was allowed by the Prophet –peace be upon him- to lead the Salat. According to the Sunan of Abu Da’ud, the Hadith says: “Umm Waraqah wanted to accompany the Prophet –peace be upon him- to the battle of Badr, but the Prophet told her to stay in her home.” Further in this Hadith it is said that the Prophet –peace be upon him- used to visit her in her home. He appointed a person to give Adhan for her and he told her to lead the prayer for the people of her house (Ahl dariha). Abdur Rahman ibn Khallad (the reporter of this Hadith) said, “I saw her mu’adhin who was a very old man.” (Abu Da’ud 500). In another reports of this Hadith it is said that the Prophet told her to lead the prayers of the women of her house (nisa’ dariha). (Reported by Dar Qutni).

This Hadith does not give permission to women to lead the Salat of men in the Masjid, it is restricted to home and according to some version only for the women of the home. Most of the scholars of Hadith and Fiqh did not use this as a general permission of the Prophet for women to be Imams of the Masajid and lead men and women in prayers. If this would have been the general case then many other very able and qualified women in the time of the Prophet and after him would have been leading Salat in the Masajid.

We pray to Allah subhanahu wa ta’ala that we sincerely follow His Din without any innovation or exaggeration. Ameen