Vol. 05, No. 2, pp.94-101 | december 2025
DOI: https:// DOI 10.34118/jskp.v5i02.4433

Article history (leave this part):
Submission date: 27.12-2024
Acceptance date: 20-10-2025
Available online: 27-12-2025
Keywords:
Transmitting hadith; applying ijtihād; issuing fatwas; women.
Funding:
This research received no specific grant from any funding agency in the public, commercial, or not-for-profit sectors.
Competing interest:
The author(s) have declared that no **competing interests**exist.
Cite as (leave this part):
Hanan Abufares Elkhimry;. (2024).Title.Journal of Science and Knowledge Horizons: 4(1), 283-293. https://doi.org/10.34118/jskp.v2i02.2727

Journal of Science and Knowledge Horizons
ISSN 2800-1273-EISSN 2830-8379

Women as Religious Authorities in Islam.

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Abstract:

Although the history of Islam includes numerous examples of women transmitting hadith, writing authoritative scholarly commentaries on the Qur'an and religious law, and issuing fatwas, the historical role of women as religious authorities is in general little acknowledged and women rarely perform such actions today. Most Muslim countries, including those in the Middle East, do not allow women to serve as judges in Islamic courts. Likewise, only few congregations would turn to women for advice on matters of Islamic law, or invite women to lead prayer, or deliver the sermon (khutba). For decades, Sudan and Indonesia were the only countries that permitted female judges to render decisions on the basis of the Qur'an and hadiths (which is usually conceived as a male prerogative only). And only recently have religious seminaries in Turkey, Morocco, Iran, and pre-war Syria opened their highest degree programs to women, thus enabling women to develop the expertise in Islamic law required to issue fatwas.

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Introduction:

Given the dearth of women exercising Islamic authority, one might be forgiven for assuming that for most of Islamic history, women were not granted the right to gain expertise on questions of religious law and that this realm of knowledge was the near-exclusive domain of men .

Yet a look into Islamic history suggests otherwise. In the early periods of Islam, women had great prominence in transmitting the hadith, and female family members of the prophet were frequently consulted on questions of Islamic guidance. This practice was not limited to the prophet's family and descendants. As Islamic scholar Khaled Abou El Fadl notes,

"certain families from Damascus, Cairo, and Baghdad made a virtual tradition of training female transmitters and narrators, and…these female scholars regularly trained and certified male and female jurists and therefore played a major contributing role in the preservation and transmission of Islamic traditions ".

In his overview of the history of women as hadith scholars—Al-Muhaddithat—Oxford scholar Mohammad Akram Nadwi observes that, "in the formative period of Islam…women scholars are not only great in number but also great in prominence [and] great in their authority. Men go to them to learn, and doing so is normal ".

Research by Islamic studies professors Irene Schneider and Jonathan Berkey indicates that Nadwi's observation was not only true for the formative period of Islam. In later centuries, too, the great scholars of Islam learned from both male and female teachers. Knowledge seekers travelled far and wide, from Damascus and Cairo to Baghdad and Nishapur, to study with female jurists .

The 12th century Sunni scholar Ibn 'Asākir (d. 1176) noted that he studied under 80 different female scholars. Among the 172 teachers of Taqi al-Din al-Subki (d. 1370), 19 were women. The Shafi'i scholar Ibn Hajar al-'Asqalāni (d. 1448) named 53 women with whom he studied. Al-Sakhāwi (d. 1497) noted that he learned from 68 women, and Al-Suyuti (d. 1505) listed 33 women among the 130 scholars on whose authority he recited traditions. Even Ibn Taymīyah (d. 1328), a leading Hanbali jurist known for his stern approach to gender relations, listed two women among his teachers .

Schneider's account of female scholars in Merv, Khorasān, between the 11th and 13th centuries is extraordinary, as she not only offers examples of women who taught in official madrasahs (rather than in the privacy of their homes, as was customary in Cairo, for example), but also detailed descriptions of seating orders, which suggest that religious scholars were not spatially segregated by gender but that men and women—teacher and student—occasionally sat side by side. The common conception, by contrast, is that if women taught at all, they did so from behind a curtain. Schneider's findings set Khorasān apart from discussions of Cairo and Baghdad, where women are usually assumed to have taught from behind a curtain .

Women also issued fatwas, legal recommendations based on Islamic law, a service that would be requested of only the most distinguished scholars of Islamic law. As El Fadl notes, "a careful reading of biographical dictionaries reveals a large number of women who are described as jurists (faqīhāt), and who are asserted to have attained a level of competence that qualified them to issue fatwas." Among the earliest known examples is the Damascene jurist Hujayma bint Ḥuyay al-Awtābiyya (d. 701), "who is said to have taught numerous men, and who enjoyed the confidence of the caliph 'Abd al-Malik b. Marwān (r. 685–705). [She] used to meet with him regularly when they would sit together in the back of the Damascus mosque ".

Examples abound in subsequent centuries and are not confined to a particular center of learning or a particular madhab. Women jurists can be found from Timbuktu to Cairo, from Damascus to Baghdad, and from Isfahan to Nishapur, from the 700s to the 1500s and across the Hanafi, Hanbali, Maliki, Shafi'i, and Shia schools of law. Nor is there evidence that women taught or commented on gender-specific themes only. The Shafi'i jurist Amīnā bint al-Ḥusayn al-Maḥāmilī (d. 987) was particularly expert in the law of inheritance. The Hanbali jurist Fatimah bint 'Abbas ibn Abi al-Fath al-Baghdadiyyah al-Hanbaliyyah (d.1333) became a renowned scholar of the Qur'an, and her contemporary, the great Islamic scholar Ibn Taymiyah, acknowledged her as an equal in knowledge and expertise. 'A'isha bint 'Abd al-Hadi al-Ba'uniya (d.1516)

excelled in Arabic grammar and rhetoric, Islamic law, theology, and mysticism .

LOOKING AHEAD

There is no question whether women may engage in ijtihād, as women have done so for centuries. They have taught the Islamic tradition, transmitted hadith, rendered judgment of Islamic law, applied ijtihād and issued fatwas.

Reminding believers today about female role models in the Islamic tradition is of paramount importance. Seeing a woman in a leadership position can have a transformative effect on an individual's aspirations and open up new horizons and career goals previously not considered. Many Muslims are familiar with the pivotal role played by Aisha and Fatimah, but these were women in the prophet's family, which made their trajectory beyond reach. In a way, their towering image is part of the challenge, as it elevates the example of female religious authority to unreachable heights. Instead, the image of women's religious authority needs to be "normalized" once again .

Generations of women from the seventh to 18th centuries sought Islamic knowledge and became qualified as jurists, hadith transmitters, and scholars of Islam to whom male students would travel across the Muslim world. The historical evidence clearly illustrates that the women of the prophet's family were not unique in taking on religious leadership roles. Many women across time emulated their model and contributed to a strong tradition of female religious authority, which is probably stronger in Islam than in the other Abrahamic religions .

A change in perception is needed to re-normalize women's religious authority. If women are to be trained as religious authorities on all matters and for all believers (not only women), then attitudes toward women in religious leadership positions need to change as well among educators, students, and the general public. Religious leaders are only leaders if they have a following, as women muftis have repeatedly demonstrated.

Conclusion

An important mechanism for changing perceptions is memory-making. Memories can be reactivated by:

- sponsoring programs in popular culture that revive the tradition of women jurists in Islam, such as visual culture projects including cartoons, videos, and films about such women;
- generating exhibitions, children's books, games, and toys that elevate the memory of outstanding women jurists and hadith transmitters; and
- supporting local research on examples of women who have exercised ijtihād and issued fatwas.

Footnote

1-Khaled Abou El-Fadl, "Legal and Jurisprudential Literature: 9th to 15th Century," in Encyclopedia of Women & Islamic Cultures, Suad Joseph, general editor (Brill Online, 2012).

2- Mohammad Akram Nadwi, Al-Muhaddithat: The Women Scholars in Islam (Oxford/London: Interface Publications, 2007).

3-Nadwi, Al-Muhaddithat.

4- See Renate Jacobi, "Der Gelehrte und die Dichterin. Eine Seelenfreundschaft im mamlukischen Ägypten," in Studien zur Semitistik und Arabistik. Festschrift für Hartmut Bobzin, Otto Jastrow, Shabo Talay, and Herta Hafenrichter, eds. (Wiesbaden: Otto Harrassowitz, 2008), 183-203; and Renate Jacobi "Gelehrte Frauen im islamischen Spätmittelalter," in Nonne, Königin, Kurtisane: Wissen, Bildung und Gelehrsamkeit von Frauen in der frühen Neuzeit, Michaela Hohkamp and Gabriele Jancke, eds. (Königstein: Ulrike Helmer Verlag, 2004), 225-246.

5- See Jonathan Berkey, "Women and Islamic Education in the Mamluk Period," in Women in Middle Eastern History, Nikkie Keddie and Beth Baron, eds. (New Haven: Yale University Press, 1991) 143–57, 151.

6- On women in religious education during the Mamluk period (1250-1517), see Jonathan Berkey, The Transmission of Knowledge in Medieval Cairo, A Social History of Islamic Education, (Princeton: Princeton University Press, 1992), 170f. Berkey writes that women were not in a position to become teachers in madrasahs during the Mamluk time, but often taught men and women outside the formal madrasah system.

7-See Irene Schneider, "Gelehrte Frauen des 5./11. bis 7./13.Jh.s nach dem biographischen Werk des Dhahabi (st. 748/1347)," in Philosophy und Arts in the Islamic World. Proceedings of the 18th Congress of L'Union Européenne des Arabisants et Islamisants held at the Katholieke Universiteit Leuven (Sept. 3-9, 1996), U. Vermeulen and D. de Smet, eds. (Leuven: Peeters Publishers, 1998), 107-121. The biographies of women discussed here amount to 2 percent of all biographies al-Dhahabi reviewed, most of which were of male contemporaries of the Prophet. None of the 20 women surveyed by Schneider served in official offices, such as administrators or judges.

8-See Abou El Fadl, "Legal and Jurisprudential Literature."

8- Ibid.

10- Nadwi, Al-Muhaddithat; Abou El Fadl, "Legal and Jurisprudential Literature"; Schneider, "Gelehrte Frauen."

11- Nadwi, Al-Muhaddithat, 112.

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