A Critical Reading on H{adīth: Islamic Feminist Approach in Reading Misogynistic H{adīth

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Abstract: This article examines the methods offered by Islamic feminist in reading misogynistic h{adīth. The author comparatively examines how three Islamic feminists, Fatima Mernissi, Khaled M. Abou El Fadl, Husein Muhammad, apply their methodologies in testing the authenticity of misogynistic h{adīth. It is imperative to discuss their methods because misogynistic h{adīths are frequently employed by conservative Muslims to justify the superiority of men over women. The h{adīths have theological, social, and political impact to marginalize and downgrade women’s status. Their methods are not only based on examining the chain of h{adīth transmitter (ismad), but also on criticism h{adīth contents (matn criticism). The question of whether the Islamic feminist’s methods have their basis within Islamic intellectual tradition should be taken into account because as this article shown, some misogynistic h{adīths are loaded in al-Bukhārī’s book in which Sunni orthodoxy considers it as the authoritative Islamic source after the Qur’an. By tracing to early h{adīth scholars, the author argue that the methods offered by Islamic feminists are not entirely new and have their foothold within Islamic intellectual tradition.

Keywords- Fatima Mernissi, Khaled M. Abou El Fadl, Husein Muhammad, Methods, Misogynistic H{adīth.

I. INTRODUCTION

Study of women and gender equality had been carried out by both Muslim and Western scholars. Muslim believes that Islam exists to create justice, peace, welfare and love for all human beings. These objectives, however, were not always inclusive for women. In fact, many women are still considered as second-class human beings in Islam. They have suffered discrimination and marginalization in the family and social, economic and political realms. This reality can ironically be seen in many Islamic countries, despite the fact that they claim to implement shari’a in their constitution. This in turn raises the question, how is the status of women perceived in Islam? Does Islam advocate injustice against women?

Arguably, there are several verses in the Qur’an and in some h{adīths that may be considered discriminatory against women. One of prominent verses in the Qur’an that explains gender relationship is Q. 4:34. Classical Muslim exegeses employ the verse to justify the superiority of men over women. However, according to Khaled M. Abou El Fadl the verse does not support directly the men’s superiority. Rather, several h{adīths have more detailed explanations on this matter. Therefore, some classical Muslim exegeses quote several h{adīths to support their interpretation of the verse. Within Islamic tradition, one of the functions of the h{adīths is to clarify (baya>n) the Qur’an. This means that one has to refer to h{adīth when there is a problem that is not explained clearly in the Qur’an. Hence, some conservative Muslim scholars employ h{adīths to justify their fatwa> on the superiority of men over women.

The h{adīths which contain gendered bias, discriminative and hatred against women are called misogynistic h{adīth in which I will explain its definition later. This article examines methodologies offered by Islamic feminists in reading misogynistic h{adīths. It comparatively examines Fatima Mernissi, Khaled M. Abou El Fadl and Husein Muhammad in testing the authenticity of misogynistic h{adīth. They have different social and intellectual background. Mernissi is a Moroccan sociologist; El Fadl is a scholar of Islam law teaching at California Los Angeles University; Muhammad is an Indonesian scholar who advocates gender equality and based in Pesantren.

It is significant to discuss their methodologies because as argued by El Fadl, misogynistic h{adīths lead to theological, social, political and economic discrimination against women together with their marginalization and degradation. This article would also discuss whether their methodology has their basis within early Islamic tradition. This is imperative because most of misogynistic h{adīths are loaded in the book of S/ahī>h Bukhari in which Sunni orthodoxy considers it as the most authoritative book after the Qur’an.

II. UNDERSTANDING MISOGYNISTIC H{ADĪTH

Etymologically, misogyny originated from the Greek language: misogynyia. The word was a combination of two words: mioso (hate) and gyné (women) which means a “resentment of women (a hatred of
women). The term has evolved into the term misogyny, which means ideology of hating women. The term misogyny is used for labeling the doctrines or schools of thought which openly marginalize and dehumanize women. In Cambridge Dictionary, misogynist means a man who hates women; and a religion that believes in a doctrine that men are better than women (a man who hates women or believes that men are much better than women). In Western academic discourse, the term misogynist is used to describe conditions of the ancient community, especially during the medieval period when patriarchal culture was more dominant. At the end of the 20th century, some western scholars use the term not only to explain a form of hatred of women, but also more broadly, to account for an anti-women attitude (anti-feminine).

Meanwhile, hadiths are a meaningful language of communication, story and conversation. According to mubahaddisun, the h hadiths refer to a report of all facets of the Prophet’s everyday life including his words, deeds, decrees and the character of the Prophet. They are associated with the term sunnah, which means a road or a way. However, sunnah can mean broader activities which include the habits, traditions and practices of early Muslim communities.

Thus, it can be concluded that misogynistic hadiths are associated with and derived from the Prophet, and contain the sentiments of hatred, discrimination and degradation towards women. Apparently, the term misogynistic hadiths was firstly popularized by Fatima Mernissi in her book, Women and Islam: An Historical and Theological Enquiry, in which she analyses criticism against several hadiths considered misogynistic. Later, the term misogynistic hadiths has been used in scholarly works.

According to Nasr Hamid Abu Zayd, the civilization of Islam is a text (al-hadith raah al-nas), a civilization built by taking the text as the foundation for the Islamic world view and a guide to deal with the problems of socio-religious, political and economic spheres. Abu Zayd considers that the Qur’an is the producer of civilization (al-muntij al-‘aqaf). Despite he does not consider the h hadith as the producer of civilization, I argue that it also plays a role in establishing Muslims’ civilization as well. This can be observed through Muslim scholars’ – from classical up to contemporary era- receptions and commentaries on h hadith in which they consider h hadith as the second source of Islamic teachings after the Qur’an. In addition, several Islamic laws are also derived from and based on the h hadith. Thus, h hadiths cannot be separated from the lives of Muslims. Similar to the Qur’an, the h hadith also influence and reconstruct the world view, social reality, and cultural, political and religious aspects of life for Muslims.

Within this framework, misogynistic hadiths have also influenced the world view of many Muslims at the expense of women and with theological, social and moral consequences on the lives of women. The strength of patriarchal culture in the Muslim community that has resulted in discrimination, marginalisation, violence and the degradation of the status of women as imbedded in the h hadith contained in the many books on fiqh and fatwa. That these hadiths referred to as normative theological hadiths means that authentication of these misogynistic hadiths is imperative in reducing the culture of hatred against women.

III. FATIMA MERNISSI

Fatima Mernissi is a well known Muslim sociologist and writer of Moroccan descent. She is a pioneer of the study of women in the Middle East and has written a number of articles and books related to women and Islam. She is better known as a Muslim feminist who tenaciously advocates for gender equality in the Muslim world. She was born in Fez, Morocco in 1940. Mernissi attained her Masters’ degree in political science at Mohammad V University, Rabat, Morocco, and Doctorate at the Bradeis University in 1973. After, she returned to Morocco to write and teach at the Mohammad V University at Rabat.

Distinct from classical Muslim scholars, Mernissi defines h hadith as the written report of the Prophet’s words, deeds and behavior in which later Muslim generation refer to that in any circumstances. Such definition leads Mernissi to conclude that h hadiths uncovers the phenomena of seventh century Arabia peninsula which are diversely recorded, due to the fact that an event has various narratives. However, according to Mernissi, h hadiths were much manipulated and fabricated to justify political and economic power. She argues that manipulating and fabricating the Islamic manuscripts are the structural characteristic of early Muslims’ dominance. Within such communal structure, the h hadiths was manipulated and fabricated for the purpose of reaching political and economic advantages.

Hence, it is importance to review the authenticity of the h hadiths, including those which are considered misogynistic. According to Mernissi, misogynistic hadiths are in contradiction to the life history of the Prophet who venerated and respected women. She states:

Why would the Prophet have said a h hadith like that, which does me harm? Especially since this kind of saying doesn’t correspond at all with what they tell us elsewhere about the life of Muhammad. “How could Muhammad, “The Beloved”, so hurt a young girl who, in the bloom of youth, had transformed him into a pillar of her romantic dreams? Muhammad was not just a chief of state. He was also the lover of ‘Aisha.”
For Mernissi, although many misogynistic hadiths contained in Bukhari’s book (Sahih Bukhari), she does not take those for granted by considering authentic, because those would imply on downgrading the women’s status. Therefore, to examine the authenticity of misogynistic hadiths, Mernissi uses historical and traditional scholarly approaches. First, she analyses three historical context: 1) when each hadith was narrated by the Prophet; 2) when reinterpretations by the Prophet’s companions were made; and 3) the historical context of the first transmitter. The second approach utilizes traditional methods that have long since been used by early hadith scholars to verify the hadith authenticity. Inspired by Imam Ma’lik, Mernissi argues that the intellectual and moral integrity of the narrator have be taken into account to determine the authenticity of the hadith.

For example, on the issue of women’s leadership, Abu Bakrah narrated a hadith which stated “there will be no good fortune for those who surrender their leadership to women”. In analyzing this text in its historical context, Mernissi is not satisfied about the causal context of its narration. She analyses the historical context of the hadith more broadly and states that this hadith specifically referred to the chaos of the Persian Empire in the period 629–423, which was caused the death of a King, Khusrav Pavis, at the hands of Roman troops. To replace him, two women were in competition, each claiming themselves heir to the throne. This conflict for the throne was not because they were both women, and could have arisen between women or men in such circumstance.

Furthermore, Mernissi questions the context of why Bakrah needed to narrate such a hadith? According to Mernissi, the narration of the hadith was against the background of conflict between Aisha and ‘Ali, known as the “camel war”. It was stated that after the death of ‘Uthman b. ‘Affan by the demonstrators, ‘Ali was appointed as the fourth caliph. Afterwards, Aisha demanded that ‘Ali punish the killer, but he refused. Due to this, Aisha gathered friends and supporters from various cities to rebel against ‘Ali. As the leader of Basra, Abu Bakrah was in a dilemma in relation to whether to support Aisha’s demand or ‘Ali’s position. Bakrah then narrated the hadith to back up his position in supporting ‘Ali as the legitimate leader. In addition, Basra itself was the basis of ‘Ali’s supporters.

To scrutinize Abu Bakrah’s standing, Mernissi then analyses his political background. Before converting to Islam, he was a slave living in the city of Ta’if and advanced his standing following his conversion. He was not renowned before coming to Islam. When Ta’if was conquered, all slaves including Bakrah were set free. He then became a respected figure in Basra. Against this background, Bakrah refused to support either party in the camel war. For him, the war was a civil war destined to destroy the order of the Muslim community. According to Mernissi, it is obvious that Bakrah’s position as a Muslim against any kind of war was a neutral position from which he therefore rejected Aisha’s plight to fight. After Aisha’s army was defeated, he backed himself up with a hadith that discredited female leaders. It is ironic, according to Mernissi, that is was only Bakrah who was misogynistic towards Aisha.

After using historical analysis, Mernissi then investigates the hadith narrator: Abu Bakrah in the light of his moral aspect. The result is that Bakrah’s hadith must be rejected because he does not fulfill the criteria for a morally good narrator. This is because he had been punished by the second caliph, ‘Umar b. Khat’ta b, because he falsely testified against al-Mughirah bin Shu’bah, whom he accused fornication.

Mernissi offers historical analysis as well as traditional research methodology. Although the science of the hadiths discusses asba’b al-warud (the causes of narration) of the hadiths, the authenticity of the hadiths was not determined. Mernissi proves that the narration is an expression of certain interests. Her second approach is testing aspects of the morality of the first narrator of the hadiths, using the method traditionally used for verifying the authenticity of the hadiths termed adalat (fairness). Although unlike the classical methodology which is about the legal status of a companion (‘adalat al-sahabah), as the first narrator, Mernissi analyzes their morality. The Prophet’s companions were of course humans who subject to error, their intellect and morality questionable. Mernissi proves that some companions made use of the hadiths for their own political and economic gain.

IV. KHALED M. ABOU EL FADL

Khaled M. Abou El Fadl was a professor in UCLA (University of California Los Angeles), skilled in the fields of Islamic law and human rights. His undergraduate degree in politics was obtained from Yale University (1986), his Master’s from the University of Pennsylvania (1989), and his ph. D in the field of Islamic Studies at the University of Princeton (1999). In Speaking in God’s Name: Islamic Law, Authority, and Women (2001), he criticizes the phenomena of religious authoritarianism in Islam, including in relation to women.

In analyzing the misogynistic hadiths, he did not follow this term, and instead proposed the notion of “faith based assumption”. In his view, the misogynistic hadiths were not in accordance with the concept of reverence to God and the values of Islam. He states:
To what extent did the prophet really play a role in the authorial enterprise that produced this tradition? Can I, consistent with my faith and understanding of God and God’s message, believe that God’s prophet is primarily responsible for this tradition? According to El Fadl, if views based on a standard, a place and the development of human morality could cause damage (masafa dans), one has to wonder if the h[ad]ths were really uttered by the Prophet, and whether the h[ad]ths are a source of the determination of law. In other words, testing the authenticity of h[ad]ths must be done before the h[ad]ths can be used as a source in the establishment of law. Like Mernissi, El Fadl is skeptical towards h[ad]ths that have been considered reliable (Sahih) in the book of Sahih Bukhari. However, he suggests that the h[ad]ths loaded with contradiction: they are either in conflict with other h[ad]ths, Qur’anic verses or with the history of the Prophet.

Hence, he offers a methodology with which to reexamine the authenticity of the misogynistic h[ad]ths. First, gathering h[ad]ths of similar theme for the purpose of understanding the differences and variations of matn (the content of h[ad]th), so that it can be determined whether the h[ad]ths have been edited; second, analysis of the matn of h[ad]ths. There are two issues that need to be analysed in the matn of h[ad]ths, namely, text structure and the symbolic associations implicit within the text. However, El Fadl does not always apply this in reading the h[ad]ths. Sometimes, he skips directly to step there; third, comparison of the h[ad]ths with the Qur’an and other h[ad]ths; fourth, analysis of the historical context of the Arabs during the life of the Prophet Muhammad; fifth, analysis of the historical context of the first narrator of the h[ad]ths. At this stage, El Fadl also considers the credibility of the first narrator; sixth, consideration of the theological, moral and social consequences of the h[ad]ths.

For example, the h[ad]ths about “a wife falling at her husband’s feet and licking his boils”. The first step carried out by El Fadl was collecting all the acts of the h[ad]ths pertaining to the theme, such as those of Aisha, Azhar b. Marwan, Mu’az b. Jabal, Anas b. Ma’lik dan Abu Hurairah. Of the information gathered, according to El Fadl quoting the commentator of the h[ad]ths, it turns out that h[ad]ths had succumbed to remarkable additions, for example the addition of “hills, saddle, the back of a camel and boils”. Then, El Fadl analyses the structure and associated symbol contained in the h[ad]th text. He found the structure in most to be quite incoherent. For friends ask you, “could you prostrate to him?” with the Prophet answering: “no! But if a fellow human is permitted to prostrate among the people, and a man wife must prostrate to her husband”. For El Fadl, the h[ad]th structure that is incoherent, for the Prophet expresses his opinion outside the context of talks, and that is very unusual.

According to El Fadl, symbolic association in the h[ad]ths has been created by the h[ad]th narrators. In some the h[ad]ths, those engaging in talks include the Prophet and other men. In this case, the h[ad]ths narrators link the symbol of the Prophet and that of men. Meanwhile, in other interpretations, “angels” are associated with “men”. In this case, El Fadl concludes that the h[ad]ths should to be viewed suspiciously, for it is not likely that the Prophet would convey something that was not systematic.  El Fadl compares the h[ad]th with the Qur’an. According to El Fadl the h[ad]ths are contrary to the principles described in the Qur’an. The Qur’an explains the power and absolute sovereignty of the lord, so that submission to another god unjustified. In addition, in al-Rum: 21, it is explained that the purpose of marriage is peace and affection. In al-Baqarah: 187, explains that the relationship of husband wife is like a garments for each other. Meanwhile, many h[ad]ths depict the Prophet as an affectionate and gentle husband. Even in the Bukhari’s and Tayalisi’s, explained that the prophet argued with his wives, and at times became angry. According to El Fadl, there are more of this type of h[ad]ths than those containing misogynistic view towards women.

El Fadl explains that the h[ad]ths emerge within the patriarchal society in which Islam was born. He adds that patriarchal institutions played an important role in the pronouncement of misogynistic h[ad]ths. This is reflected in the historical comment of Ibn. ‘Umar who said that “when the prophet was alive, we were cautious of interacting with our wives, for fear that verses would be written about our behavior. But after the Prophet died, we interacted more freely with our wives”.

The patriarchal social structure of the early Islamic period can be seen from the socio-historical context of the h[ad]ths. El Fadl analyses the socio-historical context of Abu> H[urairah as well as his credibility. H[urairah was chosen because he was a dear companion who most widely narrated misogynistic h[ad]ths. According to El Fadl, criticisms of Abu> H[urairah are not new, for in the earliest period of many companions questioned the credibility of his h[ad]ths announcements. The most important criticism is that he converted to Islam three years before the Prophet died, and narrated more h[ad]ths that the Prophet’s other companions. Aisha rejected the h[ad]ths in which Abu> H[urairah claimed that women were inferior. ‘Umar was once told to stop announcing h[ad]ths. Several historians claim that he narrated on h[ad]ths to profit economically.

El Fadl later analyses the impact of the h[ad]ths suggesting that the h[ad]ths have theological, social and moral impact. In other words, h[ad]ths were as normative to lower the status of women and place women’s honor under the power of men. According to El Fadl, proportional logic is required in reading the
h|adi>ths. The greater impacts generated by a h|adi>th, the more rigour needed in validating its authenticity. Testing of the consequences wrought by the h|adi>ths, has generally been ignored by the early h|adi>th scholars and the h|adi>ths have been acted upon with significant unintended moral and social consequences.\textsuperscript{45}

Of the six methods offered by El Fadl, he rejected the h|adi>ths on the requirement of a wife to prostrate before her husband. His method was more systematic and comprehensive than that offered by Mernissi. However, there are parallels between the two methods, in particular in relation to the need for socio-historical analysis of the context, both in terms of the h|adi>ths and the first narrator of the h|adi>ths. In addition, both refuse the concept of justice companion was intended to strengthen the orthodox Sunni criticism of the house of Shi\textashir{e}.\textsuperscript{46}

V.

HUSEIN MUHAMMAD

Husein Muhammad is a kyai\textsuperscript{47}, at Pondok Pesantren Dar at-Tauhid Arjawinangun, in Cirebon. He was born in Cirebon on the 9\textsuperscript{th} of May 1953, he had a Pesantren education. His undergraduate Degree was obtained from PTIQ in Jakarta (1980). He later extended his education at al-Azhar Kairo University.\textsuperscript{48}

Muhammad’s interest in gender and feminism began in 1993 when he was invited by Masdar Farid Mas’udi to attend a seminar on the theme of “women from the perspective of religions”. It was here that he realized the importance of gender justice, in particular through his realisation that religious experts participate in legitimizing gender inequalities. He became an avid reader of the texts related to women’s issues and became active in a range of non-government organisation that addressed equality issues. He became known as a feminist kyai from the Pesantren.\textsuperscript{49}

The main focus of Muhammad’s ideas on gender equality is the deconstruction of text books with a gender bias especially the yellow books used to teach in boarding schools. Boarding schools are influential religious institutions, powerful in the formulation of the views of its school community through the classical text books, such as ‘uqu>d al-lujjajyn by Sheikh Nawawi al-Bantani. Hence, for Muhammad it is important that such text books are deconstructed and reinterpreted. It is interesting that he uses the classical Islamic scientific perspective, especially fiqh in bringing out the message of gender equality.\textsuperscript{50}

Similar to El Fadl and Mernissi, for Muhammad the fundamental value of Islam is its support of justice and equality evident in the doctrine of tawhi>d (monothemism) which advocates justice and equality between men and women before the Lord. Many passages in the Qur’an refer to this, for example, the letter of ‘u.m.\textsuperscript{51}

However, for Muhammad, there are texts both in the Qur’an and the h|adi>ths that contain gender bias and which can be said to be misogynistic. It is as if there are contradictions between these religious texts, all the more reason Muhammad argues, that the Qur’an and h|adi>ths should be made the basis of and ultimate framework in formulating justice and gender equality.\textsuperscript{52}

It is Muhammad’s opinion that a new methodology is required in re-reading the texts to ascertain whether they contain misogynistic elements. The method he offers includes: first, make maqa>s/sfi al-shari>t ah which means the objective behind Islamic law, the base for interpretation.\textsuperscript{53} Second, analyse the socio-historical context of the text (al-siyā>b al-ta>rkhī al-ijtima’i). Third, analyse the language used and context (al-siya>b al-lisa>n). Fourth, identify the casual aspects of the text as a way to think about the needs of the new social context (qiya>s al-g>a>ib “ala al-sya>hid).\textsuperscript{54} Fifth, analyse the transmission of h|adi>ths sources (takhri>j al-as-a>ni>d) and their criticisms matn (naqd al-matn).\textsuperscript{55}

Despite Muhammad’s proposed method, he did not apply a comprehensive reading of the misogynistic h|adi>ths, he failed to analyse a single h|adi>th using the five step methodological framework he offered. In the works of El Fadl and Mernissi, special attention is given to h|adi>ths using the methodologies they suggest. This can be understood, from the view point that the methodology offered by Muhammad is not limited only to the h|adi>ths, but also includes the Qur’an.\textsuperscript{52}

Muhammad’s re-reading of the misogynistic h|adiths is in that he prioritizes isnad criticism (naqd al-ismad) and matn criticism (naqd al-matn). The isnad criticism conducted by Muhammad was still in the form of classic isnad criticism. Muhammad’s reading on h|adi>ths can be seen in criticism of the h|adi>ths in the ‘uqu>d al-lujjajyn. According to Muhammad, after investigation of the isnad, there are 30 h|adi>ths with isnad that are defective or which cannot be trusted. While the rest are reliable (s/jahi>, the substance of the matn is unacceptable, for it is contrary to the Qur’an and other h|adi>ths which advocate justice, equality and respect for women.\textsuperscript{56}

Like Mernissi and El Fadl, Muhammad analyses the historical context of the h|adi>ths. According to Muhammad, ideas of equality, justice and universal human ethics were championed by the Prophet in the context of the Arabic patriarchal culture.\textsuperscript{57} Hence, it is his view that religious texts that are discriminatory and misogynistic, including both the Qur’an and h|adi>ths have to be positioned in their historical context as being directed toward the social goals of justice and equality.\textsuperscript{58} Thus, it is imperative to analyse the context in which the h|adi>ths were narrated.

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For example in the Prophet’s h[adi>ths: “a community governed by women will never prosper”. According to Muhammad, similar to the analysis undertaken by Mernissi, this h[adi>th was narrated to make a statement about the inability of the Persian queen, Kisra, to rule. In addition, according to Muhammad, the h[adi>ths are informative in nature and not designed to outline legislation or law. This is what Muhammad refers to as language and context (al-siyaq al-lisani). From the usula>1 al-fiqh perspective, it can be accepted, for the editor does not stipulate guidelines. Then Muhammad quotes the opinion of Ibn Agil as quoted by Ibn Qayyi>m that the political priority was wellbeing and avoidance of damage. In addition, Muhammad quotes a rule of fiqh: “a ruler must act towards his people according to good intent.” Thus, h[adi>ths would not be used as a postulate to prohibit women’s participation in politics. 61

Unfortunately, Muhammad did not analyse that the h[adi>th first narrator, Abu Bakrah, as Mernissi did to find that in terms of isnad, the h[adi>th had to be rejected. Muhammad prefers to comment on it from a fiqh perspective, that is the paradigm of fiqh was used to articulate his feminist ideas. Nuruzzaman refers to Muhammad as “the text from Pesantren”, because his ideas were rooted on the classical intellectual traditions of Pesantren, especially the fiqh. 62

VI. ISLAMIC FEMINISTS APPROACH ON H[ADI>TH:
A METHODOLOGICAL ISSUE

Of the three figures outlined above it can be concluded that in the minds of the feminists, the misogynistic h[adi>ths violate the universal principles described in the Qur’an, principally justice, equality, and respect for women. In addition, these h[adi>ths violates the historical record of the Prophet which demonstrated that he loved and respect women, as recorded in sirah (the history of the Prophet) books and some h[adi>ths. Their objections were also based upon the fact that misogynistic h[adi>ths are a source of normative theology in the construction of the role and status of women in society. In reality, Muslim women are still deemed as the second class citizens. They are marginalized and often face discrimination, in the family, society, and in the political and economic spheres, as legitimized through the misogynistic h[adi>ths. These authors object to such positioning and question whether the Prophet’s h[adi>ths were used to legitimize inequality and discrimination against women.

In the intellectual and religious traditions of Muslims, the h[adi>ths are central and hegemonic. For most Muslims, they are second only to the Qur’an. In practice, some classical Muslim scholars argue that that h[adi>ths can abrogate the provisions which exist in the Qur’an. Given the massive and hegemonic function of the h[adi>ths, we can understand why misogynistic h[adi>ths were then used as a source of legitimacy by some Muslims to legitimize gender inequality and injustice with the implication that people are led to believe that gender difference is destiny and should be accepted.

Why did the h[adi>ths become hegemonic in the Islamic tradition? The answer can be traced historically to the Imam al-Shafi’i. According to Joseph Schacht, al-Shafi’i was first to affirm the concept of tradition (sumnah) as a legal tradition, inclusive of all documentation on the Prophet’s life, words, behavior, personality and leadership style, as recorded in the h[adi>th documents. For al-Shafi’i, a person may not push aside the h[adi>ths of the Prophet, for he has authority higher than that of both his companions and his successors.

The thesis of al-Shafi’i was aimed at the opposition, particularly the individuals in Medina and Iraq who prioritized the traditions and practices that emerged in the companion period rather than the Prophet’s h[adi>ths for producing law. Al-Shafi’i’s conception about the Prophet’s traditions led to sumnah being seen as identical with the h[adi>ths, and the second source of Islamic law after the Qur’an. Finally, Muslims’ trust in the h[adi>ths was huge as was the movement the codifying them. Since that time, the h[adi>ths have become hegemonic and in the Islamic tradition.

However, the h[adi>ths should be positioned as an academic discourse open to criticism and re-reading, for their ontological status which are still problematic. Ontologically, the h[adi>ths are characterized as dzannyi al-wurad. In other words, it remains questionable as whether they originated from the Prophet or not, a problem of concern to contemporary h[adith scholars. A h[adi>th can be used as an argument hujjah or practiced (ma Malcolm) if it is capable of meeting the authenticity requirements.

As academic discourse, even h[adi>ths that have been considered reliable or legitimate in the past should be reexamined to determine their authenticity as done three scholars discussed above. They do not accept the h[adi>ths contained in Bukhari’s book taken for granted. However, classical h[adith scholars are fallible and capable of poor judgment. Thus, to the academe, it is important to be able to scrutinize and question the methods used in researching the h[adi>ths.

Syuhudi Isma’il explains several factors why research on the authenticity of the h[adi>ths is imperative to be undertaken. First, not all h[adi>ths were written in period of the lives of Prophet. Second, historical data proves that some h[adi>ths were fabricated, even since companion period. Third, the process of compiling and
codification of ḥadīths was carried out long after the Prophet’s death. Fourth, many ḥadīths manuscripts were codified with various methods. Fifth, the ḥadīths were much narrated in its intent rather than its literal sense (al-riwayah bi al-ma’na).  

In addition, a criticism of traditional ḥadīths is not sufficient to determine their authenticity. Some Muslim scholars have objected to and criticized the traditional method of ḥadīths criticism. As shown by Kamaruddin Amin, Ibn Khaldun argues that the research on the authenticity of ḥadīths undertaken by early ḥadīth scholars is restricted to chain of transmitters (isnad). When a transmitter was trusted, ḥadīths were automatically considered authentic. Ahmad Amin also argues that classical ḥadīth scholars only focused on researching the chain of transmitter rather than the substance of the ḥadīths texts (matn). Mahmūd Abu Rayyah even further insists that they did not take the ḥadīths into account and failed to analyse its historical account.  

The concept of adalat al-sjāhā bah is still highly debated. Modern Muslim ḥadīth scholars, such as Rasyid Ridha and Ahmad Amin reject the concept. They suggest criticism by exposing the historical facts that in the companion era, an attitude of prudence, suspicion and criticism in the narration on the ḥadīths had already emerged. Thus, even the companions can err in their narration and interpretation of the ḥadīt.  

The explanation above describes the complexity and problematic nature the study of the ḥadīths. Thus, rethinking, reexamining and critically re-reading ḥadīths remain unfinished academic work that requires the formulation of new methodologies and approaches. The critical methodologies in reading misogynistic ḥadīths offered by the aforementioned Islamic feminists represent some of the intellectual work done thus far.  

Although there are differences in their methodologies, the three were not content with the results of research and the methodologies used by early ḥadīth scholars. In addition, they agreed to analyse the socio-historical context of a certain ḥadīth, since each ḥadīth is a historical text that reflects certain historical situational circumstance, so that the historical examination is very important in understanding the context of the author of the ḥadīth. In this case, Mernissi’s methodology is more sophisticated rather than that of El Fadl and Muhammad, for she analyses not only the context in which a ḥadīth was uttered by the Prophet, but also that of in which it was first narrated by the narrators. The advantage of Mernissi’s historical analysis is that she could prove that the ḥadīths were narrated in different contexts and were used to justify certain interests.  

Distinctions between the methods used by the three are many. El Fadl and Muhammad offer analysis of the ḥadīths in comparison with the Qur’ān and other ḥadīths while Mernissi does not acknowledge such analysis. In this point, El Fadl’s and Muhammad’s methods are more sophisticated rather than that of Mernissi. The comparative analysis is important to determine the authenticity of ḥadīths, especially through the Qur’ān in which Muslims believe it as the authentic divine words. Thus, from El Fadl’s and Muhammad’s methods, it can be concluded that if the ḥadīths contradict the universal Qur’ānic principles, they must be considered unreliable.  

Compared to Mernissi and Muhammad, El Fadl proposes analysis of ḥadīths in the light of other ḥadīths in similar theme. In this point, his method is more sophisticated than that of Mernissi and Muhammad. In my opinion, El Fadl’s analysis is important to determine if there have been reductions, distortions and additions by the ḥadīth transmitter, due to the fact that in the process of ḥadīth transmission, they were much narrated in its intent rather than its literal sense (al-riwayah bi al-ma’na).  

The methodologies offered the three Islamic feminist are part of the new trend in the study authenticity of the ḥadīths, one which rests not only on examining the chain of ḥadīth transmitters (isnad criticism) are also analysis of the ḥadīth content (content criticism). The methodologies they offer, however, are not entirely new, as ḥadīth scholars of the past have critically analysed the matn of ḥadīths, even since the companion era. In his book, Manhaj Naqdl al-Matn ‘Inda ‘Ulama’ al-Hadīs al-Nabawī, Sala’h al-Drn al-Adlāli refutes Ahmad Amin’s claim that early ḥadīth scholars only focused on isnad analysis and have ignored matn criticism. For al-Adlāli, Ahmad Amin’s preposition is not true, for early ḥadīth scholars and even several companions were doing this.  

Al-Adlāli cites many examples on this. For example, the narration by Aisha in which she criticizes the ḥadīths narrated by Abu Hurairah on “the torment suffered by someone who died to the cries of their family”. Aisha criticizes Abu Hurairah saying that “the person’s hearing was not good”. Then she corrects him, explains the context of the ḥadīth (saba’ b al-wuru’d) and compares it to the Qur’ān. According to Aisha, the ḥadīth was uttered when the Prophet passed by the home of Jews crying as a family member was dying. In addition, according to her, the ḥadīth is not compatible with al-Baqarah: 286.  

For more comprehensive, Jonathan Brown argues that Western scholars’ and modern Muslim scholars’ conclusion that early ḥadīth scholars focus their methods in determining the authenticity of ḥadīths on the chain of transmitter is lack of evidence from early Islamic period. By adducing fifteen examples of early Sunni ḥadīth scholars’ methods in the 3rd/9th and 4th/10th century, Brown argues that early ḥadīth scholars had applied content criticism in testing the authenticity of a ḥadīth. One of the examples is:
In his entry on the weak transmitter Hashrāb b. Nubātā (fl. mid 2nd/8th century) in the Kitāb al-dīrā ḍī aṣfā’ al-sagḥīr, al-Bukhārī notes that Hashrāb narrated the hadith “the Prophet (ṣ) said to ʿAbū Bakr, ‘Umar and ‘Uthmān, ‘these are the caliphs after me.’” Al-Bukhārī adds that this hadith is “not corroborated (lā yatāḥā u ‘alayhī) because ‘Umar b. al-Khaṭṭāb and ‘Alī b. Abī Tālib said, ‘the Prophet did not appoint any successor (lām yastakhkhilf al-nabī).’”

According to Brown, such examples explains us that early Sunni ḥadīth scholars, like al-Bukhārī also took content criticism (matn criticism) into account to determine the authenticity of a ḥadīth. For al-Bukhārī the content of above ḥadīth contradict with a historical evidence that the Prophet never appointed any successor. Therefore, he rejected Hashrāb’s ḥadīth.

Unfortunately, the content criticism is hardly to find within early Sunni ḥadīth scholars’ books. According to Brown, this is because the tension occurred between ahl al-ḥadīth and ahl al-raʾy (rationalist) on “a cult of methodology” in determining the authenticity of ḥadīth. For ahl al-raʾy, the methods of ahl al-ḥadīth were misleading because they sacralized the chain of transmitter as “the only means” and exclude content criticism to test the authenticity of a ḥadīth. On the contrary, for ahl al-ḥadīth, ahl al-raʾy were “arrogant heretic” as for glorifying human reason and neglecting the chain of transmitters. Therefore, Brown concludes that for ahl al-ḥadīth like al-Bukhārī, analysing the content of a ḥadīth without relying its conclusion of analysis on the chain of transmitter would affirm the ahl al-raʾy’s methodology.

Attempts to evaluating the authenticity of the ḥadīth analysis of the matn ḥadīth then have been re-undertaken in the mid 19th century during the dawn of the modernist movement. The first scholar to criticize the ḥadīth was Indian modernist thinker, Sir Ahmad Khan (1817-1898). As shown by Munʾim Sirry, according to Khan, the Qurʾan is the highest standard with which to test the authenticity of ḥadīth. He concluded that only the mutawatir ḥadīth reliable. In Egypt, Muhammad Abduh was also skeptical about the ḥadīth. Similar to Khan, Abduh argues that only the mutawatir ḥadīth are binding. Little of Abduh’s thought was given to the ḥadīth, and in Abduh’s mind many of the ḥadīth were developed by his students. Rashid Ridha, one of the Abduh’s renowned students, argues that all ḥadīth opposed to the Qurʾan must be rejected, although early ḥadīth scholars state that the narrators are trust-worthy. As we have seen, I argue that the methodologies offered by Mernissi, El Fadl and Muhammad have a foothold in Islamic intellectual tradition.

VII. CONCLUSION

There is a consensus among the opinions of the three Islamic feminists, misogynistic ḥadīth are not respectful of the teachings on justice, equality and respect for females in Islam. Hence, they offer methods in reading and testing the authenticity of misogynistic ḥadīth. Despite there are several differences among their methods, they are in line that criticism merely on the chain of transmitter (ismad) is not enough in testing the authenticity of ḥadīth, rather content criticism has to be taken into account. Their methodologies are an effort in re-thinking and re-reading ḥadīth as inclusive discourse and unfinished discourse which is open to be criticized and renewed. However, their methodologies are not entirely new due to evidence that early and modern ḥadīth scholars have applied content criticism (naqd al-matn). Therefore, I argue that the methods offered by the Islamic feminist have their basis within Islamic intellectual tradition.

REFERENCES

[6] Badran defines Islamic feminism as “a feminist discourse and practice that derive its understanding and mandate from the Qurʾan, seeking rights and justice within the framework of gender equality for women and men in the totality of their existence”.
[8] El Fadl, Speaking in God’s name, 212.


Nasir Ha’mid Abu’ Zaid, Mafhu>m al-nasf (Kairo: al-Hai’ah al-Mis{riyyah li al-Kita>b, 1990), 11.


Tuppurainen, Challenges faced by Muslim women, 119-121.

Mernissi, Women and Islam, 34-35.

Mernissi, Women and Islam, 8-9.


Mernissi, Women and Islam, 64-65.

Mernissi, Women and Islam, 44.

Mernissi, Women and Islam, 49.

Mernissi, Women and Islam, 59.

Mernissi, Women and Islam, 49-50.

Mernissi, Women and Islam, 53-58.

Mernissi, Women and Islam, 51-53.

Mernissi, Women and Islam, 55-58.

Mernissi, Women and Islam, 59-61.

Azami, Studies in hadith methodology and literature, 58.

http://law.ucla.edu/faculty/faculty-profiles/khaled-m-abou-el-fadl/

Unlike Mernissi who explicitly employs the term “misogynist”, El Fadl refers to hadiths that were “demeaning to women”. Regardless, this author is of the view that the expression used by El Fadl in the same in sentiment as the term misogynistic, since those hadiths depict a misogynistic view of women.

El Fadl, Speaking in God’s name, 213.

El Fadl, Speaking in God’s name, 213.

El Fadl, Speaking in God’s name, 215.

El Fadl, Speaking in God’s name, 211-213.

El Fadl, Speaking in God’s name, 215.

El Fadl, Speaking in God’s name, 213-214.

El Fadl, Speaking in God’s name, 214.

El Fadl, Speaking in God’s name, 214-215.

El Fadl, Speaking in God’s name, 215.

El Fadl, Speaking in God’s name, 223.

El Fadl, Speaking in God’s name, 215-217.

El Fadl, Speaking in God’s name, 218.

El Fadl, Speaking in God’s name, 217.

Kyar refers to Muslim preacher in Indonesia.


Nuruzzaman, Kiai Husein Membela Perempuan, 115-117.
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[53] Muhammad, Islam agama ramah perempuan, 16.

[54] For Husein Muhammad, the formulation of Islamic law must be based on creating the public goods. Therefore maqāṣid al-shari‘ah should be the paradigm in understanding the Islamic text: the Qur’an and hadith. See: Muhammad, Islam agama ramah perempuan, 93.

[55] It is important, according to Muhammad, for the present context is different from the context of Arabia peninsula in which the Prophet lived. He argues that since 20th century, the patriarchal authority has been criticized. This can be seen through the policy of several Islamic states that have permitted women’s participation in politics. See: Muhammad, Islam agama ramah perempuan, 93.

[56] Muhammad, Islam agama ramah perempuan, 187-188.


[63] Nuruzzaman, Kiai Husein membela perempuan, 1.


[70] See: Kamaruddin Amin, Menguji kembali keakuratan metode kritik hadis (Jakarta: Hikmah, 2009), 5-6.


[75] Brown, How we know early hadith critics did matn criticism, 154.

[76] Brown, How we know early hadith critics did matn criticism, 163.

[77] Brown, How we know early hadith critics did matn criticism, 165-171.