

Women from the point of view of Western Islamic society: a deconstructive reading of jurisprudential and historical sources

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ABSTRACT

In fact, the subject of women in general is one of the important subjects that have filled the works of Islamic thought, and it has witnessed a broad debate in which various disciplines have intersected starting from history, jurisprudence, philosophy and literature, and the ideas it contains have been influenced by various currents from ancient and medieval history. This research article aims to study the image of women from different angles: through the vision of Islamic law and its role in the civilization of the Islamic West. Passing by the point of view of some scholars and jurists such as Ibn Rushd and Ibn Hazm, as well as the Sufis, then, from the point of view of the general public, since the discourse was not unified, the research is based on a comparative analytical approach based on legal and source texts, using certain ideas from modern studies.

Keywords: Women – Society - The Islamic West – Jurisprudential and historical sources

INTRODUCTION

Women in the Islamic West were an active part of the social fabric, but society's point of view differed between appreciation and respect on the one hand, and marginalization and contempt depending on political conditions, social, economic, and cultural experiences in the region, as well as depending on the social class to which they belonged. Historians have praised women who had an intellectual and cultural output of doctors, thinkers and poets, or who played a role in political decision-making in the Islamic West, and even artisans. They mentioned to us many examples from different cities of Morocco and Andalusia, and we find in the orientalist literature the stereotypical position that asserts that women in the Islamic West were victims without rights, voice or personality, or certain extremist opinions that saw Muslims viewing women as the pleasure of lust and enjoyment alone, This undoubtedly explains his absence in historical writings, whether in biographies, travel accounts, virtues, etc., if one excludes works of jurisprudence and calamities, because it is at the center of many calamities and problems faced by both the people and the elite. From this point of view, how can we follow the different views on the reality of Moroccan and Andalusian women in the Islamic West during the Middle Ages, especially through the vision of the people and the elite, or in other words: How the image of woman has been-she was trained in the Islamic Middle Ages in speech at different levels, and what new things did she bring to be consistent with the role assigned to women as provided by Sharia?

One of the most experienced scholars in the history of the Islamic West believes that women in moderate societies represented the most difficult equation in the context of the value system to which Islamic societies adhered. On the one hand, we find them aspiring to obtain the favor and honor that our Islamic religion has approved, and on the other hand, they found themselves hostages of many customs, traditions and norms that have restricted their activity and reached the point of eliminating their existence in many cases().

Women from the perspective of Islamic law: Women hold a prestigious position in Islamic law, as it has honored them and elevated their status in various areas of life. They have been partners of men in rights and duties, taking into account the innate differences between the sexes. Among the Islamic principles approved by Islamic law is the fact that women are like men in their origin and duty. Almighty God said, "Then their Lord answered them: 'Indeed, I do not lose the work of every one of your workers, male or female((.Islam also preserved her dignity at all stages of her life, asking her to be conscientious towards her as a mother, recommending good treatment for her as a wife, placing heaven under her feet as a mother and granting her many rights that she had been deprived of before Islam, such as education, the disposal of her money and participation in social and political life according to legal controls. Thus, Islam has developed a balanced model for the role of women, combining the preservation of their dignity and the achievement of justice between them and men, far from excess and neglect. This is what was clearly stated by the Sunnah of the Prophet when the Prophet, may God bless him and grant him peace, approved the principle of equality in his sentence: "Women are the sisters of men. Only a generous person honors

them, and only an unkind person humiliates them." (The Prophet Muhammad confirmed this in his last will during the farewell pilgrimage when he said in the famous sermon, "... And do good to the women, for they are your prisoners).The Holy Prophet was also eager to treat women well in a straightforward hadith when he said: "The best of you is the best for your family, and I am the best for my family(. What is meant here is the woman and the others.

• The role of women in advancing the civilization of the Islamic West:

The stereotyped writings to which we are accustomed and which always confirm that women in the Islamic West had a high status and distinction, and that all segments of society respected and fully appreciated them, are not false, but they are not at all true, for many have imposed their respect(. appreciation and status through the achievements they have presented to society in various civilizational fields, including politics. The sources praised many of them, although research for them was difficult given their rarity. These include, but are not limited to:

- In Kairouan, Asma bint Asad bin Al-Furat, who died in 250 H/864, became famous. She was one of the most distinguished women of her time, as her father raised her with a pure upbringing. She is used to attending scientific and jurisprudential advice and participating with students in questions and debates. She became famous for narrating hadith and jurisprudence according to the school of Abu Hanifa Al-Nu'man utcKhadija bin Sahnun Al-Tanukhi). She died around 270/884 AD. (and she was one of the masters of reason, opinion, knowledge, virtue and religion and righteousness in Kairouan, as her father used to consult her on many issues, for it has been said that when the judiciary power was presented to her, he did not accept even after consulting her, and she had taken the knowledge and jurisprudence of her father, Saeed Sahnoon Al-Tanukhi (240 AH 854 AD), the sheikh of the Maliki school in Africa and in the Islamic West, which took over the most famous jurists Maliki from Morocco and Andalusia, and Khadjiya bint Sahnoon was consulted by women of her time on questions of religion and the world.Abida Al-Madaniyya in Andalusia, who was a black slave who narrated from Imam Malik (it has even been said that she narrated less than ten thousand hadiths). Although she was a slave, her work made her respected by everyone.The sister of Imam Aflah during the Rustami era, and she was competent in many sciences and knowledge. Similar to arithmetic, astronomy and astrology until she surpassed Imam Aflah, the daughter of Imam Abdul Wahhab was also one of the brilliant scholars in sharia and linguistic sciences, and his counterpart Bahloula, whose house became a sanctuary for scholars(- Balara Al-Hamadiyah was a patron of culture and science in the state of Hammadid.- Zahr's daughters were mostly midwives and qualified doctors who specialized in gynecology in the Islamic West.- Regarding the field of poetry, many of those who excelled there have emerged, including, for example, Aicha bint Ahmad bin Muhammad Qadim al-Qurtubiya (400-1009 AD), about which it was said that there was no one in Andalusia at her time who was equal to her in knowledge, literature, eloquence, chastity and generosity. She was a poet who praised the kings and addressed them. She wrote the Koran with good handwriting, collected books and taught women's literature.Hafsa Al-Rukuniya, who was a distinguished poet, won the respect of the Almohad caliph Abdul-Mu'min bin Ali, who gave her many gifts, donations and donations. Some of them participated in trade, crafts and care, and they also worked in agriculture; Abdul Aziz Filani mentions that the women of Tlemcen fought alongside the men during the era of the state of Zayyanid.

•Women from the point of view of lawyers and researchers:While the Islamic religion laid the foundations and legislated our laws that took women out of the modest social status in which they lived before Islam, the majority of jurists in the East and West were firmly convinced that they were less important than men. Some of them considered them as a paralyzed entity and a powerless element that had value only in the presence of men. One of Morocco's jurists even issued a fatwa that says a house in which there is no man has no holiness. They said about the woman that she had a small rib and was deficient in reason and religion, as stated in the noble hadith. (although the interpretation of the Noble Hadith has another meaning) , and they did not always emphasize the need for her to remain subject to man.As for the scholars, their opinions differed. Some of them agreed with the lawyers in their point of view, and some of them were fair to women and defended them. Among them, for example, but not limited to, are Ibn Khaldun, Ibn Rushd the philosopher, Ibn al-Khatib, Ibn Hazm, and others. For example, Ibn Khaldun (d. 808 AH), although he did not devote special chapters to his opinion on women, there are some references in his works. He describes them as a receptacle for men, and describes them as cowardly and submissive to men. He stressed that whoever is in power, whether in the family or in the state, must be a man. In this way, we find him announcing his adoption of the male vision that was prevalent at that time due to limited roles and looks in society. As for Lisan al-Din Ibn al-Khatib (776 AH), he describes the women of Andalusia with the most beautiful qualities, saying about them: "The women of Andalusia are the most beautiful thing that the eye desires, the most refined thing that the mind seeks and the noblest thing for which the soul strives, except that height is rare in them." However, he advised his children not to take into consideration the opinion of a woman, which confirms that he adopted the eastern view that was prevalent at that time among the elite and the people.

As for Ibn Hazm Al-Andalusi Al-Zahiri (456 AH), his view of women was different from that of most scholars and jurists. He admits that he was trained by them (i.e. the slave women), as he says about them that they taught me the Koran, recited many poems to me and trained me in calligraphy. "He presented his opinions about her without embarrassment or denial, and he detailed her problems and secrets without exaggeration by cursing or

insulting them. The important thing is that Ibn Hazm is one of the few jurists who did not rely on the consensus of scholars in their strict position on women. He also expressed his feelings towards women with all his courage and considered that repressing feelings and concealing emotions is a kind of hypocrisy, lies and ostentation, and that insinuating to belittle and restrict women on the pretext of their incompetence, rather, he sees that the righteous among them are righteous and that those who are corrupt according to their corruption are like men in this." Here we find that he did justice to the concubines, while Ibn Hazm described free women as insignificant. As for Ibn Rushd (d. 595 AH), he was the first to raise the slogan of contestation and to refuse to accept the opinions of jurists concerning women. He said that women are full members of society, no less than men. He worked to change the lower view of women, which established the dominant culture. Ibn Rushd even called for equality between women and men, and he exaggerated this by giving them the right to leadership, because according to him they lack neither reason nor good management. Ibn Rushd sees in the issue of women's rights and their equality with men an affirmation that may have preceded his time. Ibn Rushd spoke about women in the book "The Compendiums of Plato's Politics", which is a summary of the book "The Republic of Plato", which is one of his books whose Arab origin is absent. We received a summary of it from the French thinker Ernest Renan (1823-1892) in his book "Ibn Rushd and Rushdianism". Ibn Rushd's view of women is that of contemporaries, which we quote textually, as Renan put it in a translation from Latin to French: "Women differ from men in degree, not in nature. They are qualified to do everything that men do in terms of war, philosophy and such, but to a lesser degree than them, and they sometimes master it. As in music, although the perfection of this industry is the composition by a man and singing by a woman. The example of certain African countries indicates their extreme propensity to war; it is not impossible for them to gain power in a republic [referring to Plato's "Republic"]. First of all, it should not be seen that the females guard the herd as the males do. Here we find Ibn Rushd who revolts against the inferior vision of woman as an inferior creature whose work is limited to procreation and service of men, and he recognizes that women are equal beings with the very ability to exercise power, to manage and lead. Therefore, you find him deciding that "Such is the intelligence and good preparation with which some women are created, so this does not prevent there from being among them wise men and women"

Women from the point of view of Sufis:

Sufis often warned men against women, as they considered them an evil being, and many of them described them as the devil and a source of temptation. They called to stay away from them because, according to them, they are one of the most important reasons that distract them from worship and drawing closer to God. Thus, many Sufis abstained from marriage from this point of view and preferred a life of celibacy rather than falling into what is forbidden. On the other hand, we find some Sufi figures who tend in the opposite direction, such as Ibn Arabi, who was a student of the women of his time, like his wife Maryam bint Muhammad bin Abdoun al-Baja'i, Fatima bint Ibn al-Muthanna, Shams Umm al-Fuqara' and others, which is evident in his words: "Know that since humanity is a universal reality for men and women, men have no degree of humanity compared to women •

Women from a public perspective:

The point of view of ordinary people on women did not differ, because the vision of inferiority and lack of stability of mind was firmly established in the minds of men in general, the elite among them before ordinary people, with the exception of a few-some of them that cannot be compared in general. What confirms this case is that giving birth to women was a lacuna in women's rights and a mistake for which only the woman would often be held responsible, and all men preferred to give birth only to men, for several reasons, even if the Islamic religion does not survive this trend, when the Prophet described them as precious women. The book "Proverbs of the People" by Al-Zajali (d. 695 AH) is considered a living image through which we can touch the most important popular proverbs that have transmitted to us the image of women in the Middle Ages in general. This source mentions about 2,157 proverbs, of which only 80 were dedicated to women, and most of them were characterized by negativity; thus, women were described as cunning sometimes, lazy and irresponsible at other times, and as careless and superficial in their way of thinking, and have spoken a lot, and created many problems, such as their saying, for example: Every calamity is caused by a woman, which means that every problem and every calamity is caused by a woman. Among them is their saying: "I divorce her while she is in bed." What we mean here is that she was only concerned with decorating herself and did not care about anything else because of her lack of reason and religion. According to the people, women are subordinate to men and have power or strength only through their will. Women are there for pleasure, procreation and service and do not have the right to express their opinion on men's affairs, even if they did a lot to preserve their families. They work in many professions in order to support their children and thus provide for their husbands. There are other popular proverbs that do justice to women and grant them the status they deserve, notably their proverb: "He asked a woman in marriage and the woman is a knitting machine," and what we mean here, it's that the happy man who proposed to a woman combined physical beauty with mastery of work and knitting. They say: A woman is a maraqa, so increase her dowry. The word maraqa means she is skillful and competent in cooking, so don't hesitate to honor it by increasing

her dowry. In general, these proverbs were a mixture of the various experiences that the public lived and depicted through their popular proverbs, which also expressed the level of their thought.

CONCLUSION

In the end, we can conclude that the vision of Western Islamic society was characterized by duality in many places. Respect and appreciation were accorded to particular women or a specific group of them who were able to impose their dominance and respect for what they offered to society in one of the civilizational aspects, or for their political roles, which have been decisive in many countries of the region.

In the pre-Islamic era, when women were an example of shame, they were transformed into creatures with their own entity and human and societal role, playing fabricated roles in political, scientific and cultural aspects, transcending the accepted stereotypical image. Jurisprudential discourse has emerged in the role of jurists and scholars such as Ibn Rushd and Ibn Hazm in their work to ensure equality with men in rights and duties, as well as their ability to hold high positions in accordance with Islamic law, as well as their right to education, inheritance, and the choice of a good husband, which confirms the ability of Islamic jurisprudence to strive and progress.

At the grassroots level, public discourse was more complex because it was influenced by customs, traditions and norms, and did not always reflect reality as it should because it differed according to popular culture and its ability to adapt to religion and morality.

In the end, this research constitutes a modest contribution to the understanding of women's issues in the Middle Ages and responds to the need for comparative studies between different trends in women, correct the inherited image by benefiting from moderate visions aimed at strengthening moderate religious discourse.

- Appendices:

- Annex 01:

We say about women that as long as they and the man are of the same sex for the ultimate purpose, they are equal to the man in respect of gender and different from them only up to a certain point...

If it turns out that women should participate with men in war and other things, we may have to ask in their choice the same thing as we asked for men, to raise them in music and sport.

- Annex 02:

I saw women and learned from their secrets what almost no one else knows, because I was raised on their knees and grew up in their arms, and I didn't know anyone else...

I do not know that this nature is capable of women, except that they are free-spirited, with the exception of sexual relations and their motives, love and its causes, harmony and its aspects; they have no other use than that and were not created for anything else.

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