

A WOMAN LEADING THE JUM'AH (Friday) PRAYER

On the 18th March, 2005, Dr Amina Wadud lead the first Jum'ah Salat (Friday Congregational prayer) at the Synod House, 1047 Amsterdam Ave, on the North East corner of 110th Street and Amsterdam Avenue in Upper Manhattan, New York. Two groups called the 'Muslim WakeUp' & 'Muslim Women's Freedom Tour' sponsored this event for the 130 Muslim men and women who attended this prayer session. They set aside separate sections for women and men on either side of the hall, joined together by a shoulder-to-shoulder family section in the middle.

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Some of the media screamed the headline - "Women who took a huge step towards being more like men." However, in some women it triggered the thought of, "but, did we come closer to actualising our God-given liberation."

[Sister Yasmin Mogahed](#), a member of " Ask About Islam", Editorial Staff, in Wisconsin, USA, who is currently studying for her Masters degree in Journalism, answers the above question with a positive "I don't think so," in the first article.

In the second article we have also given you the opinion of Sr Hina Azam, an incoming Professor of Islamic Studies at the University of Texas who specialises in Islamic law. She argues her point from the Islamic Juristic methodology by which rulings are argued and a consensus agreed on.

1. EXCERPTS FROM AN ARTICLE BY SR YASMIN MOGAHED

What we so often forget is that God has honoured women by giving them value in relation to God - not in relation to men. But as Western feminism erases God from the scene, there is no standard left but men. As a result, the Western feminist is forced to find her value in relation to a man. And in so doing, she has accepted a faulty assumption. She has accepted that *man* is the standard, and thus a woman can never be a full human being until she becomes just like a man-the standard.

When a man cut his hair short, she wanted to cut her hair short. When a man joined the army, she wanted to join the army, and so on. She wanted these things for no other reason than because the "standard" had it.

What she didn't recognize was that God dignifies both men and women in their distinctiveness, not their sameness. And on March 18, Muslim women made the very same mistake.

For 1,400 years, there has been a consensus of scholars that men are to lead Prayer. As a Muslim woman, why does this matter? The one who leads Prayer is not spiritually superior in any way. Something is not better just because a man does it. And leading Prayer is not better just because it is leading. Had it been the role of women or had it been more divine, why wouldn't the Prophet have asked Lady `A'ishah or Lady Khadijah, or Lady Fatimah-the greatest women of all time-to lead? These women were promised heaven and yet they never led Prayer.

2. SOME THOUGHTS OF Sr. HINA AZAM

The centrepiece 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.

1. Salat al-jumu'ah and the requirements of the imamah 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 fulfilment of one, and some the other, and some fulfil 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

But now, for the first time in 1,400 years, we look at a man leading Prayer and we think, "That's not fair." We think so, although God has given no special privilege to the one who leads. The imam is no higher in the eyes of God than the one who prays behind. On the other hand, only a woman can be a mother. And the Creator has given special privilege to a mother. The Prophet taught us that heaven lies at the feet of mothers. But no matter what a man does, he can never be a mother. So why is that not unfair?

When asked who is most deserving of our kind treatment? The Prophet replied "your mother" three times before saying "your father" only once. Isn't that sexist? No matter what a man does, he will never be able to have the status of a mother.

And yet even when God honors us with something uniquely feminine, we are too busy trying to find our worth in reference to men, to value it or even notice it. We too have accepted men as the standard; so anything uniquely feminine is, by definition, inferior. Being sensitive is an insult, becoming a mother is a degradation. In the battle between stoic rationality (considered masculine) and selfless compassion (considered feminine), rationality reigns supreme.

As soon as we accept that everything a man has and does is better, all that follows is just a knee jerk reaction: if men have it, we want it too. If men pray in the front rows, we assume this is better, so we want to pray in the front rows too. If men lead Prayer, we assume the imam is closer to God, so we want to lead Prayer too. Somewhere along the line, we've accepted the notion that having a position of worldly leadership is some indication of one's position with God.

A Muslim woman does not need to degrade herself in this way. She has God as a standard. She has God to give her value; she doesn't need a man here.

In fact, in our crusade to follow men, we, as women, never even stopped to examine the possibility that what we have is better for us. In some cases, we even gave up what was higher only to be like men.

Fifty years ago, we saw men leaving the home to work in factories. We were mothers. And yet, we saw men doing it, so we wanted to do it too. Somehow, we considered it women's liberation to abandon the raising of another human being in order to work on a machine. We accepted that working in a factory was superior to

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 the 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

raising the foundation of society-just because a man did it.

Then after working, we were expected to be superhuman-the perfect mother, the perfect wife, the perfect homemaker, and have the perfect career. And while there is nothing wrong, by definition, with a woman having a career, we soon came to realize what we had sacrificed by blindly mimicking men. We watched as our children became strangers, and soon recognized the privilege we'd given up.

Waraqah'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 Waraqah'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 favour of woman imams." Can it really be that the same scholars who preserved for us the hadith of Umm Waraqah 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 Madinah and designated Umm Waraqah 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 marginalisation 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 masajid to implement these. I realize that my recommendations will not satisfy those who favour 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 hair splitting. 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.