

WOMEN IN THE RITUALS OF SUNNĪ ISLAM FROM THE MIDDLE AGES TO THESE DAYS

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1 A Classical Muslim legal opinion on the compulsory position of women

Ibn al-Ḥāğğ, a 14th century Moroccan Mālikī scholar of law had spent the last years of his life in Egypt and died there.¹ He became horrified by the several popular customs he had met there and had found heretical, first of all, the libertinism of women, and their participation outside their houses in rituals which should have been allowed only for men or sometimes not even for them. In his book, Ibn al-Ḥāğğ attacked the visitation of graves, the celebration of dubious festivals, including Christian ones, and the “un-Islamic” behaviour of Muslim women. He described the regulations of the Mālikī Islamic law school, which he followed and considered binding for the whole Muslim community in his four-volume book entitled “*Introduction to the Noble Islamic Law According to the Four Schools of Jurisprudence*” (in short it is simply called *Madḥal*).² It is an interesting speciality of this work that the author does not simply prohibit what he considers wrong and commands what he holds good, but he also gives detailed descriptions of the phenomena he considers blameworthy, giving social historical character to his work.

A second tract of the same genre is *Kitāb al-luma‘ fī l-ḥawādīt wa-l-bida‘*, written around 1300 by Idrīs ibn Baydākīn at-Turkumānī. In it, the author criticized innovations which were widespread among Muslims in Mecca, Egypt, and Syria, such as singing and dancing at mosques during prayer time and the participation of Muslims in Christian holidays. He also condemned the veneration of graves and the cult of the dead, and women’s repugnant habit of singing and dancing while performing the pilgrimage (at-Turkumānī, *Luma‘*, I, 76-100, 214-29, 287-316.).

¹ Abū ‘Abdallāh ibn Muḥammad al-‘Abdarī al-Fāsī, known simply as Ibn al-Ḥāğğ, died in Cairo in 1336–37.

² Ibn al-Ḥāğğ, *Madḥal aš-Šar‘ aš-šarīf ‘alā l-maḏāhib al-arba‘a*. Cairo, n. d. 4 vols. As Colby (2005:34) characterizes it: “His work *Introduction to the Noble Law* can profitably assist the attempt to reconstruct the beliefs and practices of the Cairene populace in thirteenth–fourteenth century Egypt, so long as one keeps in mind its fundamentally polemical stance as a tract written to expose the malicious innovations perpetuated by that populace.”

The chapter of the *Madḥal* of Ibn al-Ḥāǧǧ on the rightful behaviour of women (I, 246) begins with the following *salafī* tradition of unnamed source:

“A woman may leave her house only in three cases:

- when, after the wedding, she is conducted in solemn procession to her husband’s home,
- when her father or mother dies,
- when she is brought to the cemetery.

However, Ibn al-Ḥāǧǧ himself considers this standard an unattainable desire, at least in the libertine Egypt, so he states a more lenient set of conditions for the women’s behaviour outside their homes.

The following descriptions deriving from different ages show that the complete segregation of sexes has always proved an impossible requirement.

2 The usual scheme of the relation between man and woman in Islam³

In the relevant Western literature dealing with Islam the position and roles of Muslim women, as compared with those of men, are examined according to the following scheme:

<i>The traditional Arab family model</i>	
<i>Man</i>	<i>Woman</i>
Independent, with economical-political power	Dependent without economic power
Visible public existence	Existence in the private sphere
Wide range of activities	Existence at home, the house is the space for the women
Right to learn	Limited right to learn (<i>changing</i>)
Purity of descent	Intangibility, the honour of the family

<i>The function of the man</i>	<i>The function of the woman</i>
Obligations of defence and supervision	Giving birth to offsprings, housework (<i>also at the farm</i>)
Pursuits for earning money	Pursuits not bringing money (<i>changing little by little</i>)
Activity, control	Passivity, subordination to and enjoyment for the man
Ideal state: father of son(s)	Ideal state: aging mother, step-mother or widow

³ According to Ramzi-Abadir 1986:94.

This model contains many fundamental truths and generally serves as a useful starting point for the sociologists to make judgements on the position of women in a Muslim society, but only if one does not consider it more than a first approach and a simplified initial pattern to be applied when trying to describe the complex social and private situations faced by women in their everyday life. However, it must be observed that the actual experience does not wholly conform to this pattern, since there are different kinds of divergences from the wide spread presuppositions reflected by the above scheme. From a socio-psychological point of view, this extremely abstract characterization of the Muslim woman cannot be considered a useful method because it cannot reveal how women succeed in finding different ways and practices to solve their social and private problems which comply with their particular interpretation. All these practices are of religious nature and help them not to feel their position in society and family unbearable, provided that their circumstances remain normal, not counting the death of the father, remaining spinster, becoming widow or divorcee. Following their own religious customs women do not feel that their activities are completely separated from those of the men.

The heightened interest of Western researchers to explore fundamental questions in connection with the position of women and their living conditions in Islam dates back to only about four decades, but several misconceptions which served as a basis for these studies seem to be obvious. It is a general opinion that the long standing conditions of women in the Islamic society are unalterable and cannot be changed. Another false view maintained by many experts is that Islamic law as the fundament of Muslim life is given in a definitive and stable form, which it is not. This inaccurate conviction, to be sure, has always been supported by the Islamic jurisconsults themselves, professing the eternal character of the Divine Law. Notwithstanding, they also acknowledge that, with the exception of the so called Qur'ānic laws (mainly the *hudūd* laws), the interpretation of the underlying texts and the methods used are the results of human effort which may differ from one legal school to another or even within a specific school. The same consideration bears on the rules concerning women and their prescribed behaviour. As Margaret Rausch puts it: "The recently established institutionalized role of *murshidah*, woman preacher and spiritual guide, trained and certified by the Moroccan state to offer spiritual counselling and instruction in Islamic doctrine and practice to women, is the most recent manifestation of the ever-changing nature of religious authority in Islam."⁴

⁴ Rausch 2012:59. Evidently this and other new positions for women in Morocco invest women experts on the foundational Islamic texts, the Qur'ān, and the Sunna of the Prophet, with religious authority. Unlike many of their historical and contemporary female counterparts, the women holding these positions enjoy official state recognition.

Furthermore, it does not seem an accurate description that in the traditional Islamic societies, primarily in the mediaeval cities, women should have lived in complete seclusion in their homes. Broadly speaking, the evidence on women in early Muslim society suggests that they characteristically participated in and were expected to participate in the activities that preoccupied their community, and these included religious activities.⁵ Contrary to many views, religious practices and the active participation in different public rituals and ceremonies have been essential for women to ensure their inner peace and harmony to bear the vicissitudes of everyday life.

The active and frequent participation of women in the religious rituals during the centuries generally signifies their deep religiosity. They have always been indubitably more involved in religious matters and have given more consideration to them than the men to whom, especially in the last century, the socio-political aspects of religious life have exercised the real appeal. For many men, however, the female religious life is nothing more than a bundle of superstitious fantasy. You cannot explain away everything that women practise or imagine as superstition, fear, or religious bigotry. The Nobel laureate Egyptian writer, Nağīb Maḥfūz certainly belonged to these men when he depicted one of his heroines, Amīna as an extremely superstitious woman, in the novel *Bayna l-qaṣrayn* (“Palace Walk”), the first volume of his famous “Trilogy” (*aṭ-Ṭulāṭiyya* II, 328–329):

“She had married before she reached the age of fourteen and had soon found herself the lady of a big house, after the father and mother of her husband died. ... After a short nap she would lie awake for hours, waiting for her husband to return home from a long night out. ... She had been terrified of the night when she first lived in this house. She knew far more about the world of the jinn than that of mankind and remained convinced that she was not alone in the big house. There were demons who could not have been lured away from these spacious, empty old rooms for long. Perhaps they had sought refuge there before she herself had been brought to the house, even before she saw the light of day. She frequently heard their whispers. Time and again she was awakened by their warm breath. When she was left alone, her only defence was reciting the opening chapter (*Sūrat al-Fātiḥa*) of the Qur’ān and the 112th chapter (*Sūrat al-Iḥlās*) from it, about the absolute supremacy of God, or rushing to the lattice-work screen at the window (*mašrabiyya*) to peer anxiously through it at the lights of the carts and the coffeehouses, listening carefully for a laugh or cough to help her regain her composure. ... When her children had been born ... her fears were multiplied by her troubled soul’s concern for them and her anxiety that they might be harmed. She would hold

⁵ See, e.g., Ahmed 1992:60ff.

them tight, lavish affection on them, and surround them, whether awake or asleep, with a protective shield of Qur'ān *sūras*, charms, amulets and incantations. ... When she was alone with an infant, rocking him to sleep and cuddling him ... she would call out in a loud voice, as if addressing someone in the room: 'Leave us alone! You do not belong here! We are Muslims and believe in the One God.' Then she would quickly and fervently recite the 112th *sūra* of the Qur'ān about the uniqueness of God. ... If she happened to sense one of the evil spirits prowling about she said: "Have you no respect for those who worship God the Merciful? He will protect us from you, so do us the favour of going away!"

Though the writer does not pass a sentence upon his heroine so described, it is made for him by the Algerian Sonia Ramzi-Abadir, whose main field of research is the sociology of literature and who is interested in characterizing the female figures in contemporary Arabic literature. According to her opinion, the Egyptian writer brilliantly connected Amīna's superstitious imagination and her passive mentality. Then she goes on saying: "The religiosity of a traditional Arab woman manifests itself most frequently in superstitious and magical practices" (Ramzi-Abadir 1986: 137–140).

At the same time, it is to be noted what Ramzi-Abadir does not take into consideration, i.e. that Nağīb Maḥfūz does not seem to include in his novel any description of the religious activity of the husband, Aḥmad 'Abd al-Ġawād, which means that it may have been limited to the participation in the Friday noon prayer.

The Algerian writer, Rachid Boudjedra, sums up his characterisation of the Maghrebi women in his first novel, which deals with the negative consequences of the divorce and polygamy for the women: "Women are primarily not religious but superstitious" (Boudjedra 1969:76).

In my paper I endeavour, if not to question, but at least to amend this offensively one-sided view.

3 The classification of rituals from the point of view of women

- (i) Special rituals for women with male support
 - a. rituals inside the house
 - b. with the participation of family members only
 - c. together with neighbours and friends
 - d. outside the house, participation in rituals in public spaces
- (ii) Rituals for men with female support or passive presence
 - a. inside the house
 - b. outside the house

- (iii) Rituals exclusively for men
 - a. there is a parallel ritual only for women
 - b. women may occasionally be present
- (iv) Rituals with mixed men-women participation
 - a. inside or outside the house (mainly at some Sufi rituals, in different ages and territories)

Although in one type of the religious rituals it is the woman who plays the dominant role while in another type the man does the same, this classification reflects well the fact that both women and men participate in the rituals in one form or another, either actively or passively, as a spectator or in a preparatory or encouraging role.

4 The relation between Islamic law and the reality based on the legal handbooks and *fatwā* collections

There are two main opinions in the relevant literature in judging the regulations, suggestions and guidelines of Islamic legal writings:

- (i) One regards legal regulations identical with reality.
- (ii) According to the other they do not reflect real life and customs at all.

Both opinions contain truth to some extent but considering either of them as exclusively true would contort the truth and would be a simplification of the complex relations between regulations and life. Legal regulations did not always determine historical realities. Women's mosque attendance and participation are characterised by tremendous diversity across time and place and they depend on numerous factors.⁶ However, even legal regulations greatly differ in the question of women's mosque attendance. An Iraqi professor of Islamic law summed up the problems connected with the extent of legality of women's participation in the communal prayer as follows: "The jurists' opinions differ with regard to the legality of women's attendance of the prayer in the mosque, whether the community is obligatory (*wāğib*) or only recommendable (*mustahabb*) for the women in performing the prescribed prayers" (Zaydān 1993:210).

The position of women and their possibilities for attending Islamic religious rituals and ceremonies in the Middle Ages may be best reflected in a special kind of legal literature, that of the *fatwā* collections. However, the uncertainty surrounding, for example, the permissibility of women's prayer attendance in mosques appears in the total lack of this important question in many great *fatwā* collections, like those

⁶ For a summary of legal discourse on the topic of women going to congregational prayer in mosques, see Zaydān 1993: I, 209–215.

of al-Wanšārīsī's⁷ or Ibn Taymiyya's.⁸ Ibn Taymiyya, for instance, speaks about the clothes that should be worn by women and men during prayer in the mosque, and he answers the questions concerning the visibility of women's hair or the appearance of their legs from under their cloak and similar questions concerning women's head wears (Ibn Taymiyya, *Mağmū'at al-fatāwā*, XXII 76, 91–97), but not one relates to the impermissibility of women's mosque attendance, which, considering the several sayings of the Prophet on the contrary cannot be surprising. In his special collection of *fatwās* on women⁹ Ibn Taymiyya does not mention this topic either. The large Ḥanafī collection, *al-Fatāwā al-Hindiyya* compiled by Indian scholars in the 16th century did not mention women in connection with prayer.¹⁰

In our days, however, the *fatwās* making objections to women's mosque attendance have multiplied, mainly in Saudi Arabia, though they do not, and cannot, contain unequivocal prohibition, only suggestions for them to remain at home.

Muslim women attend mosques throughout much of the Islamic world, from the Masğid al-Ḥarām at the Ka'ba in Mecca to mosques from diverse backgrounds worldwide. However, not all Muslims agree that women should be present in communal worship, and even mosques that accept the practice often treat women differently from men. As UCLA Islamic law professor Khaled Abou El Fadl observes, accounts of women attending worship services at mosques go all the way back to the time of the Muḥammad himself. Not only does the Qur'ān emphasize equality and condemn keeping people away from communal worship, but the several pieces of *ḥadīṭ* make also reference to women praying and speaking in mosques with men. For example, since some men were wearing robes that left them exposed when lying prostrate in prayer, a *ḥadīṭ* commands women to wait for the men to get up first before lifting their own heads off the ground. On speaking about restrictions on women's attendance he notes that not all Muslims agree that women should be allowed to attend communal worship in mosques, and even religious authorities who permit the practice can place strict limits on attendance. For example, several fundamentalist leaders have banned or discouraged women from going to mosques, arguing that their presence creates sexual temptation for men and citing a disputed *ḥadīṭ* that says that a woman's place for prayer is in her home. Among conservative Islamic leaders who do not go that far, it is nonetheless common to encounter such rules as a requirement that women arrive through a separate entrance.¹¹

⁷ *al-Mi'yār al-mu'rib*.

⁸ *Mağmū'at al-fatāwā*. These and similar topics are collected in Vols XXII–XXIV.

⁹ *Fatāwā an-nisā'*, Cairo, Maktabat al-Qur'ān, no date.

¹⁰ Nizām al-Burhānpūrī *et al.*, *al-Fatāwā al-hindiyya*.

¹¹ Described shortly in Green 2017.

Over time, as Islam spread throughout Asia, Africa, and Europe, Muslim authorities increasingly stressed the threat posed to chastity by the interaction of men and women outside the home, including the mosque. By the premodern period, it became unusual for any woman, if not the very elderly, to frequent the mosque. By the late 1960s, increasing numbers of women were worshipping in mosques in the larger urban centres of the Middle East and South Asia, although in most areas women still generally stayed out of the mosque.

5 The main locations of the rituals

- (i) Mecca, the destination of the pilgrimage, where women participate in the ceremonies together with men.
- (ii) The mosque, from where women may have been excluded at certain times and places during prayer but they have always been there before and after prayer.
- (iii) The cemetery, where people make visits to the graves of holy men where women have always been present.
- (iv) The private house for family and small community rituals – with the participation or exclusive participation of women.
- (v) Community places, on the occasion of religious processions and the birthday festivities (*mawlid*) of the Prophet and the mystical saints. There women and men have usually been mixing in spite of the prohibition of the men of religion.
- (vi) Rented flats or tents for rituals where women may be present even if they remain in the background, except for the *zār*, which serves as an occasion for women to seek psychic relief.

6 Women at the Meccan pilgrimage

6.1 *With uncovered faces, mixing with men*

The position of women during the Meccan pilgrimage is quite specific and contrary to the theologically explained customary practice of women in other places of the Islamic world. It is prohibited by the religious law to wear any piece of clothes which touches the face. Thus, women cannot wear veil like *niqāb* or *burqa* which cover their faces or gloves on their hands. This habit confirmed by the Prophet¹² goes back to the pre-Islamic era when even men were prohibited to cover their faces which they

¹² For a detailed discussion of the relevant *ḥadīth* literature see aṣ-Ṣubayḥī 2008:49–80.

usually did against the sand. In pre-Islamic times it happened that both men and women made their ritual circumambulation around the Ka'ba (*tawāf*) naked. One can read a detailed description of this custom in "The Epistle on Singing Girls" (*Risālat al-qiyān*) of al-Ġāhiz:¹³ "Dubā'a asked her husband, an old man, 'Abdallāh to divorce her to be able to marry a younger man, Hišām. Although she did not tell him her final goal, 'Abdallāh became suspicious and said to her: I fear you are going to marry Hišām. But she replied: I will not do so. If you do – he replied – you must (among other things) make the *tawāf* naked. The woman did not refuse his conditions saying that she would not intend to marry again. Hišām, however, married her and she was obliged to perform the circumambulation of the Ka'ba naked. Then the writer adds a note: "Ladies up to the present day, both daughters and mothers of the caliphs and those below them in rank, perform *tawāf* with unveiled faces, for only in that way is a pilgrimage performed properly."¹⁴

Richard Francis Burton in the 19th century observed that "The wife and daughters of a Turkish pilgrim of our party assumed the Ihram at the same time as ourselves. They appeared dressed in white garments; and they had exchanged the Lisam, that coquettish fold of muslin which veils without concealing the lower part of the face, for a hideous mask, made of split, dried, and plaited palm-leaves, with two "bulls'-eyes" for light. I could not help laughing when these strange figures met my sight, and, to judge from the shaking of their shoulders, they were not less susceptible to the merriment which they had caused" (Burton, *Personal narrative II*, 141).

The Hungarian scholar Julius Germanus who as a Muslim made the pilgrimage three times, in describing his experiences during the pilgrimage writes about the women pilgrims as follows: "Unveiled women in white clothes are hustling cautiously into the wavering, billowy mess of men. Here they are not to be feared for, here there are no women and men, there are only believer souls looking for their salvation. Bedouin women of the Najd cut through the human waves with manly intrepidity shouting toward the Black Stone: "Oh, you daughter of the black night, give rain to our earth, in that case I offer up to you butter to oil your knots of hair. The daughter of the desert thought the Ka'ba and the Black Stone to be women who use cosmetics and give rain for a votive offering. The nearby Wahhābīs pushed them away roughly and scolded them for their superstitious ignorance" (Germanus, *Allah Akbar* 457).

The mixing of men and women in such measure would be strongly criticised by the religious scholars, but all this is allowed during the Meccan pilgrimage. We may see scenes on pictures and films where the women are praying in rows in front of the men or in the same row, which counts as improper behaviour of a high grade. This kind of indecency, having occurred in the mosques of Baghdad, had horrified some

¹³ al-Ġāhiz, *Risālat al-qiyān*, no. 12, Arabic text p. 5.

¹⁴ *Ibid.* no. 13, p. 6 (Arabic text), p. 18 (English translation).

men in the 12th century so that they asked a religious scholar whether it did not ruin their prayer. Ibn al-Ġawzī (died 1200), however, reassured them that though this kind of behaviour did not comply with the Islamic regulations the prayer would be valid (Ibn al-Ġawzī, *Aḥkām an-nisā* 43).

6.2 Love poetry composed during the Meccan pilgrimage (‘Umar ibn Abī Rabī’a and Ibn ‘Arabī)

This libertinism encouraged some poet to write poetry to unknown girls and women in different ages. The most famous of them was ‘Umar ibn Abī Rabī’a (died in 711), a poet regarded as of easy virtue, who lived in Medina as a rule but during the pilgrimage he regularly moved into his Meccan house. He only participated in the pilgrimages to accost unknown women and to write poems praising their beauty. The women celebrated in the poetry concealed their contentment by apparent indignation. Some of them had been ready even before entering the holy precinct to accept the poet’s approach and became offended if the poet had not written poetry about them. The poet had made the acquaintance of a woman he had fallen in love with in Mina, one of the sacred sites of the pilgrimage. He wrote: “If I am on the fire of love, do not hurt me, since I will remain her captive for ever. First, we met by the walls of the Ḥayf mosque (in Mina), oh, what a sweet moment it was!” In another case he wrote: “As I have gone across the rough ground of Mina a heavenly phenomenon unfolded herself, in the shape of an unveiled face” (‘Umar ibn Abī Rabī’a, *Dīwān*, 178, no. 171).

The garland of love poetry “The interpreter of desires” (*Tarġumān al-ašwāq*) by the great Arab mystic, Ibn ‘Arabī (died in 1245) was composed in similar circumstances in Mecca. On his arrival at Mecca in 598/1202 Ibn ‘Arabī found several scholars and divines, both male and female. Once when the night had fallen in the grip of ecstasy Ibn ‘Arabī started performing the ritual circumambulations round the Ka’ba, while at the same time composing verses aloud, when he became aware of a presence by his side. “All I felt was a light tap on my shoulder, made by the gentlest of hands. I turned around and saw a young woman. Never have I witnessed a face that was more graceful, or speech that was so pleasant, intelligent, subtle and spiritual. After that I took my leave of her and departed. I subsequently made her acquaintance and spent time in her company.”¹⁵ The inspiration of this girl, Nizām, induced him to write the *Tarġumān al-ašwāq*.

All this was only made possible by the free movement of unveiled women in the holy precinct of Mecca. Although he warned the reader in the introduction to his poems that “in composing these verses my allusions throughout were to divine inspiration and spiritual revelations” (Ibn ‘Arabī, *Tarġumān al-ašwāq* 24), his

¹⁵ Ibn ‘Arabī, *Tarġumān al-ašwāq* 26. Cf. Addas 1993:208–210.

carefully worded precautions were in vain and did not prevent the jurists of Aleppo from accusing him of producing an erotic work under the pretence that they were mystical poems. So, he decided to write a commentary on the *Tarġumān* in which he disclosed explicitly the spiritual meanings of the usual language of worldly love poetry, the *ġazal* (Ibn ‘Arabī, *Tarġumān al-ašwāq* 26).

6.3 Modern Saudi fatwā on the prohibition of veil and gloves for women in the pilgrimage

In the modern Islamic world, it is the Saudi community of believers who finds the rules of the pilgrimage strange and astonishing since the customs of face veil of face and wearing gloves in the street are most severely adhered to. Therefore, people are continuously asking decisions from their *muftīs* regarding the obligations for women. The former Saudi grand *muftī*, Ibn Bāz gave in 2006 the following *fatwa* to be considered obligatory for Saudi women during the pilgrimage: The woman in *iḥrām* for *ḥaġġ* or *‘umra* should not wear a *niqāb* or gloves, until she has gone through the first stage of exiting *iḥrām*.¹⁶ Then he added that she should follow the example of the wives of the Prophet and should let her head cover (*ḥimār*) come down over her face if she is worried that non-*maḥram* men may see her. But that concern is not ongoing, because some women are among their *maḥrams*. Those who cannot be away from non-*maḥram* men can continue to let their head covers come down over their faces, and there is no blame on them for doing so.¹⁷ This, however, can only be regarded as a suggestion (*mustaḥabb*) and no law (*ḥukm*) can be based on it for most of the legal schools. It is so, on the one hand, because this tradition goes back to ‘Ā’iṣā, and not to the Prophet. On the other hand, it speaks specially (*taḥṣīṣan*) about the wives of the Prophet, and not about an obligation for every Muslim. As videos and pictures taken during the pilgrimage show most of the female pilgrims do not follow this suggestion.¹⁸

6.4 Can a woman go on pilgrimage without her husband?

The purpose of the rulings of the Islamic jurists in connection with this question should be, according to all legal schools, to guarantee the security and comfort of Muslim women. Inasmuch as a woman performs the pilgrimage with a person to whom marriage is not permissible (*maḥram*), a trustworthy companion,

¹⁶ “The *muḥrima* (a woman in the state of *iḥrām*) should not cover her face, or wear gloves.” See al-Buḥārī, *Ṣaḥīḥ* III, 64.

¹⁷ See in more detail in Ibn Bāz, *Fatāwā*.

¹⁸ However, the Ḥanbalīs and the Šī’īs do not accept this interpretation followed by the three other Sunnī legal schools.

through responsible official supervision, or similar people, and she feels safe and secure, then it is permissible for her to perform the pilgrimage even when a *maḥram* does not accompany her. According to a *ḥadīṭ* included in the collections of al-Buḥārī and Muslim, the Prophet once said: “It is unlawful for a woman who believes in God and the Day of Judgment to travel for three or more days without being accompanied by her father, brother, husband, son, or another male companion” (al-Buḥārī, *Ṣaḥīḥ* 288, no. 1197; Muslim, *Ṣaḥīḥ* 976, nos. 416–418). In another *ḥadīṭ* included in the *Miškāt*, a man told the Prophet: “O Prophet! I have been chosen to take part in a raid (*ġazwa*) but my wife has left for the pilgrimage.” The Prophet replied, “Go and perform the pilgrimage with your wife” (al-Ḥaṭīb at-Tibrīzī, *Miškāt al-maṣābīḥ*, 773, no. 2513). Scholars disagree on the meaning of these and similar texts. The question is, whether or not a *maḥram* must accompany a woman on her pilgrimage. Ḥanafī scholars argue that a woman must be accompanied by either her husband or a *maḥram*. Holding a contrary position, the Šāfi‘īs maintain that the presence of a *maḥram* is not necessary; rather, the main condition is a woman’s safety and security. According to those who follow the Šāfi‘ī School of jurisprudence, if a woman’s security is guaranteed by the presence of her husband, a *maḥram* or even trustworthy women, then she must be allowed to travel. Some of them go as far as to argue that while she is legally obligated to travel with at least one woman, if her safety is guaranteed without the need for any *maḥram*, she may travel provided she remains with the group. The Mālikīs do not insist on the presence of a *maḥram* provided her safety is guaranteed. In one account, Aḥmad Ibn Ḥanbal does make the presence of the husband or *maḥram* an obligatory condition though in another account, he does not.¹⁹

7 “Women’s sins” in Islamic rituals

According to mediaeval, and some modern, religious scholars, women commit the following sins during their participation in religious rituals:

7.1 *Leaving the house* (ḥurūġ)

Although Islamic family law, the so called personal status law (*al-aḥwāl aš-šaḥsiyya*) only prescribes for the woman the obedience to her husband, namely, that she cannot leave the house without the permission of her husband (*tā‘at al-bayt*),

¹⁹ “Narrated by Ibn ‘Abbās: The Prophet said: “A woman should not travel except with a *maḥram*.” A man got up and said, “O Allah’s Apostle! I intend to go to such and such an army and my wife wants to perform *ḥaġġ*.” The Prophet said (to him), “Go along with her (to *ḥaġġ*)” (al-Buḥārī, *Ṣaḥīḥ* III, 85).

some men of religion have considered the presence of women outside their houses to be dangerous for the community even if it happened with permission, especially without male accompaniment.²⁰

7.2 *Mixing with men (iḥtilāt)*

It is the necessary consequence of the former sin, since women are necessarily mixing with unknown men meeting them and occasionally speaking with them when participating in the external religious rituals and ceremonies, either they are alone or together with their close relatives. It has been considered immoral and even dangerous, causing temptation (*fitna*) or even discord and dissension between people. Ibn al-Ḥāǧǧ also describes what he sees as reprehensible innovations (*bidaʿ*) in the observance of Muslim religious festivals in Mamlūk Egypt. Furthermore, speaking about the Night of the Ascension festival in the night of the 27th of the month of Raǧab, Ibn al-Ḥāǧǧ objects to the manner in which men and women interact in the mosque during the evening of the festival. Such mixing between the sexes, according to the author, allows for too much of an opportunity for impropriety, especially since the women customarily adorn themselves with jewellery and makeup on this occasion (Ibn al-Ḥāǧǧ I, 297).

7.3 *Gatherings and meetings of women*

The consideration of these gatherings as sinful is based on the fear of the unknown since one cannot find out, as it was frequently said, what happens during the meetings of the women and as far as one learns these events “are to be condemned”. These anxieties, which almost form a “phobia”, result from the apprehension that women are apt to ruin the morals of the whole Islamic community and their too frequent meetings may lead to straying from the right path. To control women’s immoral actions, or immorality in general, was traditionally the task of the so-called market inspector (*muḥtasib*) in the cities. However, according to the principle of “enjoining right and forbidding wrong” (*al-amr bi-l-maʿrūf wa-n-naḥy ʿan al-munkar*), prompted by the Qurʾān²¹, every member of the community has the right to step up against a deplorable act in defence of the common morals. This principle has always been applied mainly to women.

²⁰ See, e.g. the opinion of Ibn al-Ḥāǧǧ, *Madḥal* I, 246.

²¹ In many places, e.g., 3:110, 7:157, etc.

8 Ibn al-Ḥāǧǧ's condemnatory description of the common participation of women and men in the rituals of 14th century Cairo

8.1 The author condemned what he called immoral female “innovations”, foreign to Islam, primarily the long absences of women from their houses. He objects, for example, to the presence of women in the annual *maḥmal* festivities. The severe Moroccan scholar, however, did not consider these women heretical or unfaithful only erring and straying, thus it is, he said, the obligation of men to show them the right path revealed in the Qurʾān (*ṣirāṭ mustaqīm*) (Ibn al-Ḥāǧǧ, *Madḥal* I, 267–268).

8.2 Visitation to the graves at night unveiled together with men

“As far as the visiting of graves is concerned, it is their ugliest and worst custom of all, since it comprises several harmful things. One of these is that women go out to the graves late at night together with unrelated men, despite the many cavities and smaller houses scattered among the graves, meant for the relatives of the deceased, which could be used for (illegal) seclusion (*ḥalwa*)” (*Ibid.*).

9 Women in the mosque

The assumption that women have been largely excluded from mosques for much of Islamic history is one that has longly prevailed, though historically neither scholarly disapproval of women's mosque attendance nor the absence from mosques was uniform or monolithic.

9.1 Prophetic traditions on the praying of women

The *ḥadīṭ* of Ibn ʿAbbās in *Ṣaḥīḥ al-Buḥārī* and *Ṣaḥīḥ Muslim* said: “I accompanied the Prophet on *ṭd al fiṭr*. The Prophet prayed and then delivered the sermon. Upon completing the sermon, he approached the women and delivered a speech to them, he reminded them and encouraged them to give charity” (al-Buḥārī, *Ṣaḥīḥ* 237, no. 978; Muslim, *Ṣaḥīḥ* 603, no. 885). The early mediaeval scholars of tradition understood this to be a proof for the impermissibility of mixing, thus Muslim placed this *ḥadīṭ* under the chapter title “The Permissibility of Women Leaving their Homes to Conduct the *ṭd* prayers, attend the prayer area, observe the sermon, in a manner, in which they abstain from mixing with men” (an-Nawawī, *Ṣarḥ Ṣaḥīḥ Muslim* VI, 174). Ibn Ḥaǧar al-ʿAsqalānī (died 1449) commented on this narration saying: “This *ḥadīṭ* indicates that women were separated from men and they were not mixed with them” (Ibn Ḥaǧar, *Fath al-Bārī* I, 192–193). an-Nawawī (died 1277) mentioned: “This narration informs that the women would conduct the prayer at the same time

as the men but their place was in a separate area. This was done out of fear of evil, looking, thoughts or other than this.” And: “The best (prayer) rows for the men are those at the forefront and the worst are those in the back; and the best rows for the women are those at the back and the worst are those at the forefront” (an-Nawawī, *Šarḥ Ṣaḥīḥ Muslim* IV, 159). Commenting on *Ṣaḥīḥ Muslim* an-Nawawī stated: “The reason why the last rows are preferred for the women who are attending prayer with the men, is in order that they remain distant from mixing with the men and in order that they do not see the men, so that their hearts do not become attached to them due to their seeing (the men’s) movements and hearing their speech” (an-Nawawī, *Šarḥ Ṣaḥīḥ Muslim* no. 440, IV, 369). Ibn Rağab (died in 1335) said: “If the women pray at the back, this will allow them to quickly leave before the men.” (Ibn Rağab, *Fath al-bārī* V, 314). The *ḥadīth* of Umm Salāma is recorded in the *Ṣaḥīḥ* of al-Buḥārī (205, no. 837). She said: “If the Prophet completed his prayer, the women would (immediately) stand (to leave the mosque). The Prophet would also wait (in his position) before standing.” In Ibn Ḥağar’s *ḥadīth* commentary one can read the following remark: “This narration informs of the dislike of mixing between men and women” (Ibn Ḥağar, *Fath al-bārī*, no. 875. II, 352). Ibn Qudāma said in his legal handbook: “If there is a congregation of men and women praying with the *imām*, then it is recommended that the *imām* and the men remain seated until it is felt that the women have left. The women should leave immediately after the completion of the prayer. This is because if the women remain seated and the men stand up quickly, this will lead to their mixing” (Ibn Qudāma, *al-Muğnī*, II, 254–255). Ibn Taymiyya wrote on the segregation: “Separation between men and women was the way of the Prophet and his rightly guided caliphs. This was done because mixing between the two is the cause of great temptation which may lead to evil and sin. If men mix with women, it is like fire mixing with wood” (Ibn Taymiyya, *al-Istiqāma*, I, 182).

9.2 *The opinion of an influential mediaeval religious scholar*

Ibn al-Ğawzī (died 1200) wrote a whole book on the legal rules relating to women. In the chapter “The praying of the women in congregation”²² he stated that women should not be allowed to go to the mosques and pray together with men since, according to him, the Prophet himself urged women to pray in the house. He even prayed together his wives in his house. A similar view was formulated by al-Ğazālī.²³

²² *Aḥkām an-nisā’*. The title of the chapter is: *Ṣalāt al-mar’a fī l-ğamā’a*, 36ff.

²³ al-Ğazālī, *Iḥyā’ ulūm ad-dīn*, handles this problem in the “*Kitāb an-nikāḥ*”, vol. II, 48.

9.3 *The circumstance prevailing in the al-Azhar mosque in the 19th century*

St. John, a 19th century English traveller described his visit to the Azhar Mosque, from which it can be seen clearly that he found the same conditions there as had been observed five hundred years earlier by the Moroccan religious scholar, Ibn al-Ḥāǧǧ:

“I visited, shortly before my departure, the two most remarkable mosques of Cairo, the interior of which few travellers have beheld, and none described. The first I entered was the celebrated mosque El Azhar ... On arriving at the gateway, we doffed our slippers, and entered a marble-paved court, surrounded by an elegant colonnade, the entablature of which is adorned with arabesques of bright red colour. Numbers of poor Musulmans, maintained by the charity of the foundation, were lying asleep on mats in various parts of the area; while others, in their immediate vicinity, were engaged in prayer. To avoid attracting the attention of fanatical worshippers, we passed on rapidly, as if brought thither by devotion, and traversing the court, proceeded into the body of the mosque, where a numerous congregation was assembled. Contrary to the ideas commonly prevailing in Europe, a large part of the votaries consisted of ladies, who were walking to and fro without the slightest restraint, conversing with each other, and mingling freely among the men” (St. John, *Egypt*, II, 335).

Based on this text it is clear, that urban women have continued to participate in the apparently religious social life with men, although some religious circles have not always greeted this behaviour with enthusiasm or found it pious. The Azhar Mosque, Egypt’s supreme religious body, has made countless provisions to limit undesirable behaviour during religious ceremonies, including women’s participation.

In addition to this, in 1881, the state also felt that it was necessary to intervene, and an official state circular governing religious life, which was issued by a semi-state-owned agency controlling Sufi orders, which had been created by Muḥammad ‘Alī in 1812 as the *šayḥ as-saǧǧāda* (“the shaykh of the prayer rug”), forbade the use of drums when women were present and explicitly provided for gender segregation when visiting cemeteries. However, the fact that this circular was needed meant that there was little progress in the way the reformers of al-Azhar would have wished, and many of the most disconcerting traditional customs, such as women’s active participation in certain ceremonies remained unchanged.²⁴

9.4 *The place of women in the mosque – before and during prayer*

In the last quarter of the 20th century many anthropological research dealt with the position of women in modern Islamic societies. In one of them, Evelyn A. Early

²⁴ See the description of Tucker 1985:109–110 and 114.

gives an excellent description of women's everyday behaviour forty years ago in one of the so called popular (*baladī*) quarters of Cairo, Būlāq, where the women preferred to visit the largest mosque of the district, Abū l-'Alā' (Early 1993:90). They spent more time in the mosque than men. "While *baladī* men tend to gather at the coffee-houses, *baladī* women's one acceptable public meeting place is in the mosques, where they not only pray but also sit in the quiet coolness. When I accompanied my friends to the market, we might slip into a mosque for a few minutes to rest. At formal prayer, women pray behind a curtain, to the side, or in the balcony, at other times they move freely throughout the mosque. Some *baladī* women pray five times a day and attend the morning religious instruction, which rotates among six mosques in Būlāq. *Baladī* women prefer companionship in rituals and they mobilize their associates to enhance the experience. Women attending such classes recognize their own hierarchy of religious learning and urge forward the woman most suited to lead the prayer" (Early 1993:93). Namely, most religious scholars acknowledge the imamate of a woman if only women participate in the prayer.

10 Visiting the graves of holy men

The *ziyāra* was another popular practice which, as we saw, drew scholarly fire. It also became a target for governmental action. We have scattered information about its banning. As early as 865 the prefect of Fustāt forbade women to continue their custom of visiting graves. He also inflicted severe punishments on professional women mourners.²⁵ A ban against women's *ziyāra* was declared once again in 1011, fearing the spreading of plague.²⁶ In the early fourteenth century, amīr 'Alā' ad-Dīn Ṭaybars barred women from outings to Cairo Necropolis, the Qarāfa on special days (*mawsim*) (Ibn Taḡrī Birdī, *an-Nuḡūm az-zāhira* VIII, 230). At the end of the same century, in *ramaḍān* of 793 (1391), women were prevented once again from visiting graves at the Qarāfa.²⁷ A ban on women's custom of performing *ziyāras* on Fridays was announced in 1421 and again in the following year, around the time of *īd al-fiṭr*, as well as on Fridays in 1432 (al-Maqrīzī, *Sulūk* IV, 486, 594, 619; Ibn Iyās, *Badā'i'* II, 147; Ibn al-'Umrānī, *Inbā'* III, 470, Ibn al-Furāt, *Tārīḥ* IX, 266.).

"Some graves (*maqam*) have a holy tree attached, where people hang a bit of cloth belonging to someone who needs to be cured. Visits to saints are undertaken by both men and women. Women tend to be in the majority, both because a number

²⁵ al-Maqrīzī, *Ḥiṭat*, I, 313: *nahā ... an taṣīḥa mr'atun ('alā mayyitin) wa-'āqaba fī dālika wa-ṣaddada.*

²⁶ al-Maqrīzī, *Ḥiṭat*, II, 287: *mana'a n-nisā'a min ziyārati l-qubūri fa-lam yura fī l-a'yādi bi-l-maqābiri imra'atun wāḥidatun.* Cf. Ignaz Goldziher 1971:320–21.

²⁷ This event was described by various historians, e.g., al-Maqrīzī, *Sulūk* III, 749; Ibn al-'Umrānī, *Inbā'* I, 318; Ibn al-Furāt, *Tārīḥ* IX, 266.

of saints specialize in women's problems such as pregnancies, and because women do not usually take part in communal prayer at the mosque. Visits to saints and moulids are a way for women to participate in the religious life of the community" (Biegman 1990:84).

In the 19th century an American traveller, Clara Erskine Clement observed how freely the Turkish women moved in the mosques and cemeteries: "The Turkish ladies go about with a freedom that ought to be sufficient for those of any nation. ... In Tuesdays they assemble in the cemetery of Scutari. On other days they go to Therapia, the Islands, or to the sweet waters of Asia. They make their devotions in the mosques or at the tombs of the Sultans. They witness the exhibition of the dervishes, and they do all these things with a will and an air of extreme enjoyment such as Christian women rarely show. ... The cemetery of Pera ... is called the Petit Champ des Morts. ... If the stone on which one sits is favourably located, he has glimpses of the Golden Horn between the trees, while the procession of veiled women and men of various nations who move up and down the hill, distract the attention" (Erskine Clement, *Constantinople* 249–250, 256–257).

11. Remaining in the husband's house (*tā'at al-bayt*)

11.1 "As the husband likes ... in 1919."

The following story derives from the novel of *Bayna l-qaṣrayn* by Nağīb Maḥfūz. The events of the novel begin in the aftermath of the First World War. In the followings I sum up briefly the events relevant to our topic:²⁸ Sayyida Amīna had longed all her life to go and visit the mosque of al-Ḥusayn in Cairo, one of the most important and favoured holy mosques and shrines in Egypt, having special attractiveness to women. Although the mosque lies some hundred metres from their flat in the Gamāliyya quarter of Old Cairo she could never go there because her husband had prohibited her to go out of the house. She was allowed only to visit her mother who lived next door, and this too in the company of her husband. However, when her husband, as-Sayyid Aḥmad had travelled to Port Sa'īd for a day, her 15 and 17 years old sons persuaded her to seize the opportunity and visit the mosque accompanied by them. The visit meant an enormous experience for the mother but in returning home she was run over an automobile and broke her shoulder. Since her husband at his return found her in bed she was obliged to confess her disobedience to his husband. During the weeks of her ailment the husband did not say a word but after Amīna had recovered from her illness he drove her away from the house. However, he did not divorce her wife who had moved back to her mother's house

²⁸ This story is shortened from Chapters 27–33 of the book.

and some weeks later when the son of an important man had proposed to one of his daughters he allowed her to come back to her home because, according to the custom, the mother should be present at the proposal. Later she was allowed in the house, but her husband never said a word to her till his death. The severity of the husband's behaviour was based on the rule of the obligatory obedience of the wife to her husband, sanctified by Islamic law (*tā'at al-bayt*), though it originated in the requisits of male society not religion proper. The disobedient woman hurts the socially recognized honour of the husband not his religious feelings.

The husband's prohibition would have been opposed even by Ibn al-Ḥāḡḡ, known of his strict views in the questions of female behaviour, since he wrote in his above mentioned famous book: "If the wife asks her husband to let her leave the house in a religious matter the husband is legally obliged to give her the permission. Otherwise the wife may turn to the judge for legal redress" (Ibn al-Ḥāḡḡ, *Madḡhal I*, 39)²⁹.

Although this is a literary example which, however, reflects perfectly the age in which the plot of the novel is placed as well as the age in which Naḡīb Maḡfūz wrote it, 1956, and represents in a faithful way the fact that the limitation of the liberty of women's movements has always been a matter of social requirements rather than religious regulations.

11.2 "The reward of obedience"

In 1980 the American anthropologist, Evelyn A. Early talked in Cairo to 'Azza, the daughter of a family well known to her, who had made a "conversion" to true Islam according to the new tendency which rapidly spread at that time and had dressed the *ḡiḡāb* (having become a *muḡaḡḡaba*) veiling her face in the street, and joined together with her cousin one of the *ḡamā'āt islāmīyya*, the extremist Islamic groups. She said to the anthropologist (Early 1993:121–122): "A *muḡaggaba* woman follows injunctions such as that she should obey her husband over her father. The *Qur'ān* tells of a woman whose husband was traveling and had told her not to leave the house. People came to tell the woman her father was dying. She went to the Prophet and said she needed to see her father, but the Prophet advised her: "Follow the words of your husband." People approached the woman when her father was in his last throes of death. She went to the Prophet again. He told her: "Follow the orders of your husband." The woman's father died, and she still stayed at home, following her husband's orders, and because of her obedience, the woman's father went straight to heaven." It would be a nice story showing the dividing line in a woman's life before and after wedding, the only trouble being that this story does not form part of the *Qur'ānic* text and the *Qur'ān* does not contain at all stories like this with the Prophet

²⁹ See also Ibn al-Ḡawzī, *Aḡkām an-nisā'* 95.

speaking to Muslims. It is, however, a Prophetic tradition (*ḥadīth*) of some kind, used for the re-education of newly convert girls.³⁰

11.3 “The wife’s place is in the house”

In conclusion, I would like to quote a few lines from the autobiography of an Iraqi female doctor. Though there are some similarities with the description of the Egyptian writer, it also stands in contrast to that (as-Sa’dī, *Ṭabība* 36): “My mother had never left our house, except when she brought us girls to the public bath, without the accompaniment of our father. They went to visit our aunt or one of the holy places in Baghdad.³¹ As for the shopping it was always my father who went to the market and shops in my early youth when our family was well off. In later times he had been ashamed of not being able to do the shopping in such a rich way and so he sent us girls to do the shopping in the nearby small shops.”

³⁰ In reality it is a so called weak tradition which was used in the Middle Ages, too, to discipline women. See for its weakness al-Qādirī, *Silsila*. It occurs in Ibn Baṭṭa’s *Aḥkām an-nisā’* referred to in *al-Mawsū’a al-fiqhiyya*, X, 224, where he explains that the obedience to the husband is obligatory (*tā’at az-zawġ wāġiba*), while to visit a sick relative is only recommendable (*mustahabb*). It is also cited by al-Ġazālī, *Iḥyā’ ulūm ad-dīn*, “*Kitāb an-nikāḥ*”, II, 58-59, under the heading “On the rights of the husband over his wife”. The *ḥadīth* in question is interpreted by al-Ḥāfiẓ al-’Irāqī, in his *Tahrīġ aḥādīth Iḥyā’ ulūm ad-dīn al-musammā Iḥbār al-aḥyā’ bi-aḥbār al-Iḥyā’*, edited below the pages of the original work. In the original tradition, of course, the woman did not go to the Prophet, since at that case she should have already left the house against the will of her husband, but only sent a message to the Prophet. In the variant tradition quoted by al-Ġazālī the husband is even more severe because the father of his wife lived in the same household, but only on the lower part while the wife’s family in the upper portion. He said “Do not go down from the upper part to the lower one” (*’ahida ilā mra’atihi an lā tanzila min al-’ulū ilā s-sufī*).

³¹ The expression used is *al-’atabāt al-muqaddasa* which means mosques containing a mausoleum of a member of the Prophet’s family (*ahl al-bayt*). One of these sacred mosques is the Kāẓimayn Mosque in Baghdad. Though this description is about a Šī’ī family, the customs and behaviour of women do not differ from those of Sunnī Islam.

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