

AN ANALYSIS OF SISTERS IN ISLAM'S (SIS) MISINTERPRETATION OF THE GENDER EQUALITY IN THE QURAN

Norzulaili Mohd Ghazali

Faculty of Quranic and Sunnah studies, Universiti Sains Islam Malaysia, 71800
Nilai, Negeri Sembilan, Malaysia.
E-mail: norzulaili@usim.edu.my

Robiatul Adawiyah Mohd

Faculty of Quranic and Sunnah studies, Universiti Sains Islam Malaysia, 71800
Nilai, Negeri Sembilan, Malaysia.
E-mail: adawiyah@usim.edu.my

Mohd Zohdi Mohd Amin

Faculty of Quranic and Sunnah studies, Universiti Sains Islam Malaysia, 71800
Nilai, Negeri Sembilan, Malaysia.
E-mail: zohdi@usim.edu.my

Nadzrah Ahmad

Department of Quran and Sunnah Studies,
Kulliyah Of Islamic Revealed Knowledge And Human Sciences, International Islamic
University Malaysia, P.O. Box 10, 50728 Kuala Lumpur, Malaysia.
E-mail: anadzrah@iiu.edu.my

ABSTRACT

The main agenda of feminism movements is to fight for gender equality between women and men. This agenda is advocated both by the Western as well as by some Muslim feminists. In Malaysia, a Muslim activist group who aggressively fight for gender equality is known as Sisters in Islam (SIS). This group has challenged and questioned the validity and reliability of the interpretation of some Quranic verses related to women, as it is felt that some of the verses were misinterpreted. To the group, the misinterpretation of the verses has led to misunderstanding regarding the positions and rights of women, which resulted into gender inequality. This paper aims to discuss the standpoint of SIS concerning gender equality by focusing on several issues; the superiority of men (qawwamah), the credibility of women as witness and the rights of women to be an imam. An analytical technique is used to analyse the SIS group's viewpoint on the issues by referring several printed sources and articles published. These views will be compared with prominent Muslim scholars' interpretation on related verses that has been used to find any contradiction or misinterpretation. The study concluded that SIS holds a misleading

understanding on the interpretation of certain Quranic verses led by misrepresented claims on the unfounded contradiction between the verses of the Quran.

Key words: Gender equality, feminism and Sisters in Islam.

1. INTRODUCTION

Throughout the human history prior to Islam, women have been victimized and made to suffer. They endured unbearable deprivation, sorrow and oppression in all past civilizations. They were treated like material property to be disposed of at the whim of the male guardian. They were not entitled to inherit from their parents or husbands (source). In other words, they were treated as if they were not human beings. However, Islam came and brought a new lease of life to women and elevated the status of women to great heights that enabled her to stand shoulder to shoulder with men. Islam dealt with women in a comprehensive way in the context of her relationship with Allah, her Creator and Lord, as well as with herself as part of humanity, and with man as her partner and spouse in the family (source). In Islam women received what is rightfully hers in various aspects of life; marriage, divorce, property ownership, education, inheritance and so on.

However, there are various calls for women's freedom, liberation and equal rights all over the world where many slogans have been coined for the marches. It advocated both by the Western as well as by some Muslim feminists. In Malaysia, Sisters in Islam (SIS) is a Muslim feminists that supports this assertion. SIS says: “ *In the creation of human being, the male and the female make up the pair. Since everything must be created in pairs, the male and female must be necessary, must exist by the definition of createdness. Neither one comes before the other. One is not superior than other*”. Based on this, they have challenged and questioned the validity and reliability of the interpretation of some Quranic verses relating to women and claimed that the commentators have made bias interpretation and therefore, put women in a lower position than men. Thus, the group felt the urgent need to re-read the Qur'an to discover if the text truly supported the oppression and ill-treatment of women.

Therefore, this study intends to discuss the standpoint of SIS concerning gender equality by focusing on several issues; the superiority of men (*qawwamah*), the credibility of women as witness and the rights of women to be an *imam*. An analytical technique is used to analyse the SIS group's viewpoint on the issues by referring several printed sources and articles published. These views will be compared with prominent Muslim scholars' interpretation on related verses that has been used to find any contradiction or misinterpretation.

2. THE BACKGROUND OF SISTERS IN ISLAM

Sisters in Islam (SIS) is a non-governmental organisation working towards advancing the rights of Muslim women in Malaysia. SIS was founded in 1988 by a group of Muslim women who came together to address the injustice women face under the Shariah (Islamic law) system. Our critical reading of the Al-Quran through a hermeneutical approach opened a world of Islam that we could recognise: a world for women that was filled with love and mercy, and with equality and justice. By the end of the 1990s, SIS activism had expanded beyond the specific issues of women's rights, into the larger issue of upholding democratic principles and fundamental liberties as guaranteed by the Federal Constitution and human rights treaties and conventions. It was thus that SIS began to take public positions on freedom of religion and freedom of expression. SIS mission is to promote the principles of gender equality, justice, freedom and dignity in Islam and empower women to be advocates for change¹.

It began with a question, if God is just as Islam is just “ why do laws and policies made in the name of Islam create injustice? This was the burning question faced by the founding members of Sisters in Islam (SIS) when they began their search for solutions to the problem of discrimination against Muslim women in the name of Islam.

Sisters in Islam first assembled in 1987 within the Association of the Women Lawyers (AWL) when several women lawyers and their friends came together under the Association's Shariah subcommittee to study problems associated with the implementation of new Islamic Family Laws that had been legislated in 1984, and enforced in 1987. The group was composed of lawyers, academics, journalists, analysts, and activists, and many women confided in them their marital problems and the difficulties they faced when seeking legal redress from religious authorities. These early meetings focused on problems with the law and its implementation, and the solutions needed to remedy shortcomings within the system².

Law reform, however important, was only the beginning of the journey. Many within the group felt that dealing with the law alone was insufficient, especially in view of the fact that Islam was being increasingly referred to as a source of injustice and oppression. Women complained that they suffered in silence. They believed that Islam demanded their complete obedience to husbands, even when the men deserved no such consideration. They were told repeatedly in religious lectures and sermons as well as at private homes, over the radio and television, at mosques and even in the courts that men were superior to women, that the evidence of two women equalled that of one man; that the husband has the right to beat his wife or to take a second wife, and that the only place for a disobedient wife in the Hereafter was Hellfire.

The nature of these early meetings thus began to change. Some within the group felt the urgent need to re-read the Qur'an to discover if the text truly supported the oppression and ill-

¹ *We Are Sisters in Islam: Empowering Voices For Change*. (2020, 10 October). Retrieved from <https://sistersinislam.org/about-us/>

² *Sisters-in-Islam-sis*. (2020, 10 October.). Retrieved from : <https://www.hati.my/sisters-in-islam-sis/>

treatment of women. The need for textual considerations was urgent, for women's groups that had been urging the Government to make domestic violence a crime now faced the problem of dealing separately with how the law applied to Muslims. For example, the Joint Action Group against Violence Against Women (JAG), formed in 1985, had encountered opposition from representatives of Pusat Islam who asserted that domestic violence laws could not be applied to Muslims at all. A Muslim man, they claimed, had the divine right to beat his wife, and no human law could deny him that right.

There was no turning back for Sisters in Islam. The group continued with its intensive research into the Qur'an, *tafsir* literature, Islamic law, and women's rights. Its research at the time focused on addressing two issues of urgent concern; equality between men and women, and domestic violence. Convinced that Islam contained a universal message of equality and justice, the group published one questions-and-answer booklet titled "*Are Women & Men Equal Before Allah? and Are Muslim Men Allowed to Beat Their Wives?*". This booklet was intended to provide a basic understanding of the message of equality in the Qur'an, and how human understanding of God's intent in a patriarchal world has led to inequality.

Today, SIS plays a key role in the local and international women's movement by providing input in understanding Islam from a rights-based perspective, advocacy strategies and networking, and is at the forefront of an emerging Muslim women's movement to push for reform both in the understanding of Islam and also to influence laws and policies enacted by Muslim governments or groups within minority Muslim communities³.

3. SISTERS IN ISLAM'S VIEWPOINT ON EQUALITY

The meaning of equality according to SIS is clearly stated in the small-size publication named "*Are Men & Women Equal before Allah?*" Through this book, SIS explain the meaning of equality by asking six questions and answering them. These questions and answers are⁴:

Question 1 : Are men and women equal before Allah?

Answer 1 : In the Qur'an there is no difference in the value given to the creation of women and the creation of men. There are several verses in the Qur'an which talk about the characteristics of pair in creation; 51:49, 53:45, 78:8, 50:7, 22:5, 36:36. Since everything was created in pair, male and female should be coexisted, by the definition of createdness. Neither one comes before the other. This means that in Allah's creation of human beings, no priority or superiority is accorded to either man or woman. However, many Muslims have come to believe that Allah created women from man's rib, and women is, therefore in her origin, derivative and secondary; that men are inherently superior to women; and women are for men's use.

³ *We Are Sisters in Islam: Empowering Voices For Change*. (2020, 10 October). Retrieved from <https://sistersinislam.org/about-us/>

⁴ Sisters In Islam (2006), *Are Men and Women Equal Before Allah?*, Third Edition. Petaling Jaya: Sisters in Islam (SIS), 3.

Question 2 : Are women and men created the same?

Answer 2 : No. They are not created the same. Biologically, women and men are different. But the difference doesn't mean that women and men are unequal in term of existence. In the eyes of Allah, Muslim women and men are equal participants in all aspects of Islamic life. In several verses in the Qur'an (33:35, 9:71-72, 4:124, 3:195, 40:40, 16:97), Allah specifically addresses both women and men, giving them equal roles and responsibilities in spiritual life and the Islamic struggle, and equal rewards and punishment for their actions⁵.

Question 3 : Are there things that only women or men can do in Muslim society?

Answer 3 : While only women can bear children, there is nothing in the Qur'an which is exclusive to men. Even '*risalah*' (being a Messenger) is not a function dedicated only for men, rather it is exclusive to a few exceptional individuals. Verses 21:7-8 of the Qur'an state that the messengers were men, only to explain that they were human beings and not angels⁶.

Question 4 : What are the problems in Qur'anic interpretation with regards to the equal rights of women and men in Islam?

Answer 4 : The problems are; (1) The isolation of Qur'anic verse from context and turning it into a universal rule or moral injunction. For example, Muslims who consider that polygamy is a "right" of men have overlooked that verse 4:3. (2) The Qur'an was revealed within a sociohistorical context. Some of the traditional *ulama* believe that even though a verse might be occasioned by a certain situation, its application is universal. For example verse 2:282, the injunction calls for two witnesses to a written transaction or contract. The context of revelation shows that it was uncommon for women to be dealing with business affairs and financial transactions. However, some traditionalists comprehended such circumstance as a specific situation with universal application hence bound to the law which stipulates two female witnesses equal to one of male.

Question 5 : Verse 4:34 has been commonly cited to subjugate women in the name of Islam. How should this verse be interpreted?

Answer 5 : This verse has been misinterpreted to mean: (1) Men have authority over women. (2) All men are superior to all women⁷.

Question 6 : What are the other verses in the Qur'an which talk about equality and mutuality in the relationship between women and men?

⁵ Sisters In Islam (2006), *Are Men and Women Equal Before Allah?*, 4

⁶ Ibid, 4-5

⁷ Sisters In Islam (2006), *op.cit*, 8

Answer 6 : In verses; 2:187, 3:195, 9:71 sum up the spirit of equality and mutuality that the Qur'an preaches in the relationship between women and men⁸.

Review

One basic element in the value system of Islam is the principle of equality or, better yet, equity. Islam unites the entire human race under one banner without any kind of discrimination. Allah SWT says:

"O mankind! We created you from a single (pair) of a male and a female, and made you into nations and tribes, that ye may know each other (not that ye may despise (each other). Verily the most honoured of you in the sight of Allah is (he who is) the most righteous of you. And Allah has full knowledge and is well acquainted (with all things)"⁹.

In Islam, both the male and the female are equal in terms of their humanity. Allah, the Exalted and Almighty, states in the Glorious Qur'an:

"O mankind! reverence your Guardian-Lord, who created you from a single person, created, of like nature, His mate, and from them twain scattered (like seeds) countless men and women;- reverence Allah, through whom ye demand your mutual (rights), and (reverence) the wombs (That bore you): for Allah ever watches over you"¹⁰.

Both males and females have similar rewards for obedience and penalties for disobedience in this world and the Hereafter. As stated by Allah in the Glorious Qur'an:

"For Muslim men and women,- for believing men and women, for devout men and women, for true men and women, for men and women who are patient and constant, for men and women who humble themselves, for men and women who give in Charity, for men and women who fast (and deny themselves), for men and women who guard their chastity, and for men and women who engage much in Allah's praise,- for them has Allah prepared forgiveness and great reward"¹¹.

However, this value of equality is not to be mistaken for or confused with identicalness or stereotype. The more identical or similar the more equality among people is right, and wherever there are differences, they must be reflected in treatment.

Therefore, it would be unrealistic to assert the absolute equality of human beings. We would say, though, that humans are basically equal in rights and duties as there is some degree of similarity in physical and mental traits which enables them to understand and apply rules and laws, and to be accountable. It is obvious at the same time that diversity among humans in traits

⁸ Sisters In Islam (2006), *Are Men and Women Equal Before Allah?*,10

⁹ Al-Quran, Al-Nisa' 4:1

¹⁰ Al-Quran, al-Hujrat 49:13

¹¹ Al-Quran, Al-Ahzab, 33:35

and talents is natural to them. Therefore, there will be limitations in terms of individual, social and political positions, as one inquirer did notice. Some of the limitations are temporary, some permanent; some are infrequent and vice versa. However, a limitation is specific. It may not be generalized to inequality in other rights. A person who is morally upright is not equal to a corrupt in terms of morality. Nor is an intelligent person equal to a dull one, but they are equal in other spheres. In the same way, woman is not identical to man in her traits, gifts, and abilities. The limitations in these examples are natural.

If absolute equality were maintained, it would lead to unendurable complications. Men would underestimate their abilities and neglect their talents, with deleterious consequences for mankind. The system of life is absolutely linked to recognizing legitimate privileges and rights, and no progress is possible without accepting these facts. The collapse of communism is a glaring example for those who have insight.

The Islamic *shariah*, in accordance with original uncorrupted creation, does not propound such equality as may ignore individual differences and talents and the natural variety among humans. The very diversity is a great source of good for mankind that the Islamic religion has realized.

4. SIS VIEWPOINT ON SUPERIORITY (*QAWWAMAH*) OF MEN

Argument:

SIS contemplated that a mistake was made when scholars interpret the word "*al-Rijal qaawamun 'ala al-Nisa*" in verse 4:34. This verse focuses on male responsibility as a provider to women and caregiver. It does not mean to show the weakness of women in managing their responsibilities and duties¹².

SIS opinion is in line with their teacher, Dr. Amina Wadud in defining the meaning of "*qawawamah*". Amina criticizes scholars who interpreted the word "*qawwam*" in the 4:34 verse as highlighting superiority of men over women because God created man to be powerful beings than women with outstanding mind and physical advantage. Amina said that such an interpretation is not guaranteed because there is no truth in the words used that show men are physically and intellectually superior to women. In addition, she stressed again, this interpretation is also incompatible with the teachings of Islam¹³.

Amina does not identify the responsibility of men to provide maintenance to his wife and family is due to the concept of man as an ideal being. In other words, responsibility is fixed in Islamic law as men receive more inheritance than women. And the advantage of the inheritance

¹² Sisters In Islam (2006), *Are Men and Women Equal Before Allah?*, 8

¹³ Amina Wadud (1999), *Qur'an and Women: Rerading The Sacred Text Form A Women's Perspective*, New York: Oxford University Press, 15

received by the men makes them able to bear and spend their wealth for women and it has nothing to do with "*qawwamah*" or superiority or advantage over women¹⁴.

Review:

From the above explanation of SIS, it is understandable that they claim the interpretation made by scholars of Islam showed inequality towards women, regarding them as having a lower position than men. This is completely untrue because as verse 4:34 does not indicate so. This is because the advantages given to men are in the shape of responsibility which man is responsible in giving dowry and paying alimony to women. When the man fails to carry out the responsibilities, then he will lose the supremacy¹⁵.

Verse 4:34 does not indicate the meaning of 'all men' or 'every woman' because of the aspects of the Arabic language letter *alif* and *lam* on the word "*rajul*" and "*nisa*" appearing in the verse 4:34 does not indicate the meaning of 'every'. Instead it showed to the usual situation where generally men were more capable than women and women were mostly not of such nature. And indeed occur, in some situations, there are men who could not make a living nor lead a good home. Hence, in this case there is no problem if women as wives take over the responsibility.

In addition, the supremacy given is not absolute, but it just lingers in married life. A woman or wife would still have the freedom to do her rights as provided by Islamic law, in which the husband should never deny that right. The Qur'an mentions a woman with the nature of "*al-suhbah*" (companionship) rather than servants or slaves. Thus, it is rather unfounded in Islam that the husband is "king" to the wife because Islam does not rule such claims. More accurately Islam requires the husbands to perform his duty as the head of family and not demonstrating the authoritative power against his wives. Therefore, all responsibility for the wife is actually a heavy burden on men as they not only have to do well in this world, rather they may even be accountable in the Hereafter¹⁶.

In point of fact, if seen from the meaning of the word "*qawawamah*" it does not linger on the advantages and superiority as feared by feminism. "*Qawawamah*" does not mean that men are superior to women but indicates the weight of responsibility men have compared to women. This is because in terms of language, it means fair and do things properly. While from the term aspect, "*qawawamah*" refers to a very serious responsibility to be done wholeheartedly. When you say "*al-Rijal qaawamun 'ala al-Nisa*", it means a man (husband) should carry the responsibility for his wife such as to educate, support, provide a good home and the likes¹⁷.

In conclusion, although the Qur'an says: "*al-rijal qaawamun 'ala al-nisa*", it does not mean that the men are the ruler of a household. Women too have their own roles to be executed.

¹⁴ Amina Wadud (1999), *Qur'an and Women: Rerading The Sacred Text Form A Women's Perspective*, 17

¹⁵ al-Qurtubiy, Muhammad Ibn Ahmad al-Ansari (1995), *al-Jami' Li Ahkam al-Quran*, vol.5, Beirut: Dar al-Ihya' al-'Arabi, 1995, 161

¹⁶ Ibn 'Asyur, Muhammad al-Tahir (1964), *Tafsir al-Tanwir wa al-Tahrir*, Vol 2, al-Qaherah: Dar al-Kitab, 181

¹⁷ al-Qurtubiy (1995), *al-Jami' Li Ahkam al-Quran*, vol.5, 161

There's no denying the fact that the importance and needs of both husband and wife to work together in managing the home and educating their children. The attribute of "*qawawamah*" is actually very heavy to bear. It is a responsibility that should be done as best as possible and this will be reviewed in the Hereafter. Rightfully, the advantages and superiority of men is not only seen on their aspect as dower and maintenance provider, but more than that. Managing the household and educating the children rest on the shoulders of men rather than women. If the woman or wife extends her assistance, she will get the reward for her actions. It should be understood, that when Islam put the responsibility on men, Islam actually gives recognition to women by not overloading them with this heavy responsibility.

5. SIS VIEWPOINT ON WOMEN BECOMING IMAM

SIS supports women to be imam for congregations composed of men and women. For them it is not an offense for women to be *imam*. They consider the concept of women leading the congregational prayer consisting of a male and female is not contrary to the Qur'an and the Sunnah because none of the Quranic verse forbids women to be the *imam* even if the parishioners consist of men and women.

First Argument:

Some scholars take the position of forbidding women to be *imam* in prayers pledging their opinion on a hadith reported from Jabir which means: "*Let not the woman leading the man, the Arab Bedouin leading Muhajjir and the sinners leading the believers*". It is found that among the narrators of the hadith reported from Jabir was Abdullah ibn Muhammad al-Adawi. According to scholars of hadith such as al-Bukhari and Abu Hatim al-Razi, a narration from al-Adawi is *munkar* (unacceptable). Abu Hatim stated that al-Adawi was an unknown person (*syaikhul majhul*). Ibn Abdul Thaur stated that al-Adawi was regarded as a liar. Therefore the *isnad* for this hadith is a weak (*daif*)¹⁸.

Truth be told, the concept of female priests for congregations of men and women did indeed exist in the history of Islam and not due to the influence of the western feminist movement as rumoured. Muslim community should not take a closed attitude as though there is no room in Islam for consideration. We are all truly responsible to continue and fulfilled the Prophet struggle that upholds the rights and position of women¹⁹.

There is a hadith narrated that the Prophet PBUH, had appointed an Ansar woman named Ummu Waraqah binti Abdullah, as *imam* for the congregations of men and women ". This Hadith

¹⁸ Sisters in Islam (2012), "*Does Islam Forbid Women Become Priests For The Pilgrims consists of Men And Women*". Retrieved from: www.sistersinislam.org.my

¹⁹ NNN Badlishah & N Kaprawi 2004, *Hadith On Women In Marriage*, Petaling Jaya: Sisters In Islam, 28

is recorded in the Book of Sunan Abu Dawud, Musnad Imam Ahmad Ibn Hanbal, al-Hakim, Ibn al-Jarud, Ibn Khuzaimah, al-Bayhaqi, al-Tabarani and al-Daruqutniyy²⁰.

Review:

SIS viewpoint in women becoming imam for congregations of men and women might be based on their interpretation of verses 21:7-8 and 27:23-44 of the Quran. The verses 21:7-8 state the messenger were men, only to explain that they were human beings and not angel. And the 27:23-44 extol the leadership of Balqis based on her capacity to fulfil the requirement and were not measured by gender. So, if the measurement is not based on gender, women and men can do the same thing in Muslim society included become imam for congregations of men and women.

According to issue women becoming *imam* for congregations of men and women, SIS argues, based on the hadith that says: "*From Ummu Waraqah r.a, the Prophet PBUH instruct her to lead her household*"²¹.

Hadith Ummu Waraqah comes in many words. Among them are:

*"From Ummu Waraqah, that the Messenger of Allah had come to her house and gave her a muezzin, and ordered her to lead the prayers in her home. Abdul Rahman said: And I see that the muezzin is an old man"*²².

The hadith shows that women can be a priest to the congregation consisting of men and women. Some scholars such as Daud, and Muzni stick to this hadith. While majority of the scholars insisted that the women cannot lead the men. It is clear that this hadith does not mention clearly if the *muezzin* man prayed behind Ummu Waraqah. The only possibility is that the *muezzin* called the *adhan* and then went to the mosque and prayed; he did not perform the prayer behind Umm Waraqah. This statement is in line with another narration of the hadith by Daruqutni using *... يؤذن لها ويقام وتؤم نساءها ...*. Meaning: "*... let her (Ummu Waraqah) chant the iqamah and led the women with her*"²³.

Dispute on this issue has actually centered on the Hadith on Ummu Waraqah binti Abdillah bin al-Harith as narrated by Abu Daud, al-Hakim and ordained by Ibn Khuzaimah. Among the purposes of this history is the narration: "*Allah's Messenger ordered her to be a priest to the household of the obligatory prayers.*"

²⁰ Sisters in Islam (2012), "*Does Islam Forbid Women Become Priests For The Pilgrims consists of Men And Women*. Retrieved from: www.sistersinislam.org.my

²¹ Daruqutniy, Ali bin Umar Abu al-Hasan (n.d), *Sunan Daruqutniy*, tahqiq: Muhammad Fuad Abd al-Baqiy, vol 1, number 2. Beirut: Dar al-Ma'rifah., 1403

²² Abu Dawud, *Sunan Abu Dawud*, vol 1, number 592, 230

²³ al-Sa'atyy, Ahmad bin 'Abd al-Rahman al-Bana (1990), *Al-Fath al-Rabbaniyy Syarh Tartib Musnad al-Imam Ahmad bin Hanbal al-Syaybaniy*, vol 5, al-Qaherah: Dar al-Jayl, 134

This dispute is also related to what is produced by Imam Ahmad from al-Walid street bin Abdullah bin Jami', he said: "My grandmother has told me that Ummu Waraqah who memorize the Quran was ordered by the Prophet to lead the prayers of her family and she has a muezzin".

Consensus of jurists reject these arguments and argue that this hadith is not clear. It does not explain that the muezzin praying behind Ummu Waraqah. The only likely is that the muezzin called the *adhan* and he went to the mosque for prayers together with the men as mentioned earlier²⁴. Apart from that, Sheikh Ahmad al-Syarbashi say that Ummu Waraqah led prayers in her home, which was not accompanied by any male congregation²⁵.

The same can also be said to be a special case for Ummu Waraqah because she was old and had memorized the Qur'an. Thus, this hadith cannot be made as the base and foundation of the arguments to the other cases²⁶. This is because there are rules that say *إن قضايا الأعيان لا تصلح دليلاً للعموم*. Meaning: "The specific things (specific) should not be used for the general proposition". Therefore, the case of Ummu Waraqah is included in cases of exclusion²⁷.

Based on the above, the SIS action to argue based on the hadith is not accurate. This hadith does not indicate a praying man behind Ummu Waraqah. Therefore, these assumptions without looking at the *syarah* book or sermon books should always be void because it might be guided by reason and passion alone.

Second Argument:

On the issue of women priests, SIS also said that not all revered scholars agree in justifying women to be the *imam* to the congregation of men and women. In fact, there are also scholars who accept the concept of women leading a congregation of men and women. For example, Imam Hanbali justifying women be priests to pray for the congregation of men and women to pray *tarawih* only. However, what is real, it remains to prove that Muslims (through the Quran and the Sunnah of the Holy Prophet) did not reject the concept of women to the priesthood in prayer for a congregation of men and women. Scholars like Ibn Taymiyya just put the condition that women priests ought to be fluent in al-Quran, which also is necessary for male priests. Apparently, the gender factor itself is not disputed, but the significant factor is whether she is knowledgeable or not.

Review:

SIS brings partly the establishment of Islamic scholars in line with their opinion on women should lead prayer. It is a minority opinion that is less acceptable opinions (not *rajih*).

²⁴ al-Sa'atiy (1990), *Al-Fath al-Rabbaniyy Syarh Tartib Musnad al-Imam Ahmad bin Hanbal al-Syaybaniy*, vol 5, 134

²⁵ al-Bakri, Zulkifli Muhammad & al-Takiri, Khairuddin Aman Razali (2005), *Hukum Wanita Menjadi Imam Solat*, Kajang: Darul Fuqaha Enterprise, 2005 92

²⁶ Ibid (2005), 93

²⁷ Ibid (2005), 95

The majority jurists opinion is acceptable in this matter. And in the matter of "women priests" SIS tend to use the minority opinion without seeing the whole discussion of scholars. SIS does not assess how the (*tariqah al-istidlal*) majoriti scholars argued on this matter. This is because the fiqh scholars not only adhere to the opinion of majority, but they look at how arguments are presented (*tariqah al-istidlal*) in determining the more acceptable opinions (*rajih*) or the weak ones (*marjuh*). If the arguments of the minority scholars are strong, perfect and steady, their opinion should be the used. But in this issue, the opinion of the minority scholars are not strong. Indeed, they are *marjuh* opinion and should not be acceptable to use²⁸.

Third Argument:

SIS also deny that men who become female *imam* congregation will not be fervently praying because such actions may stimulate sexual appetite (*syahwat*). They point out that the pilgrims of men and women pray together, sometimes even brushing shoulders due to the cramped space, but no one was upset that they were not devoted during prayer or during the Hajj²⁹.

Review:

It should be emphasized here, the main issue is that women being priests to man not the issue of mixing between men and women. Women cannot be priests to the men in what ever circumstances, be it a congregation of men and women or among men congregation only. Whether the mixing of males and women would encourage lust or not, the law is fixed that it cannot be accepted. If it is done than it is a sin. It is agreed by *jumhur* legal scholars and this is *rajih* opinion. If something is legal it has *Thabit* (fixed) it must be accepted as a sign of obedience to the command of Allah SWT.

6. SIS VIEWPOINT ON WOMEN'S TESTIMONY

Argument:

There are Quranic verses mentioned that two witnesses are needed in any trade and written agreement. The witnesses consist of two men, or a man and two women, as mentioned in the Quran, Allah said which is mean:

²⁸ NM Ghazali, RA Mohd, MZM Amin, *Gerakan Pejuang Hak Wanita dan Metodologinya Dalam Memahami al-Quran dan Sunnah: Kajian Terhadap Pertubuhan "Sisters in Islam"*, Reserch Report, Universiti Sains Islam Malaysia, 2009, 69.

²⁹ *Does Islam Forbid Women Become Priests For The Pilgrims consists of Men And Women?* (2006, December 26). Retrieved from: ww.sistersinislam.org.my.

“and get two witnesses, out of your own men, and if there are not two men, then a man and two women, such as ye choose, for witnesses, so that if one of them errs, the other can remind her”³⁰.

During the revelation of this verse, women usually not involved in business and finance. To ensure the practice of justice, two women are needed to remind each other if one of them made a mistake. However, a number of traditional Muslim scholars generalized this particular situation and implemented a law to equate two female witnesses with a male witness as a common law.

Therefore, the Quranic interpretation on the statement of a woman considered to be less reliable than the statement of a man, because women are less experienced in financial matters, should be restricted to the socio-historical context only. In modern times, when the women were well educated and involved in the fields of business and finance, the order must be interpreted again. The underlying value from the order is to implement justice. When women have same educational level with men and skills as possessed by men such as in business, there is no need to have other reasons for not equalize the statement of women and men³¹.

Review:

When debating the issue of women's testimony, it is more likely to say that SIS believed that 'two' female witnesses is not relevant in this era. Women at this age are far more intelligent and civilized than women at the time of this verse (2: 282) was revealed. The questions here are: Does the Qur'anic law only suitable to be practiced during certain times? Is it true that Islam is universal religion that can be practiced throughout the ages? Why SIS have this kind of view? Do they overlook on the features of Islamic law or maybe they feel that there is 'gender bias' in this great religion?

Verse 282 from Surah al-Baqarah which mentioned the command to bring witnesses in the issue of debt and transaction known as the longest verse in the Quran. Prescribed number of witnesses are two men, or one man and two women. It is a law that was ordained by Allah³². However, some people believe that the number of two women compared to one man seems to belittle the status and credibility of women, especially women in this era able to compete with men in any field. And for those who believe that Islam does not oppress his followers also believe that there is no inappropriate laws to be implemented throughout the ages, for there are wisdom behind all Islamic rulings.

al-Razi said that the order to bring witnesses was intended to secure the details of debt agreement. The role of witnesses is needed when there is dispute or misunderstanding on this

³⁰ Al-Quran, Al-Baqarah 2:282

³¹ Sisters In Islam (2006), *Are Men and Women Equal Before Allah?*, 7

³² Ibn Kathir, Abu al-Fida' Isma'il (1994), *Tafsir al-Quran al-ʿAzim*, Tahqiq: al Arnaut, ʿAbd al-Qadir, vol 1, Riyadh: Dar al-Salam, 724

agreement. Regarding to the number of two female witnesses, al-Razi mentioned that its wisdom is closely related to natural behavior of women. It is because women have more content of *bard* (cold) and *rutubah* (moisture) compared to men. Due to this extra content, women are easier to forget in contrast to men³³. In addition, al-Khair Abadiy stressed that wisdom of using two female witnesses has been explained in the same verse (2:282). It can be understood that if a female witness forgets then another female witness can remind one another³⁴. Ibn Kathir also mentioned that the requirement of two female witnesses indicates that ability of women to remember is not as strong as men³⁵. This matter has been emphasized in the Prophet's hadith narrated by Muslim:

“Abu Sa'id al-Khudri reported: The Messenger of Allah, peace be upon him, went out to pray on the day of sacrifice or the day of breaking fast. Then he passed by the women and he said, “O assembly of women, give in charity, for verily, I have seen that the majority of the people of Hellfire are you.” They said, “Why is that, O Messenger of Allah?” He said, “You frequently curse and you are ungrateful for your livelihood; I have not seen anyone more lacking in reason and religion than you; a cautious man might be led astray by one of you.” They said, “What is lacking in our reason and religion, O Messenger of Allah?” He said, “Is not the testimony of a woman like half of a man?” They said yes. He said, “That is what they are lacking in reason; and does not a woman stop praying and fasting during menstruation?” They said yes. He said, “That is what they are lacking in religion”³⁶.

The above hadith clearly mentioned that women have smaller capacity of memory (intellect). Because of that, the testimony of two women is equal to the witness of a single man. However, the lack of memory is not absolute and intrinsic deficiencies. It does not mean that there is no shortage of women who are more intelligent or competent than men, but men usually outnumbered compared to women in this matter.

In some cases, women are acknowledged to be more brilliant than men. Women are able to fulfill responsibility as a wife and mother completely and perfectly. This task is not easy because it requires patience, persistence and ingenuity in arranging time and choosing daily activities. Women by nature are soft hearted and caring and they able to carry out these responsibilities even though at the same time they also have official position in any organization. Although men have the intellect and memory more than women, they are not able to take household responsibility perfectly because it does not fit their life and nature. Nevertheless, there

³³ al-Razi, Muhammad bin Umar bin bin al-Husayn al-Hasan al-Taymiy (1995), *Tafsir al-Kabir*, vol 4, Beirut: Dar Ihya' al Turath al Arabiy, 53

³⁴ Al-Abadi, Muhammad Abu Laith Khair (2005), “Hadis Naqisat ‘Aql wa al-Din”: Isykaliat, Asbab, Hulul”, *Jurnal Ma'alim al-Quran wa al-Sunnah*, vol. 10, No.11, 92-108

³⁵ Ibn Kathir (1994), *Tafsir al-Quran al-‘Azim*, vol 1. 724

³⁵ Al-Razi (1995), *op.cit*, vol 4, 53

³⁶ Al-Bukhariyy, Muhammad bin Ismail (1987), *Sahih al-Bukhariyy*, Tahqiq: Mustafa Dib al-Buhga, 3rd Ed, vol 1, number 298, Yamamah: Dar Ibn Kathir, 117

are also number of guy who are capable of managing the household excellently but normally they are not able to do that.

Similar situation with women, although they have lower memory than men, there are also women who are brilliant and charismatic compared to men. History proves that the greatness of women at the time of the Prophet PBUH can not be denied, for example, Saiyidatina Kadijah RA, a noble and successful businesswoman. It clearly shows that not all women have the intellect and memory lesser than men, but normally they are not like that.

Thus, two female witnesses have been prescribed not purposely to totally deny the women intellect, but it refers to the natural behaviour of women. God who created human being fully aware of this situation. The ruling mentioned in verse 2: 282 is not abrogated by other Quranic verses or hadith, therefore it is applicable at any period of time. In conclusion, not all women at past were not clever and not all women in present time are smart and intelligent. Thus, assumption that women at the time of this verse (2: 282) was revealed not as great as women in this era is absolutely not true. In fact, common sense of women is not weak, but somewhat lesser than men. Common sense of women are strong and perfect, but common sense of man stronger and more perfect (source).

7. CONCLUSION

Sisters in Islam (SIS) is an influential organization of Islamic feminism in Malaysia which emphasizes on gender equality. SIS has a stand that Quranic verses which related to women issues must be reinterpreted because they believed that such verses are bias in gender. The methodology used by SIS in dealing with Quranic verses and Prophetic traditions are based on their logical thinking. SIS attempt to set forth any opinion which support their own worldview. Indeed, this kind of thinking is dangerous for it brings confusion and doubts in understanding the real cause of revelation of certain Quranic verses. In order to solve this issue, SIS must refer to the methodologies used by authentic scholars when dealing and interpreting any related verses in the Quran. Similar method should be used when arguing with the prophetic traditions. Arguments by *fiqh* scholars also should not be forgotten. Besides, more acceptable and less acceptables opinions (*rajih* and *marjuh*) should be differentiated by referring to those who experts in this field, in order to get the accurate information before discuss any issue based on the current context. Reinterpretation of the Quran and hadith cannot be done through reason and logic, because it may guided by lust and desire.

Therefore, the study concluded that SIS holds a misleading understanding on the interpretation of certain Quranic verses led by misrepresented claims on the unfounded contradiction between the verses of the Quran.

RUJUKAN (REFERENCES)

- [1] Al-^oAkk, Abdul Rahman (1998). *Bina al-Usrah al-Muslimah*. Beirut: Dar al-Ma'rifah.
- [2] Al-Abadi, Muhammad Abu Laith (2015). "Hadis Naqisat Aql wa al-Din": Isykaliat, Asbab, Hulul". *Jurnal Ma'alim al-Quran wa al-Sunnah*, 10 (11), 92-108.
- [3] Al- San^oani, Muhammad bin Ismail (1995). *Subul al-Salam Syarah Bulugh al-Maram Min Jami^o Adillah al-Ahkam*. Tahqiq: al-Qadi, Hazim Ali Bahjat. Beirut: Dar al-Fikr.
- [4] Al-Wahidi, Abu al-Hassan Ali bin Ahmad (1990). *Asbab Nuzul al-Quran*. Tahqiq: Kamal Basyuni Zaghlul. Beirut: Dar al-Kutub al-'Ilmiyyah.
- [5] Al-Bakri, Zulkifli Muhammad, and al-Takiri, Mohd Khiruddin Aman Razali (2005). *Hukum Wanita Menjadi Imam Solat*. Kajang : Darul Fuqaha Interprise.
- [6] Al-Bukhari, Muhammad bin Ismail Abu Abdullah (1987). *Sahih Bukhariy*. Tahqiq: Mustafa Dib al-Buhga. Third Edition. Yamamah: Dar Ibn Kathir.
- [7] Al-Razi, Muhammad bin Umar bin bin al-Husayn al-Hasan al-Taymiy (1995). *Tafsir al-Kabir*. Beirut: Dar Ihya' al Turath al ^oArabiy.
- [8] Al-Nawawiy, al Imam Abu Zakaria Mahyuddin Bin Sharf (1998). Tahqiq: *Sharh al Nawawi ^oala Sahih Muslim*. Beirut: Dar Ihya' al Turath al ^oArabiy.
- [9] Al-Qurtubiy, Muhammad Ibn Ahmad al-Ansari (1995). *al-Jami^o Li Ahkam al-Quran*. Beirut: Dar al-Ihya' al-^oArabi.
- [10] Al-Sa'atyy, Abu al-Hassan Ali bin Ahmad (1990). *Al-Fath al-Rabbaniyy Syarh Tartib Musnad al-Imam Ahmad bin Hanbal al-Syaybaniy*. al-Qaherah: Dar al-Jayl.
- [11] Al-Tirmiziy, Muhammad bin Isa (n.d). *Sunan al-Tirmizi*. Tahqiq : Ahmad Syakir et.al. Beirut: Dar Ihya al-Turath al-Arabi.
- [12] Amina Wadud (1999). *Qur'an and Women: Rerading The Sacred Text Form A Women's Perspective*. New York: Oxford University Press.
- [13] Does Islam Forbid Women Become Priests For The Pilgrims consists of Men And Women? (2006, December 26). Retreieved from: ww.sistersinislam.org.my.
- [14] Haron Din (1988). *Manusia dan Islam*. Third Edition. Kuala lumpur: Percetakan Watan Sdn. Bhd.
- [15] Ibn ^oAsyur, Muhammad al-Tahir (1964). *Tafsir al-Tanwir wa al-Tahrir*. al-Qaherah: Dar al-Kitab.
- [16] Ibn Hajar, Ahmad ibn Ali Ibn Hajar al-Asqalani (2000). *Fath al-Bari bi Sharh Sahih al-Bukhariy*. Beirut: Dar al-Fikr.
- [17] Ibn Kathir, Abu al-Fida' Isma^oil (1994). *Tafsir al-Quran al-^oAzim*. Tahqiq: al Arnaut, ^oAbd al-Qadir. Riyadh: Dar al-Salam.

- [18] Ibn Majah, Abu Abdullah Muhammad ibn Yazid al-Qazwaini (n.d). *Sunan Ibn Majah*. Mesir: Maktabah Isa al-Bab al-Halabi.
- [19] Makmor Tumin (2006). *Wanita di Malaysia Perjuangan Menuntut Hak*. Kuala Lumpur: Universiti Malaya.
- [20] Najjar, Ahmad (1995). *Huquq al-Mar'ah fi al-Syari'ah al-Islamiyyah*. Amman: Maktabah Thaqafah.
- [21] NM Ghazali, RA Mohd, MZM Amin (2009). Gerakan Pejuang Hak Wanita dan Metodologinya Dalam Memahami al-Quran dan Sunnah: Kajian Terhadap Pertubuhan "Sisters in Islam". Reserch Report, Universiti Sains Islam Malaysia.
- [22] NM Yusof (2007). "Perkahwinan Dan Isu Penafian Hak Wanita: Suatu Analisa Menurut Perspektif Feminisme Dan Islam". Master's Disertation, UKM Universiti Kebangsaan Malaysia.
- [23] Sisters in Islam (2006). *Are Women and Men Equal Before Allah?* Third Edition. Petaling Jaya: Sisters in Islam (SIS).
- [24] *Sisters-in-Islam-sis*. (2020, October 10). Retrieved from : <https://www.hati.my/sisters-in-islam-sis/>
- [25] *We Are Sisters in Islam: Empowering Voices For Change*. (2020, October 10). Retrieved from <https://sistersinislam.org/about-us/>
- [26] Zaidan, Abdul Karim (1994). *al Mufassal fi Ahkam al-Mar'ah wa al-Bayt al-Muslim*. Beirut: Muassasah al-Risalah.