



Do the Qur'an and Sunnah Speak More Often to Men than Women?

JONATHAN A.C. BROWN

YAQVEEN™
INSTITUTE FOR ISLAMIC RESEARCH

Author Biography

Dr. Jonathan AC Brown is the Alwaleed bin Talal Chair of Islamic Civilization at Georgetown University. He is the Editor-in-chief of the *Oxford Encyclopedia of Islam and Law*, and the author of several books including *Misquoting Muhammad: The Challenges and Choices of Interpreting the Prophet's Legacy*.

Disclaimer: *The views, opinions, findings, and conclusions expressed in these papers and articles are strictly those of the authors. Furthermore, Yaqeen does not endorse any of the personal views of the authors on any platform. Our team is diverse on all fronts, allowing for constant, enriching dialogue that helps us produce high-quality research.*

Copyright © 2020. Yaqeen Institute for Islamic Research

Why does God always seem to be talking to men and not to women? This question occurs to many Muslims today, though they might at times hesitate to voice it out of fear that they have fallen under the influence of some politically correct fad. But this is, in fact, one of the oldest questions in Islamic history. It goes back to the revelation of the Qur'an itself and it lies behind one of the longest and most remarkable verses in the holy book.

An Inclusive Audience

The Prophet's wife Umm Salamah رضي الله عنها asked him ﷺ once, "Why is it that we are not mentioned in the Qur'an as men are?" Not a day later Umm Salamah heard the Prophet ﷺ announce on the *minbar* that, "Indeed God Most High says, 'For men submitting to God and women submitting to God, believing men and believing women, devout men and devout women, truthful men and truthful women, patient men and patient women, humble men and humble women, charitable men and charitable women, men who fast and women who fast, men who guard their private parts and women who guard their private parts, men who remember God often and women who remember God often, [for them] God has prepared forgiveness and a great reward.'" (Qur'an 33:35).¹ This was not the only time that Umm Salamah made it clear that she considered herself as much a part of the conversation as the men around her. One day when her maid was brushing her hair in her room, which was attached to the mosque, she heard the Prophet ﷺ call out "O people!" and begin instructing the congregation. She was rising to join them when her maid held her back, explaining that the Prophet "had called the men, not the women." "Indeed, I am among the people," replied Umm Salamah رضي الله عنها.²

Assumptions of Inclusion in Law & Theology

¹ For this hadith, see Ibn Ḥanbal, *Musnad Aḥmad Ibn Ḥanbal* (Maymaniyya printing), 6:301, 305; Aḥmad b. Shu'ayb al-Nasā'ī, *Sunan al-Nasā'ī al-kubrā*, ed. Shu'ayb al-Arnā'ūt et al., 12 vols. (Beirut: Mu'assasat al-Risālah, 2001), 10:219. This was deemed *ṣaḥīḥ* by the editors of the Arnā'ūt edition of the *Musnad al-Imām Aḥmad b. Ḥanbal*, ed. Shu'ayb al-Arnā'ūt et al., 50 vols. (Beirut: Mu'assasat al-Risālah, 1995–), 44:199. There is also a less common narration that this question came from Umm 'Umārah of the Anṣār; *Jāmi' al-Tirmidhī, kitāb tafsīr, bāb min Sūrat al-Aḥzāb*.

² *Ṣaḥīḥ Muslim, kitāb al-faḍā'il, bāb ithbāt ḥawḍ nabīyinā* ﷺ.

As the great Mālikī Shaykh al-Islam of Tunisia Muḥammad Ṭāhir Ibn ‘Āshūr (d. 1973) wrote about the verse that came in response to Umm Salamah’s question, it illustrates how “the presumption in the Shariah of Islam is that its commands include both men and women except what is specified as applying to one of the two sexes.”³ Ibn ‘Āshūr was a giant of a scholar, bestriding the Ottoman era and French colonialism, the premodern and the modern. He is sometimes called the last ‘traditional’ *tafsīr* scholar. So isn’t there a possibility that he was sensitive to modern concerns around gender equity and that his reading of the Qur’an and his vision of Islam was affected by it?

Certainly not in this case. As far back as the time of the Successors, Muslim scholars began synthesizing the teachings of the Qur’an, the Prophet’s precedent and the insights of his Companions into interpretive maxims (*qawā’id*) that would guide Muslims in their understanding of the Qur’an, the Sunnah, the traditions of law and theology built on top of them, and how they should be applied to changing realities. Sometimes these maxims came directly from the Qur’an: “No bearer of burdens bears the burden of another” (Qur’an 35:18). Sometimes they were directly from Hadith: “The claimant must provide direct evidence, while one denying a claim need only swear.”⁴ These maxims became, in the words of another late Ottoman scholar, Muḥammad Zāhid al-Kawtharī (d. 1952), “the intermediary between the rulings [of the Shariah] and its sources.”⁵

For one of the earliest scholars to self-consciously articulate such maxims, the great Shāfi‘ī jurist and theologian al-Khaṭṭābī (d. 388/998), the presumption of commonality for male and female came from the recipient of revelation himself. While the Prophet ﷺ was teaching his followers a rule about ritual purity after sexual excitement, Umm Sulaym, a woman among the Anṣār, asked if this applied to women too. “Yes,” answered the Prophet, “Women are the counterparts (*shaqā’iq*) of men.” Al-Khaṭṭābī, who wrote the earliest known commentaries on

³ Ibn ‘Āshūr, *al-Taḥrīr wa-al-tanwīr*, 30 vols. (Tunis: al-Dār al-Tūnisīyah lil-Nashr, 1984), 22:20.

⁴ Jāmi‘ al-Tirmidhī, *kitāb al-aḥkām, bāb mā jā’a fī anna al-bayyinah ‘alā al-mudda’ī wa-al-yamīn ‘alā al-mudda’ā alayhi*.

⁵ Muḥammad Zāhid al-Kawtharī, *Maqālāt al-Kawtharī* (Cairo: al-Maktabah al-Azharīyah, 1414/1994), 185.

Ṣaḥīḥ al-Bukhārī and the *Sunan* of Abū Dāwūd, sees this as illustrating the maxim that a legal ruling revealed for one sex applies equally to the other unless there is evidence (*adillah*) specifying otherwise.⁶ The remarkably well-traveled Mālikī scholar Qādī Abū Bakr b. al-‘Arabī (d. 543/1145) concurred in his commentary on the *Muwaṭṭa’*: “the created nature of men and women is one, and the Shariah ruling on them is the same.”⁷ Ibn Qayyim al-Jawzīyah (d. 751/1370) affirmed this principle, and Ibn Ḥajar (d. 852/1449) would repeat it over and over in his famous *Fath al-Bārī* commentary, “as it applies consistently in all rulings which apply to women as they do to men, except what is specified by some evidence.”⁸

Such evidence can come from reason or obvious realities—a ruling on menstruation obviously does not apply to men (although, in an interesting turn, the license allowing men and women suffering from urinary incontinence [*salas al-bawl*] to just perform ablutions before their prayers regardless of any leaks is based on the hadiths allowing this for women who experience ongoing vaginal bleeding [*mustahāḍah*]).⁹ Or such evidence could come from other rulings established by the Qur’an or Sunnah—for men, rulings about leading group prayers apply to mixed-gender congregations; for women, rulings about leading group prayers only apply to leading other women in congregation.¹⁰

Grammar & Convenience

Beyond the methodology of legal interpretation, the inclusion of male and female in words like ‘men’ or pronouns like ‘he’ is a feature of Arabic grammar

⁶ *Sunan* of Abū Dāwūd, *kitāb al-tahārah, bāb fī al-rajul yajidu al-billah fī manāmihi*; al-Khaṭṭābī, *Ma‘ālim al-sunan*, 3rd ed., 4 vols. (Beirut: al-Maktaba al-‘Ilmiyya, 1981), 1:79.

⁷ *Ya‘nī an al-khilqah fīhim wāḥidah wa-al-ḥukm ‘alayhim bi-al-sharī‘ah siwā’*. Al-Qādī Abū Bakr b. al-‘Arabī, *al-Qabas fī sharḥ al-Muwaṭṭa’*, ed. Muḥammad ‘Abd Allāh Wald Karīm (Beirut: Dār al-Gharb al-Islāmī, 1992), 174.

⁸ Ibn Qayyim al-Jawzīyah, *I‘lām al-muwaqqi‘īn*, ed. Muḥammad ‘Izz al-Dīn al-Khaṭīb, 4 vols. (Beirut: Dār Iḥyā’ al-Turāth al-‘Arabī, 1422/2001), 1:95; Ibn Ḥajar al-‘Asqalānī, *Fath al-Bārī*, ed. ‘Abd al-‘Azīz Bin Bāz and Muḥammad Fu‘ād ‘Abd al-Bāqī, 16 vols. (Beirut: Dār al-Kutub al-‘Ilmiyyah, 1997), 1:255. See also 2:187; 2:454; 2:745; 3:102; 5:190.

⁹ Al-Sarakhsī, *al-Mabsūṭ*, 30 vols. (Beirut: Dār al-Ma‘rifah, 1414/1994), 2:139; Muwaffaq al-Dīn Ibn Qudāmah, *al-Mughnī*, ed. ‘Abd Allāh al-Turkī and ‘Abd al-Fattāḥ al-Ḥuluw, 12 vols. (Cairo: Hujr, 1986), 1:161; al-Nawawī, *al-Majmū‘ sharḥ al-Muḥadhdhab*, 20 vols. (Beirut: Dār al-Fikr, n.d.), 2:541–42; al-Shaybānī, *al-Aṣl*, ed. Mehmet Boynukalin, 12 vols. (Doha: Wizārat al-Awqāf, 1433/2012), 1:51.

¹⁰ Ibn Ḥajar, *Fath al-Bārī*, 2:187.

recognized as far back as the first known book on the subject, by the famous Sībawayh (d. circa 180/796). Because the feminine versions of nouns and verbs in Arabic are often longer and more cumbersome in poetry, in usage masculine words often subsumed (*taghlīb*) their feminine counterparts.¹¹ So *hum* (they) can mean a group of men or a mixed-gender group. *Hunna* (they feminine) can only be a group of females (or a group of things that are grammatically feminine). But that a hadith or Qur'anic verse that refers to a 'he' or 'any man' should also be understood to mean 'she' and 'any woman' as well, unless evidence shows otherwise, has been more a matter of convention used for the purpose of convenience. It is an ancient answer to the debate over using *he/she* or *they* in speech today.

¹¹ Sībwayh, *al-Kitāb*, ed. 'Abd al-Salām Hārūn, 5 vols. (Cairo: Maktabat al-Khānjī, 1408/1988), 1:22.