

# “A Conscience-Growing Exercise”

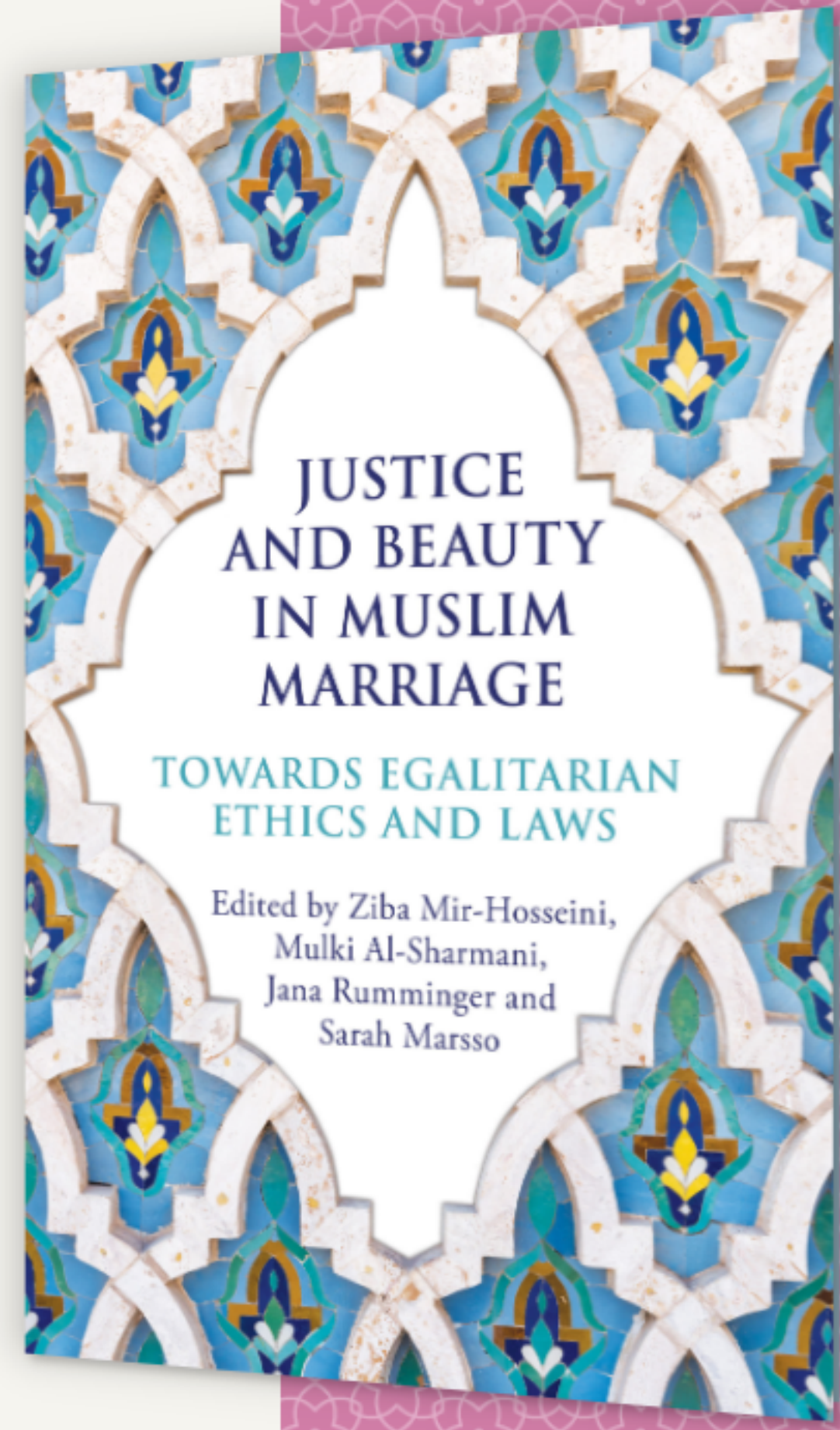
The First Comprehensive Guide To Creating A Just And Equal Islamic Marriage Written By A Collective Of 20 Authors

“Justice And Beauty In Muslim Marriage” is a **theoretical**, **practical** and **spiritual** guide to living justice, love and equality in Muslim marriage.

Read this book to learn how the Qur’an, Sunnah, Muslim legal tradition, and family laws and practices guide us to **egalitarian marriages**.

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## The model of marriage constructed in classical Islamic jurisprudence rests on patriarchal ethics that privilege men.

This worldview persists in gender norms and family laws in many Muslim contexts, despite reforms introduced over the past few decades. In this book, a diverse group of scholars explore how egalitarian marital relations can be supported from within Islamic tradition.

Brought together by the Musawah movement for equality and justice in the Muslim family, these scholars examine ethics and laws related to marriage and gender relations from the perspective of the Qur’an, Sunna, Muslim legal tradition, historical practices, and contemporary law reform processes. Collectively they conceptualize how Muslim marriages can be grounded in equality, mutual well-being and the core Qur’anic principles of ‘adl (justice) and ihsān (goodness and beauty).

## Explore The Book



### The Authors

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### Chapter Summaries

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## Reviews

“Teeming with provocative and restorative ideas, this book reframes the practice of marriage as it is lived in all its complexities. Drawing on tradition and experience, marriage now becomes a wholesome way of self-fulfillment as expressed by these courageous authors. It is a very timely intervention and much needed. A must-read.”

**Ebrahim Moosa**

“This exciting collection of essays by an impressive array of experts takes Musawah’s mission from the critique of injustice and patriarchy in Muslim marriages and family laws to the building of a vision that yearns and works for divinely inspired justice and beauty in Muslim families and communities. The book is bold, radical, and groundbreaking. It will be an indispensable tool for Muslim activists the world over.”

**Juliane Hammer**

“Justice and Beauty in Muslim Marriage addresses the ethical emptiness and lack of poetic sensibility in the patriarchal discourse on women’s rights ... The findings of the book, that Muslim marriage laws and normativity are not in line with contemporary understandings of justice, promise a hermeneutic shift towards egalitarian legislation and pluralist normativity.”

**Muhammad Khalid Masud**

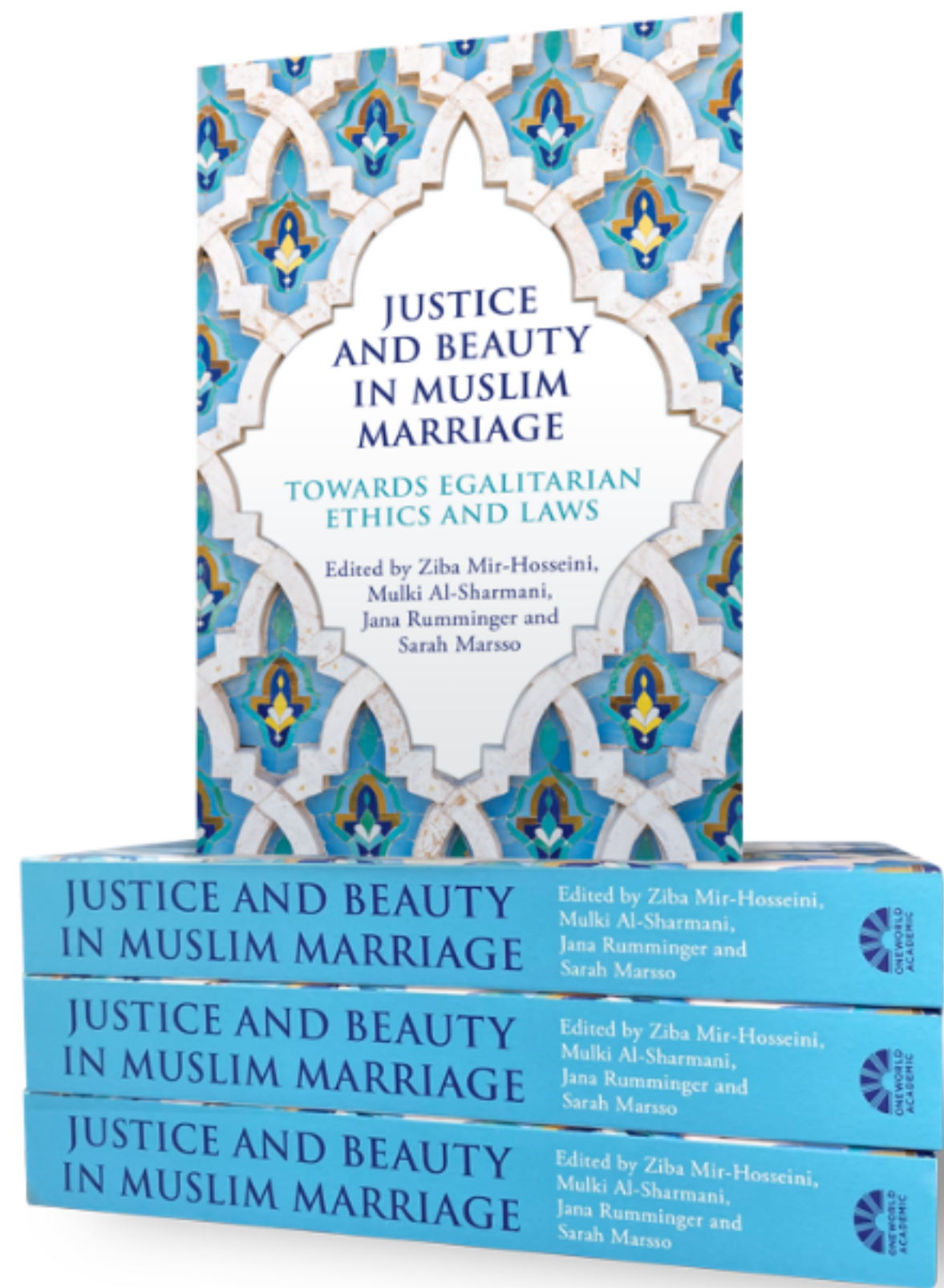
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# Editors & Authors

## EDITORS

### AUTHORS

#### SECTION 1 THE QUR'AN

#### SECTION 2 LESSONS FROM THE PROPHET

#### SECTION 3 ISLAMIC LEGAL THEORY & ETHICS

#### SECTION 4 LAW AND PRACTICE

## Editors

**Ziba Mir-Hosseini** is a legal anthropologist who has published books on Islamic family law in Iran and Morocco, Iranian clerical discourses on gender, Islamic reformist thinkers, and the revival of zina laws. She is a founding member and current board member of Musawah and leads the Knowledge Building Working Group.



**Mulki Al-Sharmani** is an associate professor of Islamic and Middle Eastern studies, University of Helsinki, and a member of the Musawah Knowledge Building Working Group. Her research interests include Qur'anic ethics and Islamic feminist exegesis; contemporary Muslim women's engagements with the Qur'an and Islamic interpretive tradition; Muslim family laws and gender in Islamic legal tradition; and modern diasporas and gender relations in the family domain, with a focus on transnational Muslim families.



**Jana Rumminger** is a legal researcher and writer whose scholarship and activism focus on human rights issues related to gender, race/ethnicity and religion. She has been involved with Musawah in a variety of roles since 2007 and as a member of the Knowledge Building Working Group since 2010.



**Sarah Marsoo** is a feminist and anti-racism activist engaging with the Islamic tradition to promote gender equality in Muslim contexts. She coordinated the activities of Musawah's Knowledge Building Working Group from 2015-21.



## The Authors

### SECTION 1 - THE QUR'AN

#### Qur'anic Ethics Of Marriage

**Omaima Abou-Bakr** is a professor of English and comparative literature at Cairo University and a founding member of the Women and Memory Forum whose scholarly interests include mediaeval English and Arabic literature, women's mysticism and female spirituality in Christianity and Islam, feminist theology, Muslim women's history, and gender issues in Islamic discourse.



**Asma Lamrabet** is a haematologist at the Avicenna Public Hospital in Rabat who has studied and published about women's issues in Islam for many years, and has delivered lectures on this topic at various conferences around the world.



**Mulki Al-Sharmani** is an associate professor of Islamic and Middle Eastern studies, University of Helsinki, who works on Qur'anic ethics and Islamic feminist exegesis; Islamic feminism; Muslim family laws and gender in Islamic legal tradition; and modern diasporas and gender relations in the family domain.



#### Reading The Qur'an Through Women's Experiences

**Nur Rohiah** is a lecturer of methodology of Qur'anic interpretation at the graduate and postgraduate levels at the Islamic State University Syarif Hidayatullah and at the Institute for Qur'anic Studies (PTIQ) in Jakarta and a women's rights activist who promotes gender justice within Islam as a writer, facilitator and resource person.



#### Ihsan: A Mandate For Beauty And Goodness In Family Relations

**Amira Abou-Taleb** is currently a doctoral fellow in the Faculty of Theology at the University of Helsinki who holds an MA in Islamic studies from the American University in Cairo. Her work examines the interplay between reason, ethics and beauty, including through the concept of ihsan in the Qur'anic worldview



### SECTION 2 - LESSONS FROM THE PROPHET

#### Reclaiming Khadija And Muhammad's Marriage As An Islamic Paradigm: Towards A New History Of The Muslim Present

**Shadaab Rahemtulla** is a lecturer in Islam and Christian-Muslim relations at the School of Divinity, University of Edinburgh, and former assistant professor at the University of Jordan. His primary interest lies in how religion can be (re)interpreted as a liberating force to confront contexts of oppression, including patriarchy, empire, poverty and racism.



**Sara Ababneh** is a lecturer in international relations at the Department of Politics and International Relations, University of Sheffield, and former associate professor at the Center for Strategic Studies, University of Jordan. Her research interests include class, gender and struggles for liberation and change.



#### 'Your Wife Enjoys Rights Over You' Or Does She? Marriage In The Hadith

**Yasmin Amin** is an Egyptian-German who received her PhD in Islamic studies in 2021 from Exeter University's Institute of Arab and Islamic Studies and MA in 2010 from American University in Cairo whose research covers various aspects of gender issues, early Muslim society and culture as well as the original texts of Islamic history, law and Hadith.



#### Qira'a Mubadala: Reciprocal Reading Of Hadith On Marital Relationships

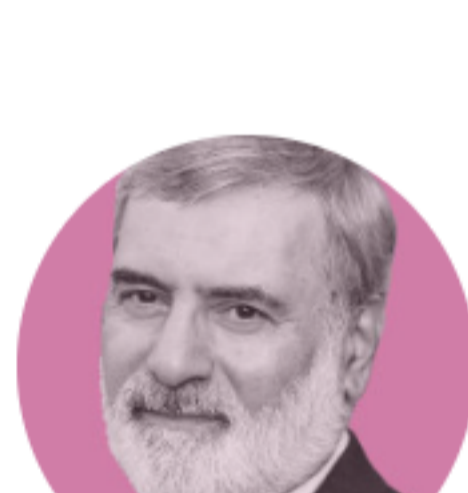
**Faqihuddin Abdul Kodir** teaches Hadith and legal injunction in the faculty of Islamic Law at Syekh Nurjati State Institute for Islamic Studies (IAIN), Cirebon, and the Fahmina Institute for Islamic Studies (SIF). He is one of the founders of the Fahmina Institute, an Indonesian NGO working on gender, democracy and pluralism from an Islamic perspective.



### SECTION 3 - ISLAMIC LEGAL THEORY AND ETHICS

#### Rethinking Muslim Marriage Rulings Through Structural Ijtihad

**Mohsen Kadivar** is an Iranian theologian and a leading public intellectual who has been a research professor of Islamic studies at Duke University (Durham, NC, USA) since 2009. His interests span both classical and modern Islamic thought, with a special focus on Islamic philosophy and ethics, Shi'i theology and jurisprudence, Qur'anic studies, Shi'i political thought and Islam and human rights.



#### Reform Of Usul Al-fiqh And Marriage: A Spiritually Integrative Approach

**Nevin Reda** is an associate professor of Muslim studies at Emmanuel College of Victoria University in the University of Toronto whose research interests include the poetics and hermeneutics of Qur'anic narrative structure, Hebrew Bible and Qur'an, spiritually integrative approaches to the Qur'an, Islamic feminist hermeneutics, Islamic ethical-legal theory (usul al-fiqh) and Islamic political theory.



#### Ethics And Gender Equality In Islam: A Constructivist Approach

**Mariam Al-Attar**, who holds a PhD in Islamic Ethics from the University of Leeds, currently teaches Arabic heritage and Islamic philosophy at the American University of Sharjah. Her research interests include metaethical theories, kalam (speculative theology) and usul al-fiqh (principles of jurisprudence), and how these relate to contemporary normative concerns.



### SECTION 4 - LAW AND PRACTICE

#### Historicizing Muslim Marriage Practices In Pre-modern Islamic Egypt

**Hoda El Saadi** is an adjunct faculty member in the Department of Arab and Islamic Civilization at the American University in Cairo (AUC) and a co-founder of the Woman and Memory Forum. She specializes in early and mediaeval Islamic history, with a particular focus on women's changing roles and positions from pre-modern to modern history and women's presence in public life.

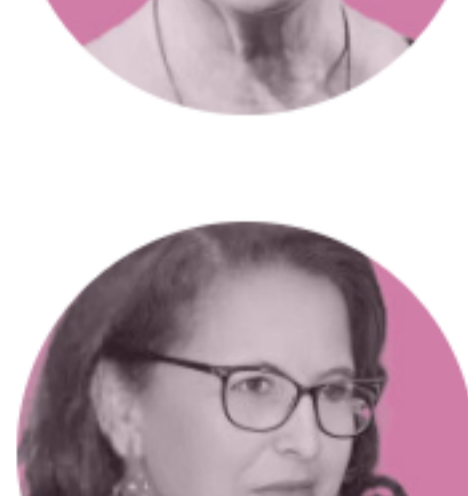


#### Muslim Family Laws: Trajectories Of Reform

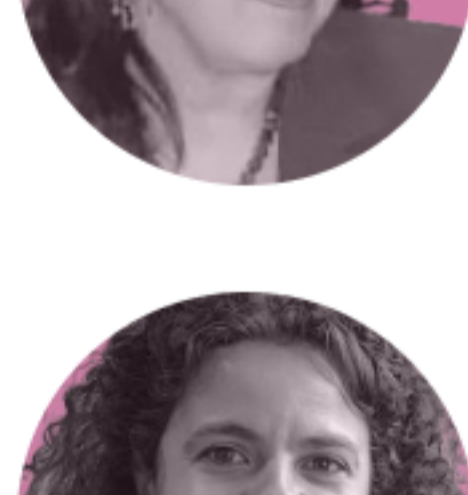
**Lynn Welchman** is a professor of law at SOAS, University of London, who specializes in law and society, Muslim family laws, women's rights and human rights in the Middle East and North Africa.



**Zahia Jouirou** is a professor of Islamic and religious comparative studies in the University of Manouba (Tunis) and the director of the Institute of Translation of Tunis. She specializes in family laws, fiqh, fatāwā and usul al-fiqh, focusing on the historicity of the Islamic legal and jurisprudential system; the roots of discriminatory provisions against women; and the reformist approaches to Muslim family laws, norms and practices.

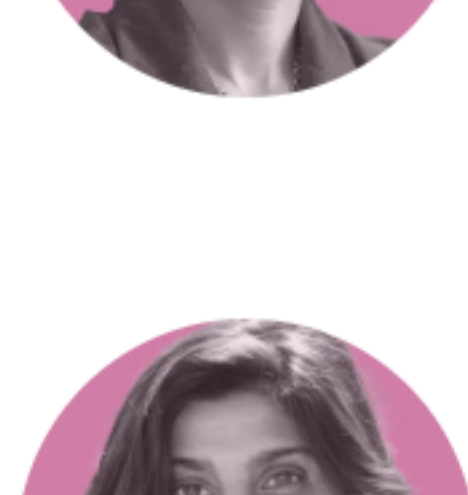


**Marwa Sharafeldin**, who holds a PhD in law from the University of Oxford, is the senior technical advisor and MENA region expert in Musawah and currently a visiting fellow in Harvard Law School's Program on Law and Society in the Muslim World.



#### Justice, Refinement And Beauty: Reflections On Marriage And Spirituality

**Sa'diyya Shaikh** is an associate professor in the Department for the Study of Religions at the University of Cape Town whose areas of research include gender-sensitive readings of Hadith, Qur'anic exegesis and Sufi texts; theoretical and political debates on Islam and feminism; religion and gender-based violence; contemporary Muslim women's embodied, experiential and everyday modes of understanding Qur'anic teachings.



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# Chapter Summaries

PRELUDE

THE QUR'AN

THE QUR'AN

LESSONS FROM THE PROPHET

ISLAMIC LEGAL THEORY AND ETHICS

LAW & PRACTICE

## Prelude

**Ziba Mir-Hosseini** is a legal anthropologist who has published books on Islamic family law in Iran and Morocco, Iranian clerical discourses on gender, Islamic reformist thinkers, and the revival of zina laws. She is a founding member and current board member of Musawah and leads the Knowledge Building Working Group.

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**Nur Rofiah** is a lecturer of methodology of Qur'anic interpretation at the graduate and postgraduate levels at the Islamic State University Syarif Hidayatullah and at the Institute for Qur'anic Studies (PTIQ) in Jakarta and a women's rights activist who promotes gender justice within Islam as a writer, facilitator and resource person.

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### 4. Reclaiming Khadija And Muhammad's Marriage As An Islamic Paradigm: Towards A New History Of The Muslim Present

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### 8. Reform Of Uṣūl Al-fiqh And Marriage: A Spiritually Integrative Approach

**Nevin Reda** proposes an Islamic feminist, spiritually integrative approach to uṣūl al-fiqh (principles of jurisprudence) that builds an understanding of marriage as a site for spiritual growth in which mutual care and support between spouses are part of their striving towards ethical excellence.

### 9. Ethics And Gender Equality In Islam: A Constructivist Approach

**Mariam Al-Attar** explores how different genres of pre-modern Islamic religious sciences tackled pertinent ethical questions, then outlines more recent developments in Islamic intellectual thought and how and why they should be applied to the question of gender and marital relations in contemporary times.

## Section 4 - Law and Practice

### 10. Historicizing Muslim Marriage Practices In Pre-modern Islamic Egypt

**Hoda El Saadi** examines historical sources from pre-modern Egypt (7th to 16th centuries CE) to help understand gender relations and marriage and divorce in Islamic jurisprudence (fiqh) and in people's lived experiences. The study shows that diversity and dynamism were integral to fiqh rulings, and that jurists reacted and responded to women's experiences and needs in ways that supported justice.

### 11. Muslim Family Laws: Trajectories Of Reform

**Lynn Welchman**, Zahia Jouirou and Marwa Sharafeldin first explore the complexities and dynamic configurations of Muslim family laws, which reflect the interplay between Muslim legal tradition, human rights, state laws and societal norms. They then shed light on various strategies and arguments used to introduce three broad types of reforms (substantive reform using multiple frames of reference, procedural reform, and indirect reform introduced through other legislation) and their complex outcomes.

### 12. Justice, Refinement And Beauty: Reflections On Marriage And Spirituality

**Sa'diyya Shaikh** considers how to cultivate spiritually nourishing forms of love and marriages of equality, justice and beauty through rituals such as the nikāh (marriage) ceremony, the creation of nikāh contracts, and interactions and dynamics within everyday marital relationships.

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# A Feminist Reader's Guide to Justice and Beauty in Muslim Marriage

'A Feminist Reader's Guide to Justice and Beauty in Muslim Marriage' provides a glimpse into the book to make it more accessible for readers, and more approachable for reading groups who want to discuss the topics. Through chapter summaries, 'Pause for Thought' questions, and tips for facilitators, readers can explore the book's content, their reactions or opinions about ideas in the book, and how the concepts apply to their own lives and contexts.

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# Blog



## WEBINAR: CONVERSATIONS ON SPIRITUALITY, MARRIAGE AND FAMILY RELATIONS IN ISLAM

How can we build more just, equal, and spiritually nourishing Muslim marriages and intimate relationships? How does the Qur'an guide us in shaping this relationship that helps us realize our better selves? In this webinar, Dr. Amina Wadud and Dr. Sa'diyya Shaikh will reflect on issues of gender justice and family

SEPTEMBER 15, 2021



## WEBINAR: THE PROPHET AND KHADIJA: PARTNERS IN MARRIAGE

What can we learn from the Prophet's marriage with Khadija? How is it different from the marriage model we find today in most Muslim family laws and practices? And how can we reclaim it in the present time as a model for feminist Muslim masculinities? In this webinar, Dr. Ababneh and

JANUARY 26, 2021



## WEBINAR: 'YOUR WIFE ENJOYS RIGHTS OVER YOU'... OR DOES SHE? MARRIAGE AND HADITH.

What the Hadith says about Muslim marriages in general and the Prophet's marriages in particular? In this webinar, Yasmin Amin mines the Hadith corpus for a framework for egalitarian Muslim marriage, using a methodology grounded in the Islamic interpretive tradition. She will focus, in particular, on Prophet's Muhammad's marriages to

DECEMBER 1, 2020



## WEBINAR: IN SEARCH OF AN ETHICAL FRAMEWORK FOR GENDER JUSTICE IN ISLAM

What are the different approaches to Islamic ethics and how can we build upon them to develop an ethical framework that foregrounds gender justice? In this webinar, Dr. Mariam Al-Attar and Dr. Fatima Seedat will explore different understandings of 'ethics' and shed light on the challenges of ethics as a

FEBRUARY 18, 2021



## WEBINAR: QUR'ANIC ETHICS ON MARRIAGE

What are the Qur'an's teachings on marriage – both as an intimate human relationship and as the most basic social institution? How can we approach the verses on marriage from within the Qur'an's ethical worldview? What are the implications of an ethically-oriented reading of the Qur'an for Muslim gender

JANUARY 13, 2021



## WEBINAR: HADITH AND FAMILY RELATIONS: TOWARDS AN ETHICS OF RECIPROCITY

How can Hadith be a source of egalitarian ethics? How can we develop and apply an ethical context-sensitive reading of the Hadith tradition that leads to gender-equal relationships? In this webinar titled "Hadith and Family Relations: Towards an Ethics of Reciprocity," Dr. Faqihuddin Abdul Kodir will explore these questions

OCTOBER 23, 2020



## WEBINAR: APPROACHING THE QUR'AN THROUGH WOMEN'S EXPERIENCES

How do we understand the Qur'an's ethical framework for gender relations through empirical lenses? In what ways have women's experiences been silenced in the conventional readings of the sacred text, and how can we reclaim these voices in contemporary engagements with the Qur'an? In this webinar, Dr. Nur Rofiah will

FEBRUARY 6, 2021



## WEBINAR: ETHICS OF IH SAN: BEAUTY AND GOODNESS IN THE MUSLIM FAMILY

How are ihsan and its concepts of beauty and goodness reflected in marriage and family matters in the Qur'an? What might the beauty and goodness represented in ihsan mean in this context? In this webinar, Amira will focus on the function and meaning of ihsan and its concepts of beauty and

JANUARY 5, 2021



## WEBINAR: MUSLIM FAMILY LAW REFORM: PATHWAYS TO CHANGE

How can recent reforms of family laws in Muslim contexts provide ideas and strategies that can be used to advance gender justice? In this webinar, Dr. Jouirou, Professor Welchman and Dr. Sharafeldin will explore ways in which contemporary family laws and legal practices have been reformed in recent years to

SEPTEMBER 18, 2020

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# News & Events

## Latest

### November 2022

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### November 2022

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- > **November 2022 - Kuala Lumpur**
- > **December 2022 - Johor Bahru**

## Virtual Events

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- > **November 2022**
- > **December 2022**

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**Enquiries**

For press inquiries regarding Justice and Beauty in Muslim Marriage, please contact Fatima Qureshi at fatima@musawah.org

## Join the Conversation

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**WAVE: Women's Associatio...** @wavegambia · Oct 20

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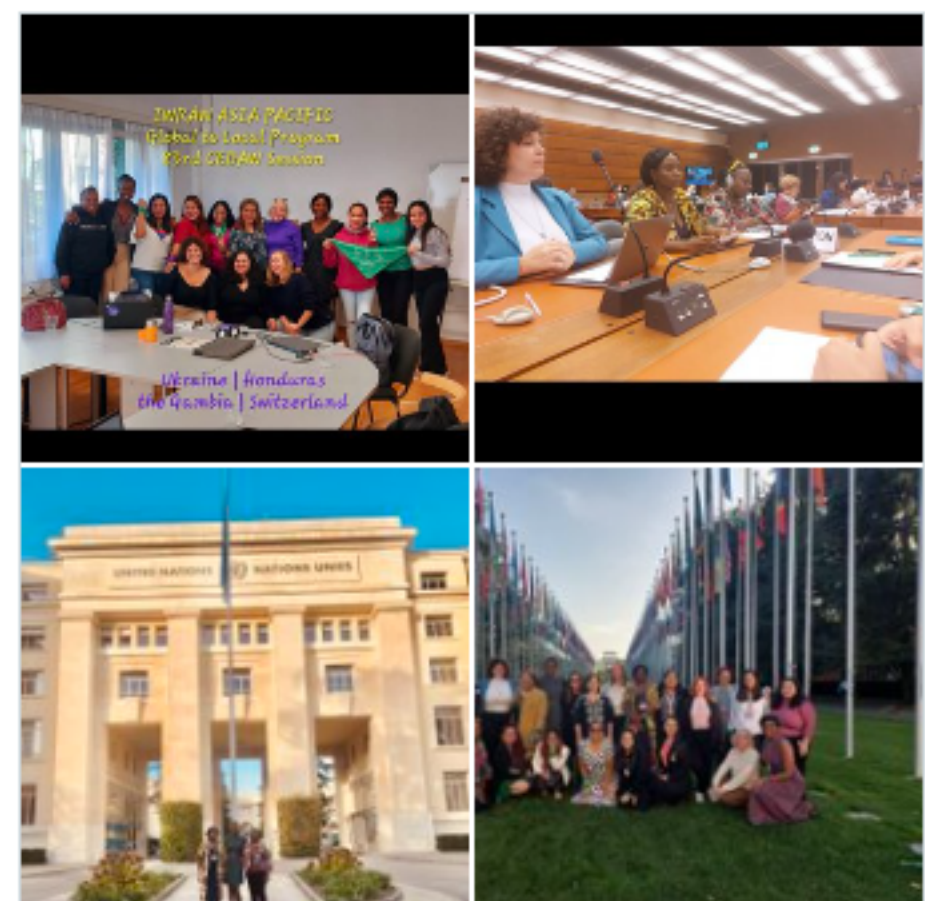
And to @musawah with whom we worked on the Thematic report, jointly with @ThinkYoungWomen and Child Protection Alliance. Great collaboration 👍

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Thanks to @IWRAP\_AP for supporting the participation of @PrisilaYagu/@wavegambia in the ongoing #CEDAW83 - review in #Geneva of The Gambia's obligations and commitments to eliminate all forms of discrimination against women in line with the UN Convention - CEDAW ✨



Mam Degen Fye and 3 others

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# Justice And Beauty In Muslim Marriage

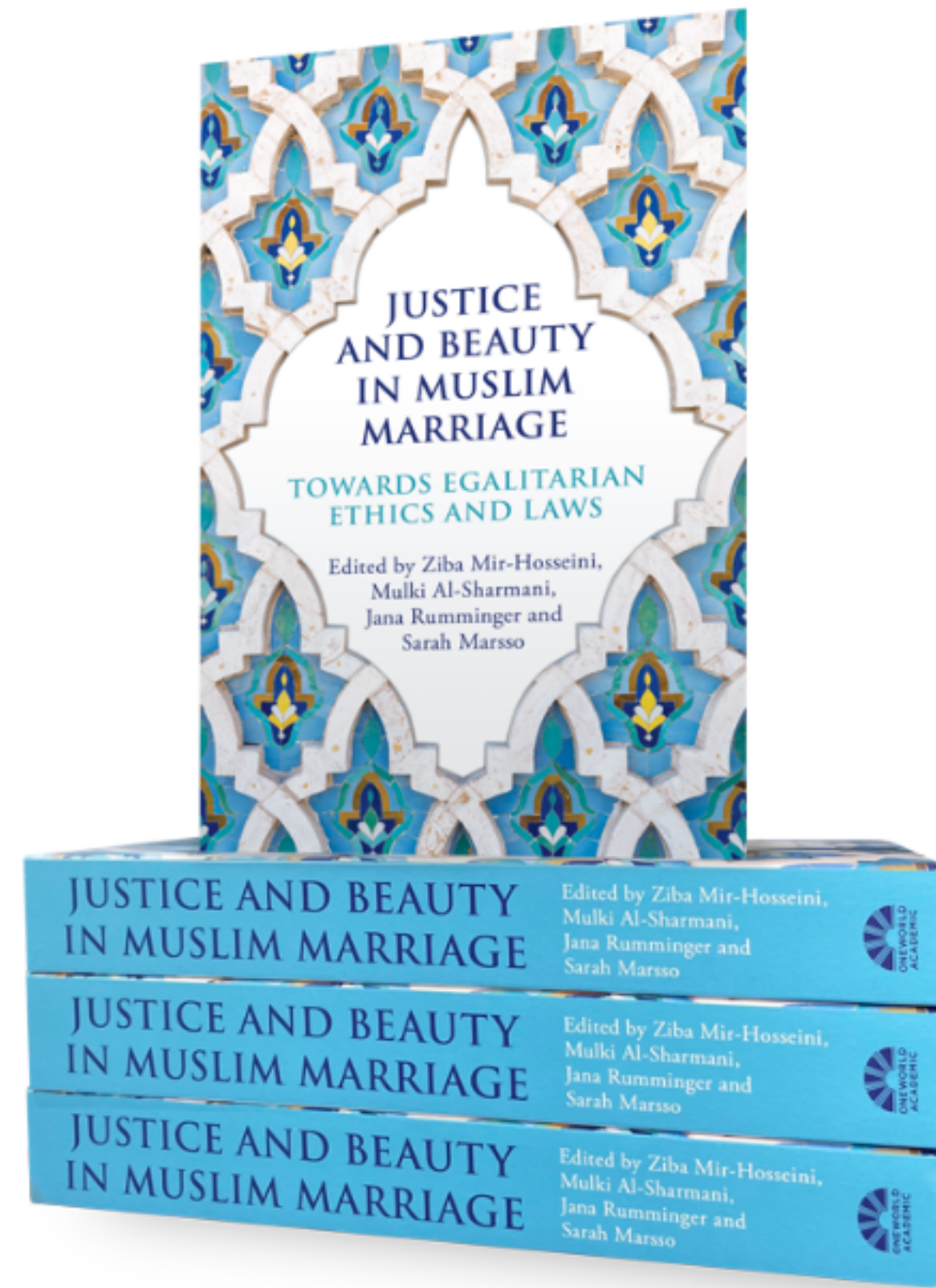
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