

**‘Ā’isha’s Corrective of the Companions: A Translation and Critical Ḥadīth Study of al-Zarkashī’s *al-Ijāba li-Īrādi mā Istadrakathu ‘Ā’isha ‘ala al-Ṣahāba***

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The candidate confirms that the work submitted is her own and that appropriate credit has been given where reference has been made to the work of others.

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## Abstract

This research presents for the first time a partial translation and study of Imam Badr al-Dīn al-Zarkashī's work, *al-Ijāba li-Īrādi mā Istadraktahu 'Ā'isha 'Ala al-Ṣaḥābah—The Corrective: 'Ā'isha's Rectification of the Companions*. It critically analyses from the perspective of ḥadīth criticism a number of sections presenting 'Ā'isha's refutations and corrections of key Companions including, 'Umar b. al-Khaṭṭāb, 'Abdullah b. 'Abbās, Zayd b. Thābit and Abū Hurayra, applying classical ḥadīth methodology to the scrutiny of narrators by way of impugment and validation (*al-jarḥ wa al-t'adīl*) in an effort to re-construct and re-present 'Ā'isha as a central authority in Islamic knowledge production.

This study constitutes a major rethinking of the Muslim ḥadīth and jurisprudential traditions by evaluating how 'Ā'isha responded to ḥadīths that were circulating around her and being ascribed, often incorrectly, as authoritative statements of the Prophet. From her critique of overwhelmingly male Companions of the Prophet, the study elicits a methodology for ḥadīth criticism which is sure to challenge classical approaches; additionally, it unearths the scholarly acumen of this great female Companion and mother of the believers, in its discussion of a number of legal positions which 'Ā'isha held in contradistinction to many of the male authorities among the Companions.

This interdisciplinary study goes further than many existing studies of 'Ā'isha in its highlighting of the way her traditions have been effectively marginalised through the canonisation process which led to the establishment of the canonical corpus, especially al-Bukhārī's *Ṣaḥīḥ*. This resulted in 'Ā'isha's voice being tragically erased from the heart of the Muslim legal and hadith tradition. This study serves as a model for how the voice of 'Ā'isha may be given renewed life and significance in the way it re-centres her traditions and thinking. A crucial aspect of this study is its contributing to expanding the horizons of a number of Islamic disciplines. Its contribution to the study of ḥadīth lies in suggestions of re-conceptualising the canonisation of ḥadīth, in the suggestion to extend the criteria of scrutiny of narrators to the Companions, and, most importantly, in the development of an emergent methodology of 'Ā'isha in the scrutiny of the actual statements (*matn*) of traditions, not just the chains of transmission (*isnād*). The contributions of this study to the development of the Muslim legal tradition (*fiqh*) also lies in a framework that emerges from this research based on the pattern of how 'Ā'isha approaches juridical matters. The implications for this are many, especially regarding women and their spiritual and daily life and practice.



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### Dates

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## Introduction

We know her as ‘Ā’isha bint Abū Bakr, third and most beloved wife of Muḥammad, Prophet of Islam. Her name is oft repeated in the Islamic tradition, but like so many made into paragons, what is presented and what is concealed is outside of their control. Who we know ‘Ā’isha as today is but a fraction of what there is to know of her. This study presents a partial translation of *al-Ijāba li-Īrādi mā Istadraktahu ‘Ā’isha ‘Ala al-Ṣaḥābah* by the esteemed scholar, Imām Badr al-Dīn al-Zarkashī, in which he collected over 200 correctives made by ‘Ā’isha of her contemporaries. In doing so, this research aims to provide a new perspective on this key protagonist in not only the history of Islam, but also the shaping of its varying branches of knowledge, most importantly, the Prophetic tradition (*ḥadīth*) and how they are handled – in terms of evaluating both the content of the statements and in analysing the narrators of such traditions – and the development of Islamic jurisprudence (*fiqh*). It seeks to excavate the voice of ‘Ā’isha by reconstructing key events from her life in details that are most often obscured, with the intention of allowing a more panoramic vision of who ‘Ā’isha was and thereby also broadening the parameters of what this paragon of female Muslim piety can offer to Muslim women as they envisage their own futures inspired by her.

Drawing on the example she sets in her correctives, this research explores a number of possibilities; a) the possibility of engaging the ḥadīth canon and seeking to re-conceptualise it in a manner that is reflective of its current status and that posits a formal re-opening of the ḥadīth canon in a manner that allows a broader range of traditions to be heard without undermining the integrity of the authenticity of the ḥadīth canon, b) the extraction of emergent methodologies, exemplified by ‘Ā’isha in both critical analysis of ḥadīth and in approaching juristic matters, directly impacting on the ḥadīth and *fiqh* traditions.

Importantly, in order to achieve this through the textual study of *al-Ijāba*, a methodology for translating ḥadīth had to be developed, and is also presented in this research.

## The Vision

Second only to the Quran, the ḥadīth tradition is a central source of guidance in the lives of most Muslims. Unlike the Quran, however, it is an amorphous body of work, purporting to

transmit the words and actions of the Prophet Muḥammad. The problem of ḥadīth authenticity has always been acknowledged by Muslims<sup>1</sup>, but even so, by the 5<sup>th</sup>/11<sup>th</sup> century, Sunni Islam had largely come to accept an authoritative corpus made up of six collections, the *Ṣiḥāḥ*, deemed the most reliable representation of the Prophetic teaching. This process of canonisation was concluded several centuries after the life of the Prophet Muḥammad, but ultimately could not foreclose reference to other collections of ḥadīth, because the corpus could not, and was never meant to, reflect the entirety of the Prophetic tradition. In fact, two schools in particular, the Ḥanafis and the Twelver Shi‘a, continued to consult collections of ḥadīth transmitted by scholars affiliated with their own schools’ collections that much more closely reflected their own interpretive positions. The status of the *Ṣiḥāḥ* was therefore never entirely secure.

It seems that as well as continued reference to alternative, non-canonical sources of tradition, there emerged, after the formation of the *Ṣiḥāḥ*, endeavours to record traditions that had not quite made the grade for inclusion in the canonical corpus. These collections are well-known, and have been viewed as addenda to the *Ṣiḥāḥ*.<sup>2</sup> The exclusion of many ḥadīth from the *Ṣiḥāḥ*, it seems, also prompted some scholars, to produce alternative compilations with the ostensible aim of undermining the status of the canonical corpus.<sup>3</sup> Of these is the compilation of Imām

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<sup>1</sup> This is attested by the numerous endeavours of classical Muslim scholars who emerged by the end of the first century after the Prophet’s passing, and whose aim was to separate the authentic from the inauthentic ḥadīth. The process required the formation of a credible science, with its own language, rules and boundaries. Early pioneers included Ibn Ishāq (d. 150/767), and Mālik b. Anas (d. 197/796). By the third century scrutiny of the chains of transmission led to voluminous works collecting the biographies of narrators, creating the genre of the *Ṭabaqāt*, the most well-known of which is the work of Ibn Sa‘d (d. 230/845) and the development of ‘ilm al-rijāl, the science of studying individual transmitters of the Prophetic traditions to investigate the veracity of their statements and the probity of their characters. By the fourth century, criticism of traditions began to develop its own technical terminology, an endeavour for which al-Tirmidhī (d. 279/892) is given much credit (for more on his role see ‘Ḥadīth’, *EI2*). It was at this time that more systematised works were produced, leading to the emergence of the distinct field of the Sciences of Tradition (‘*Ulūm al-ḥadīth*). The first of these was Abū Muḥammad al-Rāmāhurmuzī’s (d. 360/971) *al-Muḥaddith al-Fāṣil Bayna al-Rāwī wa al-Wā‘ī*, with the best known written a few centuries later by Ibn al-Ṣalāḥ (d. 643/1245), *Ulūm al-ḥadīth*.

<sup>2</sup> For example, *Al-Mustadrak* of al-Ḥākim al-Nishapurī (d. 403/1014).

<sup>3</sup> Even al-Bukhārī and Muslim were met with criticism for the many more traditions that they excluded; the fear of their critics was that those traditions would be neglected or even lost entirely. Perhaps from this pressure, they both compiled works which also contained authentic traditions not recorded in their *Ṣiḥāḥ*. Brown (2007) succinctly documents the criticisms both traditionists faced by their contemporaries (see Brown, J. 2007. *The Canonization of al-Bukhārī and Muslim: The Formation and Function of the Sunnī Ḥadīth Canon*. Leiden: Brill). Even when the two texts gained canonical status, al-Dāraquṭni (d. 385/995) penned, *Kitāb al-ilzamāt wa al-Tatabbu‘* as a critique, which was taken so seriously that much of what al-Dāraquṭni objected to in the two texts was removed (Brown, J. 2004. ‘Criticism of the Proto-Ḥadīth Canon: Al-Dāraquṭni’s Adjustment of the Ṣaḥīḥayn’, *Journal of Islamic Studies*, **15**(1), pp.1-37).

Badr al-Dīn al-Zarkashī, *al-Ijāba li-Īrādi mā Istadraktahu ‘Ā’isha ‘Ala al-Ṣaḥābah—The Corrective: ‘Ā’isha’s Rectification of the Companions*. The book is a collection of 220 ḥadīths reported by ‘Ā’isha, third wife of the Prophet Muḥammad, and its title reveals much about its author’s agenda. Al-Zarkashī selected only those narrations of ‘Ā’isha in which she refuted, corrected, contradicted or further explained ḥadīths that were being circulated by other, invariably male, companions of the Prophet. Many of these challenges of ‘Ā’isha were never privileged with a place in the *Ṣiḥāḥ* corpus, particularly al-Bukhārī and Muslim’s collections, despite meeting the highest standards of authentication, and despite obviously constituting a counter-narrative to those which were deemed worthy of inclusion. In those instances where they have been collected, they have, on occasion, been overlooked in favour of the statements of other Companions.

*Al-Ijāba* constitutes a significant moment in the history of the ḥadīth tradition. Yet despite its ostensible significance, academia still awaits both an English translation and a detailed exploration of the text. Even in the Arabic language, scholarship is all but perfunctory, with little more than a conversion of the manuscript to print by way of a critical edition completed by M. B. Arūl in 1999, and then a second translation based on this into Turkish also by Arūl in 2000. In fact, the text was almost lost entirely, as Arūl describes in the preface to his critical edition: only two manuscripts existed of *al-Ijāba*, one he happened to stumble upon in a library in Istanbul, and one in Damascus which was accidentally discovered by al-Afghānī in 1939.

The imperative for such a text to be made more widely available as an aid in critically revisiting the ḥadīth tradition lies particularly in the question of reliability of the various Companions and their narrations of ḥadīth. This is especially so when they have come into conflict with those of other Companions, and in questioning the premise that they are all equally reliable. It also allows for the reestablishment of ‘Ā’isha as a central and leading authority in ḥadīth and gives an insight and opportunity into excavating her methodology towards ḥadīth. This is important, not only for feminist scholarship but for the study of ḥadīth literature more generally, where scholars such as Fazlur Rahman (1979), and Harald Motzki (2004) have already written about the urgency with which the study of ḥadīth needs to be made relevant once more.

Reinstating the voice of ‘Ā’isha to the very core of the ḥadīth literature would be a step in the direction of normalising a female voice at the epicentre of the Islamic tradition. This move goes

beyond the typical feminist hermeneutical approaches in interpreting the Quran. Beyond interpreting the tradition from the position of women, it is imperative that the voices of women like ‘Ā’isha be permitted to form the very tradition itself. The Prophet’s wives especially were intended to be the torchbearers of the Prophet’s legacy, and were in fact divinely instructed to be so in the Quran: ‘Remember (*wadhkurna*) [and proclaim] what is recited in your houses of God’s revelations and wisdom for God is All-Subtle, All-Aware.’<sup>4</sup> Abdullah Yusuf Ali (2006), in his translation of this verse, asserts that the subject of the imperative ‘to remember’ (*udhkurna*) are the wives of the Prophet, and that the command goes beyond simply remembering, but extends to a command to ‘recite’, ‘teach’, ‘make known’ and ‘publish’ the message which they learn in their homes from the Prophet, the ‘fountain of spiritual knowledge’.

With this in mind, it is hoped that the translation and study of a text that centres the voice of ‘Ā’isha as one that is crucial to the future of Islam will encourage the expansion of the Muslim imaginary such that it can conceive of gender egalitarian thinking and praxis. The drivers of such a shift will be Muslim women primarily, perhaps in collaboration with other marginalised groups, for it is they who have the most to gain from the overthrow of patriarchal interpretations of Islam and its sacred texts. Of relevance here is the work of Ernesto Laclau and Chantal Mouffe around the notion of the radical democratic imaginary. Anna Marie Smith expounds Laclou and Mouffe’s contention that egalitarian and rights discourses are fundamental to the reconstruction of collective identities; that exploitation and oppression are not enough to engender resistance; that subordinated groups need to be given critical tools to both dismantle structures of power that are oppressive and to construct alternative worlds (Smith, 1998, p.67). Crucially, though, Laclau and Mouffe (*ibid*) underline that being the object of domination does not in itself suffice to activate the agent into resistance. Instead, they argue for a distinction to be noted between relations of subordination and relations of oppression. Relations of subordination indicate an individual is subjected to the will of a dominator but does not consider the dominator to be preventing them from realising their full potential and agency. In contrast, in relations of oppression, the individual is fully aware of the constraints the relationship puts upon them. Laclau and Mouffe (*ibid*) contend that for a subordinated subject to become an oppressed one, a number of steps must first occur; the subordinated individual must find a compelling discourse on the matter, that not only provides an account of their

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<sup>4</sup> Quran, al-Ahḏāb, 33:34

condition but also provides the critical tools needed to be able to imagine an alternative space, free from the restrictions and constrictions of the dominant group and its subordinating structure, in which they can reach their full potential and identity, and also to provide them with the ability and means to connect with others in order to achieve this radical vision.

This study allows for a reconsideration of constructions of female Muslim piety, through reconstructions of ‘Ā’isha, and thereby representations of Muslim women and their needs in the Islamic tradition. The potential of *al-Ijāba*, to be utilised as a powerful tool around which collectives can be brought together to learn about ‘Ā’isha from a perspective that has hitherto been denied, is immense. As is discussed in the final Conclusion of this thesis, I presented preliminary findings from this study amongst Muslim women in the community, and their feedback was electric with excitement at the possibilities of broadening their horizons and possibilities, and deepening their religious literacy, through the statements and behaviours of ‘Ā’isha.

## The Literature

While there has been no English translation or study made available of *al-Ijāba*, it has been cited in a number of works, and adopted for varying purposes. Denise Spellberg (1994) makes most extensive mention of the text in her book, *Politics, Gender, and the Islamic Past: The Legacy of ‘Ā’isha bint Abī Bakr*. She notes al-Zarkashī’s efforts in casting ‘Ā’isha as more than just the favourite wife of the Prophet, but as an integral contributor to Islamic knowledge, the most important transmitter, citing the tradition of the Prophet, which al-Zarkashī also quotes in his introduction, ‘Take half of your religion from Hummayra’.<sup>5</sup> She rightly frames al-Zarkashī’s work as a response to Shi‘a polemic, which had hitherto elevated the position of Khadīja, the first wife of the Prophet, and Faṭima, his daughter. While she notes that in doing so he goes against some from within his own, Shafī‘ī school who advocated a preference for Faṭima over ‘Ā’isha (ibid. p.175), she does not explore the reasons for this fully, nor is there any mention of the position of ‘Ā’isha within other schools of thought, especially the Ḥanafī school, wherein she was considered an expert on jurisprudence (*faqīha*).

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<sup>5</sup> A nickname given to ‘Ā’isha by the Prophet, meaning ‘little red one’. This could be a reference to her red hair or to the red tint to her fair skin as a result of sunburn. Whatever the explanation, it was a title of great endearment from the Prophet to his most beloved wife. Whilst this particular tradition has been widely rejected as fabricated (see Ibn Qayyim al-Jawzīyah, *Al-Manār al-munīf*, pp.60-61), the unique scholarly standing of ‘Ā’isha remains undisputed within Sunni scholarship.

Asma Sayeed (2013, p.28) cites *al-Ijāba* in her book, *Women and the Transmission of Religious Knowledge in Islam*, as a means to highlight the scholarly contributions of ‘Ā’isha, especially her correcting of Prophetic narrations that were being misinterpreted or misquoted. Sayeed does not engage any analysis or translation of the text. Muhammad Akram Nadwi (2013, p.220) notes the text in his, *al-Muḥaddīthāt*, claiming to have combined it along with two similar works in a volume titled *al-Isti‘āb li ma istadrakathu ‘Ā’isha ‘ala al-aṣḥāb*. It has not been possible to locate this text despite a thorough search; I contacted his educational institute but even they appeared to have no knowledge of the title. Zainab Alwani (2013) makes something of an effort to propose a methodology that can be extracted from the legacy of ‘Ā’isha. In doing so, she references al-Zarkashī’s *al-Ijāba*, but is brief in her effort.

Most significant however, is the survey of Fatima Mernissi in, *The Veil and the Male Elite* (1991, p.77), wherein she presents al-Zarkashī’s text as one which casts doubt over the dogma that asserts absolute probity of the Companions. Mernissi investigates the historicity of particular ḥadīth narrations, contextualising and scrutinising some narrators of ḥadīth who displayed what she considered misogynistic tendencies. Paying particular attention to the ḥadīths of Abū Hurayra, a character venerated in the ḥadīth tradition, and the most prolific narrator of the Prophet’s teachings, Mernissi drew attention to the fact that Abū Hurayra had only witnessed the final two years of the Prophet’s life.<sup>6</sup> He therefore missed virtually all of the key events of the Prophet’s life, yet somehow still narrated more traditions than any other senior Companion of the Prophet. Interestingly, Mernissi is not the first to question the prolific nature of Abū Hurayra’s narrations. We gather from al-Bukhārī that even in his own lifetime, Abū Hurayra was challenged and forced to defend himself against accusations of lying: ‘You [people] say that Abū Hurayra is excessive in narrating from the Messenger of God. You say the Immigrants (*Muhājirūn*) and the Helpers (*Anṣār*) do not narrate from the Messenger of God the likes of which Abū Hurayra narrates. My *Muhājir*<sup>7</sup> brothers were busy in the market while I used to stick to Allah’s Apostle content with what fills my stomach; so I

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<sup>6</sup> Abū Hurayra is recorded as saying, ‘I enjoyed the company of the Messenger of God for three years...’ al-Bukhārī, Chapter: Virtues and Merits of the Prophet and his Companions, Section: The Signs of Prophethood in Islam, ḥadīth No. 3591. The lunar calendar as would have been customary for the Companions, would have measured 2 solar years and 3 lunar ones.

<sup>7</sup> *Muhājir* referred to an Immigrant, who moved from Makkah to Medina in the period just before the Prophet Muḥammad emigrated to Medina up until the time of the conquest of Makkah in 8/630. See, P.J. Bearman, Th. Banquis, C.E. Bowworth, E. van Donzel, W. P. Heinrichs Bowworth, ‘Muhājir’, See, Andrews, P.A and Ansari, S, ‘Muhājir’, *E12*.

used to be present when they were absent and I used to remember when they used to forget, and my *Anṣārī*<sup>8</sup> brothers used to be busy with their properties while I was one of the poor *Ahl al-Ṣuffā*<sup>9</sup>. I used to remember the narrations when they used to forget. No doubt, Allah's Apostle once said, 'Whoever spreads his garment till I have finished my present speech and then gathers it to himself, will remember whatever I will say.' So, I spread my coloured garment which I was wearing till Allah's Apostle had finished his saying, and then I gathered it to my chest. So, I did not forget anything of the statements of the Messenger of God's narrations.'<sup>10</sup> What is important though, is that Mernissi's critique essentially opens up the possibility of re-examining the credibility of reports already canonised within the *Ṣiḥāḥ*. Mernissi questions the role of Abū Hurayra, his motivations and the reception of his behaviour among his contemporaries, reviewing four of his narrations in the process. My study builds on this by extending her approach both in terms of the number of traditions analysed and in terms of the number of Companions included within the discussion.

Mernissi also highlights the need for the science of ḥadīth to be instrumentalised for the purpose of assessing the credibility and reliability of Companions of the Prophet, who until now have been considered virtually infallible in Sunni Islam. Indeed, her call is simply to revive the classical tradition of ḥadīth criticism, but to encompass the Companions in this tradition too. This study will build on this important contribution by examining the process of ḥadīth authentication, and in particular to examine notions such as the 'uprightness' of the Companions (*adālat al-Ṣaḥāba*), which meant that they were exempt from scrutiny in the science of impugment and acceptance (*al-jarḥ wa al-ta'dīl*).

It becomes clear then, that this study is not only occupied with discovering the many manifestations of 'Ā'isha that have been constructed and reconstructed throughout the historiography of Islam, but also with the mechanics of the ḥadīth literature. This is of great importance as feminist scholarship on ḥadīth—with the exception of the efforts of Mernissi

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<sup>8</sup> *Anṣārī* singular of *anṣār*, meaning Helper. These were those Muslims of Medina who aided those who migrated to their city and supported the Prophet and his Companions from Makkah. See, Watt, M. *EI2*.

<sup>9</sup> *Ahl al-Ṣuffā* also referred to as *aṣḥāb al-ṣuffā* translates as 'people of the bench' and referred to those Companions who lived in the portico of the Prophet's Mosque in Medina. They were made up of Muslims that had emigrated to Medina from various places who did not have the means nor connections to establish themselves in the new city so would seek refuge in the Prophet's mosque. The Prophet would encourage others to look after the *ahl al-Ṣuffā* and would ensure to see to their needs through any charity or gifts he received too. See, Tottoli, R. *EI3*.

<sup>10</sup> al-Bukhārī Chapter: Sales and Trade, ḥadīth No. 263,

mentioned above—largely falls short of this. This might be because the ḥadīth are not neatly compiled in one volume as the Quran is, but also because the Quran as the verbatim Word of God takes precedence over the ḥadīth and so serves as a potentially more powerful means to validate and legitimise gender egalitarian positions. However, it is paramount that Islamic feminist scholarship engages more with the ḥadīth tradition, not only because ḥadīth are often cited as counter arguments to feminist exegesis of the Quran but also because it is the ḥadīth tradition which informs juridical texts and Islamic legal tradition most.

Thus far, the approach to ḥadīth taken by Islamic feminist scholars has been less concerned with the history and development of ḥadīth and an interrogation of that process, and more concerned with treating ḥadīth as an accepted authority in Islam which takes a ‘norm-providing’ position. As Sa’diyyah Sheikh (2004, p.100) puts it, ḥadīth are approached as a ‘religio-cultural text which provides a mirror into the dominant conceptions of gender and the category of woman within a formative period of the Muslim legacy, as well as the ways in which these become ideologically functional subsequently in defining religious ideals of gender’. They are, therefore, tools to understanding and creating norms, and as such their history, and development needs to be thoroughly interrogated. Interest in the history of ḥadīth appears to only go so far as identifying women transmitters of ḥadīth. Asma Sayeed (2103) masterfully narrates the story of the role of women in the transmission of sacred knowledge in Islamic history in her *Women and the Transmission of Religious Knowledge in Islam*. She writes of the authority of the female Companions beyond the household of the Prophet and of their pivotal role in the preservation and transmission of Prophetic traditions, going on to chart the rise and then fall of female engagement with scholarship by the end of the 1<sup>st</sup>/6<sup>th</sup> century, followed by a further resurgence in the mid-4<sup>th</sup>/10<sup>th</sup> century, and then a second decline in the 10<sup>th</sup>/16<sup>th</sup> century. She acknowledges a number of social, cultural, political, and legal factors that each played a part in the story of female scholarship but does not question the actual texts of ḥadīth. Hers is a survey of the social and intellectual history of Muslims and the role women have been permitted to play within that.

To resurface female presence in the historical preservation and transmission of Islamic sacred knowledge is undoubtedly an important endeavour if female representation is to be reinstated, but falls short of the mark as these women’s biographies oftentimes appear unreal and their achievements outside the possibility of replication. In keeping these women presented as exceptional, this does little to combat what Malti-Douglas (1992, p.54) refers to as ‘sacred

history as misogyny’, in which women are primarily viewed in a particular, unflattering light: oftentimes more like honorary men than exemplary women. Indeed, ‘Ā’isha herself falls prey to such benevolent misogyny. Farīd al-Dīn al-‘Aṭṭār (d. 617/1220) said regarding ‘Ā’isha, ‘If it is permissible to take two-thirds of the religion from ‘Ā’isha, the truthful, then it is also permissible to receive religious benefit from one of her handmaidens... When a woman [walks] on the path of Allah like a man, then it is not possible to call her a woman’<sup>11</sup> (Arberry, 1990, p.40). Therefore, while it remains an important endeavour, it is not sufficient to evoke the memory of these women as there simply do not seem to be enough of them to be considered a norm, or at least that is how their stories are relayed, in seeking to reinstitute the role of women in the very production of knowledge, not simply in its proliferation. To engage in highlighting biographies only is limiting for the fact that often little is known about the individual beyond their name, dates and place of birth and death, and the names of any prominent teachers or students they may have had. As such there is little by way of inspiration for the Muslim woman eager to connect with a role model from her religious heritage. It also leaves enough space around each individual female to have her story represented in a manner that continues to buttress patriarchal narratives of Islamic tradition. Furthermore, in terms of feminist scholarship, as Lerner (1986, pp.176-177) pointed out in her criticism of similar attempts by feminist biblical scholars, the visibility of a few counter cultural models is not evidence of a scriptural tradition being inherently gender egalitarian, or holding women in high regard let alone as equals to men. In short, such efforts are crucial, but not sufficient in establishing a robust and genuine argument for an egalitarian assertion of the tradition.

The preoccupation of Muslim feminists with grounding their work in the Quran due to its central position in Islam as the unadulterated word of God has been well articulated by Chaudhry (2015, pp.94-99). To be able to confidently ground a gender-just reading of Islam in

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<sup>11</sup> Farīd al-Dīn al-‘Aṭṭār wrote these words when addressing his inclusion of Rab‘iah al-Baṣrī in his *Tadhkirāt al-Awliya’* in which he recorded the names and biographies of illustrious Sufi saints. The quote starts with him saying ‘If anyone says, ‘Why have you included Rabia in the rank of men?’, my answer is that the Prophet himself said, ‘God does not regard your outward forms’....’ (Arberry, 1990, p.40). It seems then, that there is an implicit acceptance of the constructed nature of gender; if a woman can sometimes be regarded as a man, who in this sense has become a sort of standard of excellence, then all that prevents other women from attaining the same is access to resources and education. While constructions of gender are not the primary focus of this research, it would be interesting to interrogate these constructions within Islam, taking into consideration Judith Butler’s insights on how gender categories are historically contingent and in a continuous process of re-creation that is performed on the level of the individual and society in numerous ways, including clothing, behaviour, legal regulations etc. See, Butler, J. 1999. *Gender Trouble: Feminism and the Subversion of Identity*. New York and London: Routledge. pp.32-33.

the Quran is to assert a gender egalitarian episteme. She further notes that the ḥadīth have not been systematically engaged with by Muslim feminist scholars due to their secondary standing before the Quran in the Muslim community and also because of their amorphous and nebulous nature. In addition to this, the very text itself is treacherous terrain for the scholar seeking to research it; ḥadīth compilations number in their thousands and carry different weights of authority, they are not conveniently found in one single volume like the Quran, and some ḥadīth are accepted by some Muslims while being rejected by others. Of course, there is also the issue of authenticity; a charge that the Quran is never met with, at least not within the Muslim community. Furthermore, Chaudhry (ibid) posits that Muslim feminists may have avoided the ḥadīth because they are the sayings of the Prophet who was a product of his social and historical context. Thus, unlike God's words, which can be separated from the patriarchal society in which they were revealed by means of a historicisation and contextualisation, the Prophetic tradition cannot be so easily absolved of the patriarchal practices it inherently reflects. The Prophet is and remains a product of his society and times, with paradoxical results. On the one hand, he is constructed as one who inaugurated practices counter to misogynistic trends prevalent in his community: He outlawed female infanticide and instituted the dowry (*mahr*) to be paid from the groom to the bride, he ensured women were granted a portion of inheritance instead of being part of the inheritance. On the other hand, he engaged in practices and norms of his seventh century social milieu. Chaudhry cites his polygamous marriages to between ten and twelve women and his lack of endorsement for female leadership in Medina as examples. Despite the Prophet's context and his being a product of that context, feminist scholars mine the Prophetic biographies (*sīrah*) and ḥadīth in search of evidence of what Chaudhry terms, 'counter-patriarchal' (ibid, p.92) practices of the Prophet, as evidence of a legitimate space for gender-egalitarian practices in Islam. She astutely notes that such a methodology may be open to criticism for being agenda-driven, and as such biased, but further argues that such accusations could just as legitimately be levelled at the classical Islamic scholarly tradition and its approach to ḥadīth historically. It is noted that traditional Islamic scholars would evince their opinions with ḥadīth that best supported their arguments, irrespective of whether those ḥadīth were strong or weak; they merely had to ensure they were not fabricated. For Chaudhry, '...Quran commentators and jurists drew on prophetic practice selectively to argue for a particular legal position or Quranic interpretation, making prophetic practice fit into their own framework rather than portray the Prophet Muhammad as a complex person' (ibid, p.93). She argues that the utilisation of prophetic practice to support a given stance is not new. What is new is the drive to utilise prophetic tradition through a lens of gender-egalitarian principles.

Chaudhry therefore sets the grounds and argues for the continuation of the traditional approach of Islamic scholars in seeing the prophetic tradition as a malleable one, as well as to utilise it in the contemporary age with the view to attaining gender parity through it and correcting patriarchal and misogynistic interpretations. This methodology is encapsulated by Sheikh (2004, p.100) as applying feminist hermeneutics, which she defines as ‘a theory or method for interpretation which is sensitive to and critical of sexism’.

Islamic feminist scholarship’s application of a feminist hermeneutics is largely structuralist in nature. By asserting that patriarchal interpretations of Islam are a product of male scholarship, exercised in patriarchal and misogynistic societies, the claim is not that the text is patriarchal but that the minds engaging it are. And yet, there have been post-structuralist efforts by Muslim feminist scholars such as Ziba Mir-Hosseini, Azizah al-Hibri, and Leila Ahmad who have looked more broadly at other institutions and processes, such as the development of jurisprudence as it intersects with the various social milieus that different times and places presented, as well as the power structures of each context including those in the present, with an aim to identify strategies for change. Milne (1989) considered structuralist analyses of feminist hermeneutics as applied to the Bible. She wrote, ‘When the text to be analysed is the Bible, however, the possibility for change is severely limited because the textual corpus is fixed. The canonical collection cannot be changed by adding feminist writings to it’ (p.32). This would probably hold true for feminist hermeneutics as applied to the Quran too, but with the ḥadīth literature, there is an exciting opportunity to reopen the canon and possibly reinstate sound ḥadīth that have been overlooked and obscured, and to make space for those ḥadīth that may have been sound by the highest standards, but simply not included in the canonical corpus.

Revisiting the canonised ḥadīth is not only of importance for the feminist study of Islam, but also for the relevance of the study of ḥadīth. Writers such as Fazlur Rahman (2002), Harald Motzki (2004), and Israr Khan (2010) to name but a few have articulated well the urgency with which the study of ḥadīth needs to be revised. Rahman (2002, pp.43-68) writes at length in his preeminent book *Islam* about the development of the ḥadīth, on how the *Sunna* was understood as the living tradition and how that was co-opted by the verbal tradition in the processes of canonisation. He observes this process did not take place in a vacuum, and that it too was prey to the political environment of its times, shaped by the dominant polemics amongst the scholarly classes across the various Muslim schools, particularly between the rationalists (*Ahl al-Kalām*) and the traditionists (*Ahl al-ḥadīth*). The history of this process lays bare the

weaknesses within the canon due to the polarising effects of the polemics within which it was developed. Rahman asserts that these weaknesses are utilised by some modernists who would seek to do away with ḥadīth as a whole, but that this is a call to a fruitless endeavour since the ḥadīth is paramount in providing context and historicity to the Quran. Additionally, there does not now exist an alternative source for understanding prophetic teaching inasmuch as there no longer exists a living tradition separate to the oral/written one. Despite this, the concerns of such modernists, he argues, are legitimate but rather than seeking to abandon ḥadīth altogether, Rahman instead argues, ‘...a candid and responsible investigation into the development of the Ḥadīth by the Muslims themselves is a desideratum of the first order. Whatever can be achieved in this way will be a sheer gain, for it will reveal the intimate connection between the Community and the Prophet on the one hand, and between the doctrinal and the practical evolution of the Community and the growth of the Ḥadīth on the other. It will illuminate the relationship between these three and will clear the way for proper future development’ (ibid, p.67).

### **Resisting Labels: On Positionality**

While it is intended that this research contributes to Islamic feminist scholarship, it is important to address the various approaches within Islamic feminist scholarship and where this research is positioned within this discourse, and indeed where it extends beyond feminist scholarship of any stripe.

While the term Islamic feminism came into more popular circulation in the 1970’s-80’s, many scholars have highlighted the heritage of gender egalitarian struggles within the numerous non-Western traditions and cultures within which Islam is embedded. Mir Hosseini (1999, 1996, 2013) illustrates this in the efforts of women in Iran who rallied against the patriarchal impositions of the post-revolution theocracy, while Shuruq Naguib (2015) brings to attention the works of Bint al-Shāṭī, who never declared an affiliation with feminism but espoused the ideals of a society in which women are treated as fully equal human beings to men. In other words, there is an acute awareness amongst many scholars within Islamic feminist scholarship of the efforts of women from within Islam’s history, who have appealed to the Muslim to realise a society which is just and delivers fair treatment and opportunities irrespective of gender. This reality has led to what Seedat (2013) has delineated as two positions amongst academics regarding Islam and feminism. Firstly, there are those who would denounce any such

partnership and believe Islam to be inherently patriarchal and as such incompatible with feminism. Haideh Moghissi (1999) is paradigmatic here, when she argues that despite the historical efforts of women to find a gender egalitarian space within Islam, these efforts have not been so widely popular or successful, because the religion is inherently patriarchal and any attempts to 'read' another interpretation into the text are a futile endeavour. Conversely, there are also those opponents to a convergence between the two on the grounds of incompatibility, who reject the need for feminism as a futile Western human construct that cannot be imposed on the perfect Divinely inspired teachings of Islam, as is argued by Zeenath Kausar (2006). Secondly, there are those who see a convergence between the two paradigms, though Seedat astutely notes that they too can be split into three positions.

Firstly, there are those that not only support this but consider it an inevitable partnering, especially as more Muslim women take to reclaiming the narrative. It is interesting to note nonetheless that even Margot Badran (2009, p.143), who is a strong advocate of such a view, maintains the term 'gender activism' to describe the efforts of many Muslim women, acknowledging the suspicion with which some Muslims, both male and female, regard feminism because of its 'Western associations'. She admits the reason why a significant number of apparently feminist Muslim women reject the term is because it is confining and potentially misleading.

The second approach, which includes the likes of wadud and Barlas, roots gender-just readings of the Quran not in a feminist methodology but from a faith-based perspective which upholds justice as a core component of the faith. Mernissi (1991, p.viii) asserts, 'The quest for dignity, democracy and human rights, for full participation in the political and social affairs of our country, stems from no imported Western values but is a true part of the Muslim tradition'. These female Muslim scholars root the impetus of their work within the Muslim tradition and its tenets, rather than in feminism per se, while at the same time, they accept that feminism provides a language and theory through which they are able to best articulate their assertions. Nonetheless, they maintain a distance from the term feminism and actively reject and resist the thrusting of the term onto their work.<sup>12</sup> The third position on the convergence between Islam

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<sup>12</sup> While wadud seems to have become more accepting of the term, Barlas still maintains that her work should not be read merely as feminist. Barlas rejects the term 'Islamic feminism' as a master signifier and warns against its hegemonic imposition on the Islamic tradition in a manner that threatens to obfuscate the heritage of women's resistance to patriarchy, and to readings

and feminism is what Seedat (2013, p.406) refers to as ‘taking Islam for granted’. Proponents of such a position, including Kecia Ali, engage with Islamic texts as their subjects, and feminism as their method for analysis. Ali (2006, p.153) argues that Muslim feminists are now a part of the Islamic scholarly landscape, such that whether their works and conclusions are being accepted and mainstreamed or not, they continue to ‘push at its boundaries and reshape its contours’. This position, Seedat (2013, p.418) observes, ‘pays less attention to the hegemonic politics of feminism and more attention to its critical discourse’.

Given this range in positions regarding Islam and feminism, and the nature of their convergence, it is important then to pause to consider the position of this research and its engagement with the various paradigms. Both Seedat and Barlas have expounded on the need to maintain a critical distance between Islam and feminism, which warrants some discussion in clarifying the position of this research too.

Barlas has been in a consistent debate with Badran, who insists on defining Barlas’s work as feminist, while Barlas has determinedly argued otherwise. She questions her resistance, asking herself, when the phenomenon of Islamic feminism has become an actual reality, why does she remain so averse to accepting the classification? In answering her own question, she brings to the fore the politically hegemonic nature of feminism as a discourse. She argues (2008, p.22) ‘...it is the very inclusivity of feminism - its attempt as a meta and master narrative about equality - that I find both imperialising and reductive’. Barlas, wadud, and Seedat have all spoken of feminism in two distinct forms; as an analytic construct, and as a political hegemony. Even while acknowledging the contribution of feminism as an analytical tool, they caution that a distance must be kept between Islam and feminism, arguing that feminism remains inadequate in serving the gender equality concerns in Islam, and caution that it precludes other ways of understanding gender that reside outside of the Eurocentric, in non-Western and anti-colonial cultural paradigms (Seedat, 2013).

Not only have Muslim female scholars seeking to enliven debate and understanding of Islam and gender just readings of the tradition highlighted the shortcomings of feminism as an

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of gender-just readings that are not born from a Western liberal perspective. See, Barlas, A., 2008. Engaging Islamic Feminism: Provincialising Feminism as a Master Narrative. In: A. Kynsilehto. ed. *Islamic Feminism: Current Perspectives*. Tampere: Juvenes Print. pp.15-25

analytical tool and as an imposition of a political hegemony, there are also those who have highlighted the artificial impression feminist readings may give of a lack of female voices within the Islamic tradition and history. The assertion of a feminist hermeneutics to reading the Quran has led Naguib (2010) to argue that this imposition enacts a sort of epistemic violence upon the tradition. She argues that insisting on a feminist hermeneutic of the Quran is to obscure earlier voices of Muslim women, and to project a false notion of Muslim women being silent prior to the advent of modernity. Certainly, the history of the first Islamic community and the presence of Khadīja bint Khuwaylid upon first revelation, through to Hafṣa bint ‘Umar as the central authority in the unification of the Quran, would attest to Naguib’s assertion. Additionally, a number of lesser known female figures have also been recognised and acknowledged for their contribution to the scholarly heritage of Islam. This insistence upon a feminist hermeneutic of the Quran, according to Naguib (2010, p.19), creates a false dichotomy wherein on the one hand, there is a tradition which is inherently patriarchal, and on the other, a feminist reading which liberates the tradition of patriarchal interpretation. Naguib argues that this dichotomising of the issue, puts feminist readings outside the communal perspective, and if a study is not accepted by the very community it seeks to inform, then she questions what value can be given to such work.

Thus while this research benefits from the articulations of feminist hermeneutics as applied to the Quran, and the works of Muslim scholars, who may or may not subscribe to the term Islamic feminism, it will seek to grow in the gap between feminist assertions and the tradition, or rather the ḥadīth tradition more specifically. It is not to be positioned in opposition to traditional readings of the ḥadīth, but rather as a complementing completion of the tradition—a means to reading the tradition whole, while understanding and advocating for the fact that continued revisiting of the tradition means that it is always in the process of becoming. This research is seeking to re-centre the voice of ‘Ā’isha and is entirely based around the work of the male scholar, al-Zarkashī. Thus, the argument of binaries is already at the very core of this work subverted, while at the same time not denying the influence of patriarchal readings, and interpretations which have favoured the Muslim male experience over that of the Muslim female. It is, in other words, an effort in providing a reading that is not oblivious to the complicatedness of the gender implications at play—after all, every corrective of ‘Ā’isha is in response to a male companion (except in the case of Fatima, which is exceptional for a number of reasons, as explained in Chapter Six), but that also acknowledges the nuances. ‘Ā’isha’s voice has been suppressed, and yet it is the work of this man, al-Zarkashī, upon whom this

research relies in exhuming her voice, while simultaneously needing to be vigilant of al-Zarkashī's own contextual influences on how he read the text.

## Chapter Summaries

In Chapter One, this study introduces Imām al-Zarkashī and his text and seeks to interrogate the possibility that al-Zarkashī had foreseen the fate that awaited the statements of ‘Ā’isha and sought to forestall it by compiling this work and then dedicating it to the *Qāḍi al-Quḍāt*,<sup>13</sup> Chief Judges, Qāḍi Burhān al-Dīn b. Jamā‘ah (d. 790/1388), who was one of the most distinguished Shafī‘ī jurists in Mamluk Egypt, descended from a family well-established within the religio-judicial system of the Mamluk dynasty. To have had his ear was to potentially have direct impact on the prevailing judicial system. The chapter also introduces the central figure of the text, ‘Ā’isha bint Abū Bakr, and considers how her history has been reported, constructed and reconstructed by generations of Muslim scholarly elites and wider community and what the implications of these various constructions have had on the take-up of her statements and positions and their link to broader constructions of Muslim womanhood.

Acknowledging the role of the ḥadīth in the constructions of ‘Ā’isha and the treatment of her statements, in Chapter Two this study seeks to understand the history of ḥadīth and its development into a self-contained discipline. Additionally, Chapter Two considers the criteria against which ḥadīth are accepted or rejected with a view to examining how this might have led to the marginalisation of ‘Ā’isha’s statements and positions. However, the validation of the ḥadīth is not the only relevant factor, for the process of canonisation must also be considered. This dimension is discussed with reference to both who participates in the process—it is in fact a male-led endeavour—and by considering the potential of extra-canonical ḥadīth collections in disrupting the hierarchy represented by the *Ṣiḥāḥ* in order to allow a broader representation of ḥadīth that meet the standards set by ḥadīth scholars. To this end, I have analysed the ḥadīth texts as Canon I and Canon II types, in accordance with the definition for each as schematised by Gerald T. Sheppard (1987). While Sheppard’s schematising of the canon is highly useful, this study seeks to heed the cautions of Kendall Folkert (1989) in seeking to apply canon,

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<sup>13</sup> *Qāḍi al-Quḍāt* was a term adopted by the Abbāsids and is believed to have been of Persian origin. Schacht posits, ‘It has been suggested that the office of Chief Qadi [chief justice] ...is of Persian origin and the translation, into an Islamic context, of the Zoroastrian *Mobedan Mobed*.’ (1950, p.10)

centring biblical texts, onto non-Biblical sources and as such will extend the notion of canon types, to include a Canon III type. Where Sheppard coined Canon I to mean those texts which are not of themselves an authority but imbibed with authority by scholars, and Canon II to mean those texts which have gained such status that they are in and of themselves authoritative, independent of scholarly endorsement, I propose retaining Canon I as described by Sheppard, while dividing Canon II into two: Canon II retaining its definition, but with the additional Canon III, illustrating the separate and elevated status of al-Bukhārī and Muslim, which have their distinct history, process, and status from the other canonised ḥadīth texts.

It may be the case that al-Zarkashī intended to challenge the canon with his work. The production of ḥadīth literature was certainly not halted by the rise in prominence of certain texts over others. As such, in translating and probing the text, this research may be viewed as an attempt to re-open and expand the canon in the way that it centralises the voice of ‘Ā’isha. This will also require a historical analysis of the life of ‘Ā’isha and understanding of the ways in which her persona has been constructed and then reconstructed over the centuries, and the impact this would have had on the position of her statements vis-a-vis other Companions of the Prophet. Additionally, this chapter considers the impact of Shi’a-Sunni polemics on the construction of ‘Ā’isha and how these in turn influenced her position within the ḥadīth tradition. In understanding the canonisation process in ḥadīth, this study has sought to interrogate prevailing narratives that remain Shafī’ī/‘Asha’ri centric. Works on canonisation of ḥadīth by authors such as Brown (2007) and El Shamsi (2013) fail to sufficiently address the works of ḥadīth which ran counter to the canon-culture, most significantly, the works produced by Ḥanafi scholars who as proponents of the *ahl al-ra’y*, held a different perspective regarding ḥadīth to the *ahl al-ḥadīth* stance, to which the Shafī’īs subscribed.

Chapter Three explicates the methodology adopted for translating the text and presents an approach for translating ḥadīth that could be transferable to the translation of any ḥadīth text. The value of doing this emerges from the fact that there is nothing available in the existing literature regarding methodologies for the translation of ḥadīth, and nor is there adequate reflection on the part of those engaged in translating Islamic texts, especially the ḥadīth, on translation decisions they have made. Instead there are vague and rather obscure claims to ‘simple’ and ‘authentic’ interpretations without clarity on what either implies. Chapter Three is therefore not only an important explanation of the methodology utilised in this research, it is also an intervention in the wider field of ḥadīth translation. The chapter also delineates which

parts of *al-Ijāba* have been translated given that, for the purposes of this study, translation of the whole text is not needed.

The next three chapters are concerned with analysing the translated ḥadīth. Chapter Four foregrounds ‘Ā’isha’s refutations of all the Companions, except for Abū Hurayra and Faṭīma bint Qays, and maps the responses of ‘Ā’isha from a juristic position. The argument is made that not only does she have a clear approach to assessing ḥadīth, but also a methodology that underpins her legal rulings, leading to a case for an emergent juristic framework. Chapter Five analyses ‘Ā’isha’s responses to statements made by Abū Hurayra and elicits her criteria for rejecting or accepting a statement, and how that has been applied by her on Companions of the Prophet. Chapter Six focuses on the ḥadīth of Faṭīma bint Qays and ‘Ā’isha’s response to her. This response is an anomaly within the text for a number of reasons: it is the only ḥadīth wherein ‘Ā’isha is refuting a female Companion; it is also the only time that ‘Ā’isha is not impugning the narrator or denying the facts being relayed. ‘Ā’isha’s only contention with Faṭīma is that the latter is seeking to make a precedent out of her claim that would negatively affect all female divorcees. Both ‘Ā’isha and Faṭīma’s possible motivations and the principles behind their positions are considered. Furthermore, the treatment of Faṭīma’s statement by various men from amongst her peers as well as scholars from later generations are investigated, providing some insight into how her gender impacted on their response. ‘Ā’isha’s response is interesting for what it reveals of her principles that I describe as exhibiting an ethic of care. This ethic of care, a commitment to ensuring the best and most wholesome conclusion/outcome for the Muslim community, bearing in mind the particular limitations of those who are largely marginalised and therefore unprivileged and disadvantaged in many ways, becomes increasingly apparent in all of her responses, and is in line with the Quranic ethos and Prophetic mission.

The analysis and findings of Chapters Four, Five, and Six culminate in the conceptualisation, in Chapter Seven, of an emergent methodology of ‘Ā’isha in approaching the ḥadīth.

## Chapter One: The Woman, The Man, The Text

This chapter provides an introduction to the three foci of interest in this research in chronological order. Firstly, ‘Ā’isha bint Abū Bakr is introduced and three crucial events in her life are presented: her age at marriage to the Prophet, the case of slander against her, and the Battle of the Camel. These events have been selected for a number of reasons. Each was a controversial moment in the life of the Prophet and/or ‘Ā’isha, and most certainly in the ongoing life of Muslims who have to contend with each controversy. The particularly young age of ‘Ā’isha upon her marriage to the Prophet, offends modern sensibilities, and has been the subject of much scholarly engagement. It is not the objective of this chapter to conclude truths regarding her age at marriage, but to observe the ways in which the ḥadīth canon has been engaged, and the implications of this engagement on just how fluid the canon is, albeit only informally. This has further implications for the discussion in Chapter Two when considering the ḥadīth canon and the argument for a formal opening of the canon that allows for the re-interrogation of the ḥadīth recorded therein, the prioritising of statements of Companions who were more senior, more learned, and better placed to comment on Prophetic tradition, and in engaging authentic ḥadīth that are not privileged with the same treatment of canonised ḥadīth, simply because they reside outside of the canon as it is currently conceptualised.

Both the slander against ‘Ā’isha and her role in the Battle of the Camel, are presented in some detail for the wealth of information they provide. Both incidents being intensely severe upon ‘Ā’isha and those around her, reveal the remarkable mettle of her character. The slander illustrates the depth of her reliance on God and connection with the Quran, both in terms of her seeking succour in its verses through the trying time, and in the subsequent verses revealed as a result of her ordeal. In turn what these verses reveal of women’s rights and the preferential treatment towards accused women as a Divinely endorsed epistemic position, and the precedent set by ‘Ā’isha in leaving her husband’s home, retreating to the home of her parents for recovery from illness and the emotional distress of what was occurring, all encourage and support women in vulnerable domestic situations to be supported, allowed freedom of movement, and to have the benefit of doubt in their favour.

The Battle of the Camel took place after the death of the third Caliph, ‘Uthmān ibn ‘Affān, when civil strife had reached a peak. It is distinct from the Slander of ‘Ā’isha, not only for having taken place after the life of the Prophet, but also for how seldom modern retellings of

the history of the earliest generation of Muslims make mention of it, and when they do, how the story is sanitised beyond recognition, despite its being recorded in ḥadīth collections like those of al-Bukhārī and Muslim. By re-visiting the story as relayed in authentic ḥadīth and by the early historian al-Ṭabarī, the details of the incident are presented to grant an understanding of ‘Ā’isha that will be considered in the translation process as discussed in Chapter Three, and in considering the implications this has on constructions of ‘Ā’isha.

Constructions of ‘Ā’isha have a direct impact on the boundaries of what constitutes an ideal Muslim woman. As a paragon of Muslim womanhood, the behaviours and actions of ‘Ā’isha which run counter to patriarchal assertions of the ideal Muslim woman, become dangerous and threatening, and are first to fall foul in the sanitised retellings of the Battle. This is considered in more detail later in this chapter, in the section entitled, ‘Ā’isha and the Construct of Muslimah Piety.

These events are considered in order to better understand who ‘Ā’isha was and to examine the historiography of these cases for what they reveal of varying demands and pressures Muslim scholars were contending with and the broader implications this had on how she was constructed and her stories told, as well as the implications of these constructions for Muslim women. Each story has the potential to reveal her a critical and independent thinker, an astute leader, a woman with political acumen and ambitions, a scholar, dissenting rebel, teacher, a woman made independent of her parents and husband in her reliance upon God alone. Each of these in turn opening up possibilities for Muslim women, most of which run counter to patriarchal expectations of Muslim women, both in the domestic and public domains.

The details relayed in the brief biography of ‘Ā’isha and in the presentation of the three aforementioned incidents, reflect the points on which all major accounts agree. What is presented is based on sound traditions recorded by al-Bukhārī and Muslim, as well as the works of early biographers and historians, most notably the *Tārīkh* of al-Ṭabarī. As such, the controversy is not in the relaying of the incidents in full now, but in the scandalous removal of the details by others. Thus, the chapter also engages in ground-clearing by reinstating histories as they were initially recorded.

Next, al-Zarkashī is introduced, with the aim of understanding who he was and his standing as a scholar. Speculations about what motivations lay behind his penning of the text are given in

light of the socio- political context in which he wrote. Finally, the text, *al-Ijāba*, is introduced, with a discussion of the story of the manuscript and the remarkable discovery of it.

### **‘Ā’isha bint Abū Bakr**

‘Ā’isha was born in Makkah in the year 614, nine years before the Prophet’s migration to Medina. She was the daughter of Abū Bakr al-Ṣiddīq, the close friend and successor to the Prophet, who was honoured with the title of *al-Ṣiddīq*, the Truthful one, by the Prophet, a title his daughter would also be conferred with following the incident of the slander.<sup>14</sup> She was also given the agnomen, Umm ‘Abdullah. Al-Zarkashī notes in his introduction, there is some discrepancy as to what initiated the Prophet’s naming her thus; some have recorded that she gave birth to a still born child, and as such was named after the deceased child. He concludes the stronger opinion appears to be that the Prophet named her so after her nephew, ‘Abdullah b. al-Zubayr, son of her sister Asmā’ bint Abū Bakr, towards whom she felt deep affection.

‘Ā’isha was the third wife of the Prophet, marrying him after the death of his first wife Khadīja, at the suggestion of Khawla bint Ḥakīm, an early convert to Islam. ‘Ā’isha did not live with him until after the migration to Medina. She was to become famed as his most beloved wife, exemplified most poignantly in his final days of illness when he pined to be with her, as well as in the stories of a relationship which was playful and mutually enriching. In his last few days, she was to nurse the Prophet dutifully, and he was to then be buried in her chamber upon passing.

After approximately twelve years of marriage she became a widow. During the Caliphate of her father, and then the ten-year rule of ‘Umar b. al-Khaṭṭāb, she appears to have remained disengaged from political affairs, though she remained active within the Muslim community, responding to their questions and queries pertaining to the faith. However, during the unrest of ‘Uthmān b. ‘Affān’s Caliphate,<sup>15</sup> she joined the dissenting voices against him, but was outraged

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<sup>14</sup> See, Quran, al-Nūr, 24:11.

<sup>15</sup> ‘Uthmān b. ‘Affān’s nepotistic leadership style aggravated resentment amongst other Companions and Successors. His disposal of war booty and land, and selection of governors in a manner that favoured his own kin led to widespread disgruntlement that festered into an outright rebellion. He was finally besieged in his home as protests turned to riots, and he was murdered by some of those protesting. Whilst there were many Companions who had by now stopped defending him, or

at his murder. Feeling that his murderers had not been brought to justice, she raised an army of a thousand men from Medina, flanked by Ṭalḥa and al-Zubayr, and marched against the fourth Caliph, ‘Alī b. Abū Ṭālīb to Basra. They seized control of Basra, and a battle was to ensue between the two camps that came to be known as the Battle of the Camel (*Ḥarb al-Jamal*), due to ‘Ā’isha’s presence on the battlefield in the litter of a camel. ‘Ā’isha was not to find victory on the battlefield though, and while Ṭalḥa and al-Zubayr lost their lives, she returned to Medina and lived out the rest of her life in relative quietude. She passed away in the year 58/678, in Ramadan, twenty years after the defeat. Though it had been her wish to have been buried beside her husband and father, ‘Umar had been buried in that place and so she took her final resting place in al-Baqī‘ cemetery.

### **Reconstructions of ‘Ā’isha**

‘Ā’isha, much like any iconic figure, including the Prophet, has seen her persona constructed and reconstructed repeatedly over time in response to a plethora of demands on her character.<sup>16</sup> Whether it is intra-Muslim conflict such as that between Shi‘as and Sunnis, or external criticisms, political pressures, or internal questioning, the image of ‘Ā’isha has been revisited and reconstructed to meet these demands. A number of key flash points appear in the story of her life which are often first to be subject to some revision. These are her age at marriage to Muḥammad, the case of the slander against her and her involvement in the Battle of the Camel. It is useful to consider how each of these incidents has been revised in light of contemporary pressures. This revision that is often engaged in by scholars as they grapple with newly involving challenges to Muslim praxis and religious literacy starkly illustrate how the ḥadīth canon, despite the claim for its rigidity, is in fact informally laid open. In order to meet these needs, the canon is compromised though this is never overtly admitted, as shall be demonstrated, but until this translates into a flexible position towards the ḥadīth canon, extra-canonical ḥadīth collections remain outside the discourse and alternative readings are still not privileged with scholarly attention, let alone a normative position in the life of the community.

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were even aggrieved by him and speaking out against him, there is no evidence to suggest that any of them sanctioned his killing. For more see, Madelung, W. 1994. *The Succession to Muhammad: A Study of the Early Caliphate*. Cambridge: Cambridge University Press. pp.78-113.

<sup>16</sup> For an interesting overview of how ‘Ā’isha has been utilised in modern attempts at creating an ideal Arab Muslim woman, see Elsadda, H. (2001). Discourses on Women’s Biographies and Cultural Identity: Twentieth-Century Representations of the Life of ‘A’isha Bint Abī Bakr. *Feminist Studies*, 27(1), 37–64.

Observing these reconstructions of ‘Ā’isha both illustrates the critical engagement that does take place with the canon as well as affirms the need to scrutinise narrators of ḥadīth traditions from among the Companions.

Such an endeavour additionally exposes the tragic removal of ‘Ā’isha’s agency—the voice may be hers but the pen that recorded it and wrote its explanation belonged to someone else. As Denise Spellberg (1994, p.12) notes, while a ḥadīth may be reported as the word of ‘Ā’isha, and its chain of narrators (*sanad*) may present her as the source origin for the tradition too, ‘ḥadīth and khabar represent the triumph of both selectivity and the pen as the arbiters of communal Islamic truths’. In other words, while ‘Ā’isha may appear doubly bound to a tradition by being both the subject of the tradition and the authoritative seal in its chain of narrators, the process of ḥadīth collection, and the subsequent canonisation process means that the selectivity of scholars engaged in the process have the winning hand. Noting then that the process has been entirely dominated by men further skews the readings that will have been created of her statements. By observing these flash points from her life, and observing their periodic reconstructions, including the disparities in the narratives, it is hoped that something of a more authentic understanding of ‘Ā’isha can be achieved. The translation of *al-Ijāba* will take the emerging character of ‘Ā’isha into consideration then, when translating her words.

Furthermore, these particular case studies allow pause for reflection on the variance that exists between the accountability of prominent male Companions and the accountability of prominent female Companions. In the case of lesser known Companions and their narrations, it would be fair to assert that the gender of the companion was inconsequential, all that was required was confirmation of their having been in the company of the Prophet. ‘Ā’isha was the most beloved wife of the Prophet, honoured with the title of Mother of the Believers; she experienced a personal intervention from God, exonerating her in the face of a suspecting community; her intelligence and intellectual inquisitiveness were praised by the Prophet; and yet there are far too many instances where her statements are overlooked in favour of those of male Companions who seem above scrutiny. It could be argued that, as a prominent wife of the Prophet, one should expect her to be the subject of more scrutiny, especially with respect to ḥadīth transmission. Yet the scrutiny is not applied fairly. Instead it appears to be the case that Companions such as Abū Hurayra for example, who was marked for the shortcomings in his memory, or Abū Bakra, who had been flogged on the orders of ‘Umar b. al-Khaṭṭāb for contempt of court due to false testimony, find themselves absolved of shortcomings that

otherwise render one impugned, while ‘Ā’isha, who is never charged on any such grounds is side-lined. There is a kind of collective amnesia when it comes to the indiscretions of male Companions while the misfortunes of a female Companion are fortified as opportunities through which to attack the Prophet, as in the case of the age of ‘Ā’isha upon marriage, or as instances of suspicion which forever negatively impinge on ‘Ā’isha’s reputation, such as resulted from the slanderous campaign against ‘Ā’isha or her defeat at the Battle of the Camel. Only ‘Ā’isha’s defeat becomes a cause for humiliation and embarrassment, both for her and by extension to all women seeking or in a position of leadership. The misdemeanours, failures or shortcomings of her male counterparts are never taken as defects rooted in their biology. With sectarian polemics thrown into the mix too, resulting in heavily iconic depictions of key Companions, ‘Ā’isha is once again either valorised, such as in Sunni Islam, or denigrated, such as in Shi’a Islam; both sides constructing images of key Companions in response to the other’s praise or criticism of an individual, as well as in line with their own episteme.

Additionally, it appears that male Companions are allowed to be multifaceted and complex without relinquishing their authority or reliability, while the female Companions are projected as uncomplicated, a homogenous group with few distinguishing markers between them. Perhaps it is because of attitudes like this that sweeping statements regarding women are found littered throughout the ḥadīth corpus, such as the supposed statements of the Prophet claiming that at the end of time, when the anti-Christ appears, the majority of his followers will be women, or that the Prophet witnessed Hell and found most of its inhabitants to be women.<sup>17</sup> By analysing the three key issues in the telling of ‘Ā’isha’s story, I will not only be mapping the journey that the construction of her persona travels, but also attempt to retrieve her voice, and consider how these key events are framed in the Muslim imaginary on the basis of her gender.

### **‘Ā’isha’s Age at Marriage to the Prophet Muḥammad**

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<sup>17</sup> For a discussion on the sound ḥadīth oft-quoted regarding the demography of Paradise being made up of more men than women, see Geissinger, A. (2017), ‘Are men the majority in Paradise, or women?’: Constructing gender and communal boundaries in Muslim b. al-Hajjaj’s (d. 261/875) *Kitab al-Janna*. In: S., Guenther, Lawson, T., Christian, M. eds. *Eschatology and concepts of the Hereafter in Islam*. Leiden: Brill. Vol. 1, pp.311-340. Additionally, for an insight into the impact of misogynistic statements attributed to the Prophet, see, Şekatli Tuksal, H. 2013. Misogynistic Reports in the Hadith Literature. In: E. Aslan, Hermanses, M., Medeni, E. eds. *Muslima Theology: The Voices of Muslim Women Theologians*.

Kecia Ali (2014) charts the historiography of key events pertaining to the life of the Prophet in her book, *The Lives of Muḥammad*. In this book she dedicates an entire chapter to the age at which ‘Ā’isha married him. It is recorded by both al-Bukhārī and Muslim that she was six or seven when the marriage was contracted and nine or ten when the marriage was consummated. Ali skilfully reviews the way in which this has been treated by both Muslims with a positive vested interest in the story, as well as by those antagonistic to Islam—those writing in pre-modern times as well as more recently, in order to identify the possible external influences that shaped the narrative.

As for the age of ‘Ā’isha upon marriage, Ali (2014, p.133) notes that it is not until the mid-twentieth century that the age of ‘Ā’isha becomes a concern. Up until this point, the issue of controversy was that her marriage meant that the Prophet was polygamous for the first time. Having been faithfully married to Khadīja alone, for more than twenty years, on her passing he married Sawdah, and then soon after, ‘Ā’isha. For pre-modern Muslim writers, neither the issue of initiating a polygamous marriage nor ‘Ā’isha’s reportedly young age at marriage appear to have been an issue requiring clarification or justification. For Sunni scholars, it was a fact that ‘Ā’isha was a child at marriage, even though some variability in her specific age is evident. Spellberg (1994, p.28) notes that the debate between Sunnis and Shi‘as regarding the succession of the Prophet upon his death spilled over to colour all other polemics too. The argument as to whether Abū Bakr was the rightful successor or ‘Alī embroiled the two women who acted as the link between them and Muḥammad, namely ‘Ā’isha and Faṭīma respectively, into competing diatribes too. Such positioning of these two females within the partisan, politically charged debates between Sunnis and Shi‘as, meant that every aspect of their biographies became subject to political discussion and scrutiny, including the age of ‘Ā’isha upon marriage.

One hundred and fifty years after her death, Ibn S‘ad produced a list of qualities unique to ‘Ā’isha, presented in her own words. One of her claims to uniqueness amongst the wives of Muḥammad was that she was the only virgin he married. While any claim to status based on such an unstable property is problematic, it was one held in enough esteem to be mentioned and reasserted throughout history. Shi‘a scholars also noted the virginal status of Faṭīma,

raising her to the station of the Virgin Mary,<sup>18</sup> with ‘Alī Shari‘ati stating that despite marriage and childbirth, she remained a virgin always. Not only was she granted permanent virginal status, she was also exempt from monthly periods. She was relieved ‘from such pollution, as He [God] removed from her all abomination, and purified her into a total purification’ (Ordoni, 2008, p.58). It is asserted in both Shi‘a and Sunni tradition that not only did Faṭīma never have a monthly period, she additionally did not experience post-natal bleeding.<sup>19</sup> In contrast not only is ‘Ā’isha’s virginal status momentary, there were some Shi‘a who placed a question-mark on her virginity at her marriage to the Prophet. It has been asserted that the only one to have relayed the age of six or seven years at marriage for ‘Ā’isha was ‘Ā’isha herself, as recorded in al-Bukhārī and Muslim. Some Shi‘a scholars have stated that the fact that she alone narrates her age makes this an unreliable narration, uncorroborated by other such narrations by other Companions. This, in conjunction with the aspersion that she may have had a relationship with Jubayr b. Muṭ‘im to whom she was betrothed before Muḥammad sent his proposal, would give ample reason to early biographers and ḥadīth collectors to place as young an age as possible for ‘Ā’isha upon marriage. If she was only six or seven years at marriage, when could she have had the opportunity to have been in a relationship with someone else?

I am not interested in investigating what the true age of ‘Ā’isha was at marriage,<sup>20</sup> but to consider the ways in which the issue has been moulded through time by various writers. Kecia Ali considers modern, contemporary Muslim attempts at reconciling the issue of ‘Ā’isha’s age at marriage in her, *Sexual Ethics and Islam*, and uses the issue to map changing attitudes amongst Muslims towards sex and marriage, and ‘the appropriateness of applying medieval standards in modern life’, raising questions about the relevance and accuracy of historical information. I would argue that this is also a useful exercise in adducing and highlighting informal Muslim practices of undermining canonised texts like al-Bukhārī, when external

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<sup>18</sup> In one Shi‘a tradition Amr-Tasri narrates in *Arjāh al-Maṭālib* that the Prophet was asked about the meaning of Batūl. Someone said to him: ‘Messenger of God, we have heard you say that Maryam is Batūl and Faṭīma, too, is Batūl’. Batūl meaning a Virgin (Ordoni, 2008. p.58).

<sup>19</sup> Ordoni references both Sunni and Shi‘a sources claiming that Faṭīma did not bleed, neither menstrual nor postpartum.

<sup>20</sup> For a more detailed discussion on the age of ‘Ā’isha upon marriage see, *Ḥadīth miqdār ‘umr al-sayyidah ‘Ā’isha yawm al-zawāj* by Salah al-Din b. Ahmad al-Idlib (2018) available from: <http://idlibi.net/marriageage/> and, Aisha (ra): The case for an Older Age in Sunni Hadith Scholarship by Arnold Yasin Mol (2018) available from: <https://yaqeeninstitute.org/arnold-yasin-mol>. The latter is part of a series on the Age of ‘Ā’isha upon marriage, whereby a range of views can be found, including those who argue that the question is irrelevant and that hold that she was six years old at marriage and nine years old at consummation, and that such concerns are a reflection of modern sensibilities and insecurities.

factors call for such re-evaluation. It is interesting to observe the way in which the age of ‘Ā’isha is dealt with specifically from the point of textual evidence. One claim is that while ḥadīth collectors like al-Bukhārī applied the strictest of criteria to a tradition before grading it, the attitude with which each tradition was approached could vary according to the topic it conveyed. If the topic at hand was to do with historical information, there could be a degree of relaxedness towards the criteria, but the strictest of attitudes was reserved for those traditions conveying the practices or laws of Islam.<sup>21</sup> As such then, those ḥadīth conveying the age of ‘Ā’isha upon marriage, were not scrutinised beyond their chain of narration, which was found to be sound, because the age did not alarm earliest collectors of ḥadīth, and nor were they particularly invested in such details therefore inaccuracies could occur.

In addition to casting doubt over the validity of her age due to a laxity in attitude of ḥadīth compilers to historical information, there is also the attempt at refuting this claim by measuring it against other historical statements. Her age is recalibrated by taking into consideration statements made by ‘Ā’isha and others regarding historical events and estimating accordingly what her age would have been at the time the event took place and thereby what her age would have been at marriage too. Reşit Haylamaz (2008) has penned an internet article on this topic while engaging this approach. He takes into consideration her being named as amongst the earliest to accept Islam, and notes that only a certain level of maturity beyond infancy would qualify for her name to be amongst those granted the honour. He notes that Asmā’, ‘Ā’isha’s older sister, is reported by al-Nawawī (d. 676/1277) and others as being fifteen years old when she became Muslim, and ‘Ā’isha was around ten years younger, making her five, six or seven when accepting Islam. Her marriage took place another ten years after this, placing her age at marriage at fifteen, sixteen or seventeen years. He further uses other traditions recorded in al-Bukhārī where ‘Ā’isha speaks of witnessing certain Quranic revelations to the Prophet. In this instance, it is ‘Ā’isha’s bearing witness to the revelation of verse 46 of the 54th chapter of the Quran, al-Qamar. If she truly were six years old at marriage, it would have meant she was only four or five years old when this revelation occurred. Haylamaz argues that this is far too young

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<sup>21</sup> Laxity regarding ḥadīth scrutiny has been well documented and critiqued, both by classical and contemporary scholars. Where ḥadīth discussed the rights of God and legal rulings, a stricter approach was taken, but ḥadīth pertaining to other matters were not given the same scrutiny. For a succinct survey on authenticity and ḥadīth criticism as it developed historically, see, Brown, J. 2011. Even If It’s Not True, It’s True: Using Unreliable Hadiths in Sunni Islam. *Islamic Law and Society*. 18 (1), pp1-52. Also see, Siddiqi, M. Z, 1993. *Hadith Literature: Its Origin, Development, and Special Features and Criticism*. 2nd Edition. Cambridge: The Islamic Texts Society.

an age to be truly cognisant of the enormity of what was happening and then to relay it so well years later. Instead, he argues that taking her age as around seventeen at marriage means she would have been twelve to fourteen years old; a much more likely scenario he contends. Haylamaz similarly uses other events and observations of ‘Ā’isha’s to calculate her age, each time arriving at the conclusion that she must have been older at the time of marriage to the Prophet.

It is interesting to note that in his book, *‘Ā’isha: The Wife, The Companion, The Scholar*, Haylamaz (2014, pp.3-4) writes that Muṭ‘im b. ‘Adī was very close to ‘Ā’isha’s father, Abū Bakr, due to the two of them being amongst the small number of people who were experts in genealogy. Due to this closeness to Abū Bakr, Muṭ‘im b. ‘Adī frequented the home of Abū Bakr often and because, ‘Mecca in those days was so small that people knew each other intimately...Muṭ‘im b. Adīyy could foresee the future of Aisha—her nature, attitude and behaviour. He dreamed of having a daughter-in-law like Aisha who was intelligent respectful, polite and pure.’ His ‘foreseeing’ how ‘Ā’isha would develop indicates that she was very young when his interest in her for his own son took place. He also treats it less as a betrothal and more as a request from Muṭ‘im b. ‘Adī which was not openly responded to by Abū Bakr, and one which just faded as an option due to the religious developments of Abū Bakr’s family, which in that climate were politically charged. Being amongst the earliest converts to Islam, meant that they were ostracised and boycotted by the dominant disbelieving Quraish and their allies in Makkah. Yet, Haylamaz, also argues in his online article that a betrothal did occur and that it is also indicative of ‘Ā’isha having been of marriageable age when Muṭ‘im showed interest in her for his own son, rather than any deep foresight on his part on the future character of ‘Ā’isha. It is curious that Haylamaz accuses orientalist of creating the controversy around the age of ‘Ā’isha upon marriage as ‘outsiders’ to the tradition, further claiming that Muslims themselves had not been troubled by this, understanding it purely as a custom of the time. This is not entirely accurate though, as Muslims have questioned this and continue to do so. This is evident in a number of online forums, and live events where Muslims are given the opportunity to present their questions to scholars or their peers—the topic comes up repeatedly.

One such online occurrence is at a recorded event where the Pakistani scholar Javed Ahmad Ghamadi (2016) was asked about this issue. He responded that the age of ‘Ā’isha upon marriage was neither a reflection of any Quranic edicts, nor of any Prophetic standard (*Sunnah*). Instead he argued that it is purely a reflection of its time in history. That said, he

further argued that while the age of ‘Ā’isha is commonly accepted as being six years due to the narrations of al-Bukhārī and Muslim, he asserted that these statements are being made on the basis of oral reports hundreds of years after the event occurred. He therefore examined the issue from a reasoned perspective. He reminds his audience that the Prophet was by now a widower with young children, and it was another Companion, Khawla who recommended ‘Ā’isha to him as a wife. Ghamadi asks the audience what logical sense would this suggestion make when he needed a wife to help him with his household and children, if she was younger than the children he had? He goes further to argue that in Arabic, because of the way numbers are written where the unit is written first and then the ten, that the ten may have been lost in transmission and so the six and the nine are what remain of the narration of her actual age of engagement and marriage, sixteen and nineteen. This is a plausible argument, though not one given much attention. He too, like Haylamaz, makes no mention of the implications of this on the status of al-Bukhārī and Muslim, and the liberty they are permitting themselves with these texts. It seems that when scholars are responding to a controversial topic, it is the prerogative of the scholar to interrogate and question critically the authenticity of statements found in the canonised texts.

### **The Slander Against ‘Ā’isha**

As has been mentioned, one of the distinguishing attributes of ‘Ā’isha’s life as narrated by her and recorded by al-Ṭabarī, is that God proclaimed her innocence in the Quran. This is in reference to an incident which elicited a campaign of slander against ‘Ā’isha and caused much distress to her and her family, as well as to the Prophet. This critical moment in not only ‘Ā’isha’s life, but that of the Prophet and the nascent Muslim community too, came to be known as *ḥādīth al-‘Ifk*, the Incident of the Slander, and occurred in 7/628 when the Prophet and his Companions were returning from an expedition to Banū Muṣṭaliq, on which ‘Ā’isha had accompanied the Prophet. ‘Ā’isha’s own lengthy narration of the event is recorded by al-Bukhārī in his *Ṣaḥīḥ*.<sup>22</sup> She reports having been part of the caravan of travellers with the Prophet, and that she had made the journey concealed in the palanquin (*ḥawdah*) upon a camel, as the journey took place after the revelation commanding the veiling of the Prophet’s wives. She reports the group stopping on the way back to Medina, and so she went to relieve herself away from the camp. Upon returning to where her litter had been dismounted from her camel,

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<sup>22</sup> Al-Bukhārī, Chapter: Military Expeditions, Section: The Narration of the Slander, ḥadīth No. 4141.

she realised she had misplaced her necklace. Suspecting she had dropped it when she had gone to relieve herself, she turned and retraced her steps to find her lost property. In the meantime, the expedition was called to resume its travel. When the litter was mounted back upon the camel, those carrying it had not noticed ‘Ā’isha missing, on account of her light weight. Upon returning, she found the expedition had left, and so she decided to wait, expecting that soon enough her absence would be detected, and they would return to find her. She reported, while waiting she fell asleep and was found the following morning by Ṣafwān b. al-Mu‘aṭṭal al-Sulamī al-Dhakwānī,<sup>23</sup> a young soldier who was lagging behind the group. He recognised the young wife of the Prophet, and according to ‘Ā’isha, as recorded by al-Bukhārī, no words passed between them other than Ṣafwān reciting the *Istirjā*<sup>24</sup> to awaken ‘Ā’isha. When she awoke, he simply dismounted his camel and caused it to kneel so that she could mount it. He then proceeded to lead the camel back in the direction of Medina. The sight of the young, beautiful wife of the Prophet, riding into Medina on a camel, led by the handsome young soldier Ṣafwān, set the city ablaze with gossip. ‘Ā’isha expressly identifies ‘Abdullah b. Ubay b. Salūl<sup>25</sup> as the instigator of the slander, stoking the flames of scandal at every opportunity who, incidentally, was also recognised as coveting the position of leadership the Prophet enjoyed in Medina (Abbott, 1985, p.29).

The incident took its toll on the household of the Prophet and he became withdrawn from ‘Ā’isha. He then sought council from his companions, Usāma b. Zayd,<sup>26</sup> and ‘Alī b. Abū

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<sup>23</sup> Ṣafwān b. al-Mu‘aṭṭal al-Sulamī al-Dhakwānī plays little more than this cameo role in Muslim history. He is reported to have been a resident of Medina who embraced Islam around the time this incident took place, after which he took part in many military campaigns, including the battle of the ditch (*al-Khandaq*) alongside the Prophet. Eventually he died the death of a martyr, though there are conflicting reports as to when this occurred. For more see, Juynboll, G.H.A, EI2.

<sup>24</sup> Reciting the words, *innā lillāhi wa innā ilayhi rāji‘ūn*, ‘Verily, to God do we belong and to God do we return’. This is a statement Muslims are encouraged to say upon loss, or difficulty. This is based on the verses of the Quran whereby God says, ‘And certainly, We shall test you with something of fear, hunger, loss of wealth, lives and fruits, but give glad tidings to *al-Ṣābirīn*, the patient. Those who, when afflicted with calamity, say: ‘Truly, to Allah we belong and truly, to Him we shall return.’. They are those on whom are the Ṣalawāt (i.e. who are blessed and will be forgiven) from their Lord, and [they are those who] receive His mercy, and it is they who are the guided ones’. Quran, al-Baqara, 2:155-157.

<sup>25</sup> ‘Abdullah b. Ubay b. Salūl is widely perceived amongst Muslims as the leader of the hypocrites in Medina. Were it not for the arrival of the Prophet, ‘Abdullah b. Ubay b. Salūl, more commonly referred to as ‘Abdullah b. Ubay, was likely to have become the next leader of Medina. Though he professed belief in Islam, his actions and alliances cast doubt on the depth of his belief, making his profession of belief little more than a political manoeuvre. For more, see, Watt, W.M, EI2.

<sup>26</sup> Usāma b. Zayd was a beloved Companion of the Prophet, admired for his youthful zeal and dedication to Islam. The Prophet famously turned him away from joining the army on its way to the battle of Uhud on account of his young age, but acts of

Ṭālib,<sup>27</sup> as to whether or not he should divorce ‘Ā’isha. Usāma is reported to have supported ‘Ā’isha and to have testified in her favour as the Mother of the Believers in whom he had never witnessed anything untoward. ‘Alī on the other hand was far from sentimental about the issue and assured the Prophet he need not let this trouble him, and that there were plenty of other women to take as wives instead of her. This is the point often cited as the beginning of the antagonism between ‘Ā’isha and ‘Alī. The Prophet then turned to Barīra,<sup>28</sup> the maidservant of ‘Ā’isha, who would have been most privy to ‘Ā’isha’s character and personal conduct. The only fault Barīra had to report was that ‘Ā’isha would be absentminded about the dough at night, forgetting to cover it and thus leaving it exposed for the goats to come and eat from, but other than that there was no complaint nor criticism to be made of her mistress. A month went by in such trepidation and anxiety for the Prophet and ‘Ā’isha, who astonishingly remained unaware of the slanderous campaign being whipped up against her—she had fallen sick upon their return from the expedition and as such was largely bed-bound. Her only clue to something having gone awry was her sensing a reduction in the sympathy and attention she was used to receiving from her husband, particularly when she was unwell.

When ‘Ā’isha became aware of the gossip that was consuming the community, she was overtaken by grief. She pleaded with her parents to intercede on her behalf to the Prophet, but their reticence to do so exposed their own doubts that had spawned due to the rumours. The Prophet too, entered upon her and expressed to her what had been said to him regarding her alleged misconduct with Ṣafwān, and that if the claims were unfounded then he was praying for her to be Divinely exonerated and if she was guilty, then he implored her to repent, so that she may find God forgiving. ‘Ā’isha was left stunned and denounced all hope in receiving support from anyone - not her parents, not her husband, not her community, and invested her

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dedication like these greatly endeared Usāma to the Prophet. Both of his parents were also cherished by the Prophet. His father, Zayd b. Hāritha had been the adopted son of the Prophet, and his mother, Umm Ayman (Barakah) had been the servant of the Prophet’s parents, who had entrusted him to her care upon their passing. The Prophet freed her, but she remained in the service of him and his family. She is also famed for having accompanied the Prophet on many battles. Usāma inherited the bravery of his parents and also grew not only to take part, but to lead armies into battle too. For more see, Vacca, V, *EI2*.

<sup>27</sup> ‘Alī b. Abū Ṭālib was the cousin and son in law of the Prophet, being married to Muḥammad’s favourite daughter, Fatima. He was also the fourth Caliph after ‘Uthman b. ‘Affān. He was one of the first to convert to Islam, aged only ten or eleven years. He was a crucial member of the inner circle of the Prophet, being a counsel, an envoy, and a military commander for the Prophet in his lifetime. For more see, Veccia Vaglieri, L, *EI2*.

<sup>28</sup> Barīra was a slave woman whose owner had permitted her to buy her own freedom over nine (or five) annual instalments, so she appealed to Aisha for help. ‘Ā’isha agreed and so bought and freed Barīra, but she remained in the service of ‘Ā’isha. She outlived ‘Ā’isha and died during the caliphate of Yazid. For more, see, Robson, J. *EI2*.

trust in God, alone to exonerate her. She hoped maybe for a message to be delivered to the Prophet via a dream. In a fashion that can only be described as typical of ‘Ā’isha, she found succour in the words of the Quran and responded to the Prophet in this desperate situation with the words of God saying, ‘By God, I find no similitude more befitting for me and you, than that of the father of Joseph [who when afflicted] said, ‘For me is a beautiful patience, indeed God is Whose Help is sought against that which you allege’’.<sup>29</sup> She then turned from everyone and lay down on her bed. At this point, the Prophet started to be overtaken as was customary when he began to receive revelation. When the moment passed, he smiled, and proclaimed, ‘Oh ‘Ā’isha! God has exonerated you!’. Upon hearing this wonderful news, ‘Ā’isha’s mother entreated ‘Ā’isha to get up and go to the Prophet. But she was too fatigued by the experience, physically and emotionally, and instead responded, ‘By God, I will not get up to go to him. I praise no one except God, the Most Majestic’. At this, ‘Ā’isha reports that God revealed ten verses exonerating her and exposing those guilty of spreading the false accusations.

It is interesting that very little is written about this issue other than relaying the story as given above as a factual account as given above. In recent years the story of the slander has been given somewhat more attention, primarily in speeches delivered by popular preachers. A cursory search on the topic on YouTube provides over sixty unique results, with a range of speakers, from the well-known so called ‘celebrity’ preachers to lesser-known individuals speaking on the topic. Interestingly, they are all commentaries by men.

In popular Islamic literature too, there is little between the various accounts, and most provide a retelling of the story as given in the words of ‘Ā’isha, as recorded by al-Bukhārī. In the earliest depictions of the story, there seems to be somewhat more embellishment of the story with small but significant details. Ibn Kathīr (d. 774/1373), in his *al-Sīrah al-Nabawīyya* narrates the story as recorded by Ibn Ishāq (d. 150/767), which is also virtually identical to Ibn Hishām’s (d. 218/833) version. Details that he provides include the collusion of Ḥamna bint Jaḥsh in the spreading of the rumour, citing her relationship as sister to rival co-wife, Zaynab bint Jaḥsh, as a motivation in her seeking to dislodge ‘Ā’isha from her prized position as favourite wife, in order for that honour to be granted to Zaynab instead. However, Ibn Kathīr notes in his narration of the story that when the Prophet went to enquire of ‘Ā’isha’s character

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<sup>29</sup> Quran, Yusuf: 12:18.

from Zaynab, she only attested to ‘Ā’isha’s praiseworthy character and strongly advocated for her. For this, ‘Ā’isha showed an everlasting gratitude to Zaynab (Abbot, 1985, p.33).

In Ibn Kathīr’s narration it seems clear also that while ‘Ā’isha was confident in what the outcome was to be for her when it became manifest that the Prophet was receiving revelation, her parents were equally concerned that she may finally be exposed as guilty. He records ‘Ā’isha as saying ‘I knew that I was innocent and that God would not harm me. However, I swear by Him who bears ‘Ā’isha’s soul in His Hand, that as soon as the Messenger of God recovered, I thought my parents would expire for fear that confirmation of what people had been saying would come from God’ (Abbott, 1985, p.220). It is clear in these early portrayals of events, that while there was some support of ‘Ā’isha, such as that shown by Zaynab, Usāmah and Barīrah, the overwhelming response seems to be one of accepting the rumour. By the time Safī ur-Rahman Mubarakpuri wrote his biography of the Prophet, the highly popular *Sealed Nectar*, in 1979, he reported that the response to the slander was varied. Additionally, he omitted the response of ‘Alī, which caused great pain to ‘Ā’isha and resulted in a long-held grudge on her part. He also makes no mention of ‘Ā’isha’s curt response to the Prophet when he does not show confidence in her.

Omissions and reframing continue in Reşit Haylamaz’s, *‘Ā’isha: The Wife, the Companion, the Scholar* (2014, pp.93-127), in which he makes a number of assertions that appear to contradict earlier versions of the story. He argues that ‘Ā’isha’s family decided to abstain from informing her about the rumour that was consuming the community of Medina, as they did not in fact believe the rumours. In fact, he goes further and asserts that most of the Companions had indeed rejected the allegations. Had this truly been the case, the slander would have failed and the event would not have caused the distress and discord that it did within the Prophetic household and Medinan society at the time, and it most certainly would not have heralded in Divine intercession which went on to give stern warning to the Muslim community. But Haylamaz does not stop there; he then equates ‘Ā’isha to the Virgin Mary, strongly associated by Shi’a Muslims with Faṭīma, as previously illustrated. He writes, ‘It was not the first time that a monument of chastity had been vilified—now ‘Ā’isha was like the Virgin Mary’ (p.96). He revisits this image of ‘Ā’isha in his concluding remarks too, writing of Mary and Joseph as two, alongside ‘Ā’isha who were slandered and then exonerated. He states, ‘-though in the case of Joseph, he was justified by one close to him, and in the case of Mary, she was acquitted by her infant son - ‘Ā’isha was declared innocent by the direct words of God in the Quran’ (p.108).

Thus, she is not only like them, she is perhaps even a degree above them for her exoneration did not come from the uttering of another human, however miraculously that manifested, her exoneration came from God's own intervention and revelation.

None of these depictions though focus on the resilience of her character or on the conviction of her self-belief. Not even Haylamaz, who has elevated 'Ā'isha's status to surpass that of Mary and Jesus, considers this event as testimony to the sheer independent strength and resilience of 'Ā'isha. Unsurprising as this may be, why this is the case must be interrogated. The question must be asked; has she been limited by her gender? As a woman, that category so often essentialised, there are limits to the courage she can be seen to embody in situations of domestic disharmony. She is astute despite her illness, in sensing the shift in attitude in her husband; she has the strength to leave the home she shares with him to go to her parents to recover from her illness, wary that his emotional distance is not helping her recovery. When the horrendous rumours are revealed to her, distraught as she is, she is sobered by the Prophet's adjuring her to repent if the rumours are indeed true. Her refusal to do so displays not only a woman of mettle and strength, but also one with a strong sense of justice and belief in the triumph of truth. She will not be cowed into a position of false culpability by a slanderous campaign being led by a power-hungry man, and being spread by opportunistic enemies, even if that means standing alone without parents, or husband sharing her self-confidence to support her. Her tears run dry the instant the Prophet suggests she repents, and she instead places all her trust in God alone to absolve her. She emotionally and physically turns away from both her parents and husband, willing to be alone in her defence of her truth. When the revelation to exonerate her arrives, her response in not going to the Prophet as her mother suggests, is probably the moment at which history is witnessing 'Ā'isha go from young naive wife, to grown, wary woman. She is noted as forgiving Hassān b. Thābit, the poet, for his part in the slanderous campaign, and is even recorded as being somewhat fond of the aged man later in life, but for never forgetting. One day, Hassān was reciting poetry in praise of her, saying 'chaste and proud, her light will never be put out by the least suspicion. In the morning she will rise without slandering her neighbour...', to which 'Ā'isha laughingly replied, 'Unlike you!' (Dermenghem, 1930, p.283).

Here is a woman who rode the unexpected turning tide that frenzied into a potentially catastrophic event for her but came through stronger, if bearing her battle wounds. The Quranic verses of Sūrah al-Nūr that her ordeal beckoned, not only exonerate her, serving as an eternal

reminder of her innocence and warning to the community of believers against such reprehensible behaviour, but they also came with verses calling for the safeguarding of all Muslim women from such slander evermore. God states, ‘And those who accuse the ones who are free, chaste females, and after that bring not four witnesses, then scourge them eighty strokes and never accept their testimony...’<sup>30</sup> For the first time, a burden is placed on men to furnish evidence for their claims against women in a time and place wherein such accusations can turn them into social pariahs, further weakened in society as disreputable. The verses continue: ‘And those who accuse their wives - and there are no witnesses but themselves - let the testimony of them be four testimonies sworn to God that he is among the ones who are sincere and a fifth, that the curse of God be on him if he had been among the ones who lie. And it will drive off the punishment from her if she bears witness with four testimonies sworn to God that he is among the ones who lie and the fifth, that the anger of God be on her if he has been among the ones who are sincere.’<sup>31</sup> These verses are quite remarkable in that it is often argued that the Quran does not see the testimony of a man and woman as equal. Based on the verse 2:282, ‘And call in to witness from among your men two witnesses; but if there are not two men, then one man and two women from among those whom you choose to be witnesses, so that if one of the two errs, the second of the two may remind the other...’ many have inferred that the testimony of a woman is half that of a man’s,<sup>32</sup> and yet the verses revealed in response to the slander against ‘Ā’isha are in complete contradiction to such a claim. If the man brings forth an allegation against his wife, he is to swear four times that he is telling the truth and a fifth time to invoke the curse of God upon himself if he is in fact lying. But to counter this, a woman need simply do the same in her defence and on the fifth time call for the anger of God to befall her if her husband is in fact correct. If she does so, there is no deadlock—her word is taken over his. If one is truly going to extrapolate implications for the rest of those sharing the same gender as ‘Ā’isha, it would be from this extraordinary event. Her ordeal has resulted in an eternally recorded verse that in effect allows for the testimony of a woman to be taken over

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<sup>30</sup> Quran, al-Nūr, 24:4.

<sup>31</sup> Quran, al-Nūr, 24:6-10.

<sup>32</sup> For more on the issue of women’s testimony as being half that of a man, particularly with regards to how this has been interpreted and understood from a legal perspective (*fiqhi*) as compared through Quranic exegesis (*tafsīr*) see, Fadel, M. 1997. Two Women, One Man: Knowledge, Power, and Gender in Medieval Sunni Legal Thought. *International Journal of Middle East Studies*. 29(2). pp185-204. A pertinent discussion on the topic of women’s testimony (*shahādah*) and its value is the matter of women’s transmission (*riwāyah*) of Prophetic tradition, for its function as a type of testimony for which women’s transmissions are equal to men’s. This issue is explored in depth in; Sayeed, A. 1994. Gender and Legal Authority: An Examination of Early Juristic Opposition to Women’s Hadīth Transmission. *Islamic Law and Society*. 16(2), pp.115-150.

that of her husband. ‘Ā’isha is not a representation of the weaknesses inherent in women, but of their strength and likely honesty. The verses also correct a systemic imbalance against women in society by giving them the benefit of the doubt, and thereby the final word on the matter.

The story of the slander of ‘Ā’isha reveals much about her character and provides ample material based on the revelations that she inspires that both exonerate her and strengthen the position of women but is sadly never a position from which the story is told.

### **The Battle of the Camel: The *Fitnah***

The recounts of the Battle of the Camel, also known as the first Tribulation (*Fitnah*), are possibly the most prejudiced in sectarian ideologies. Retellings from Sunni sources depict an entirely justified, albeit perhaps somewhat mistaken, motivation on the part of ‘Ā’isha and her generals, Ṭalḥa and Zubayr, in seeking to hold ‘Alī accountable for the murder of the previous Caliph, ‘Uthmān. There is no malice on either side, but a deeply held conviction on the part of both parties of being correct. Shi‘a retellings have a significantly different perspective on the event. ‘Ā’isha is depicted as having a deep-seated hatred for ‘Alī, in fact so blinded is she by her hatred for him that she overlooks all decorum and sets out to wage war at the first given opportunity. A rereading of the sources allows for a more nuanced understanding; one that recognises that this is not an event reflecting the intellectual or scholarly contribution of the individuals involved, nor is it necessarily a tale of their spiritual status or religious commitments, but rather this is a story of politics, centred around the assassination of a ruler who was accused of nepotism and corruption, influenced by the political aspirations of vested interests. It is in fact a tale of politics, and the politics of any given individual is only as good as the information they have at hand, the advisors at their disposal and the judgements they make accordingly.

The story is here reconstructed at length and with much detail. This is for a number of reasons: firstly, it is the first time that ‘Ā’isha is portrayed as having individual agency not derived from her father or brother. She is not framed as the daughter of Abū Bakr, nor as the wife of the Prophet. Her brother, Muḥammad b. Abū Bakr is aligned with the opposing side. She takes steps with the advice of Ṭalḥa and Zubayr, but she ultimately makes her own decisions. It is, in short, a rich account in which the possibilities of hearing ‘Ā’isha’s voice are increased. This

leads to the second reason for the length of this section: despite the potential of this story in unearthing a number of possibilities for understanding the politics of that time, the attitudes towards gender, and the personalities of those involved, this story is often sanitised beyond recognition. In the sanitisation process the voice of 'Ā'isha is often the first victim, with many of her recorded statements from the event being removed from retellings. Many of these statements have been reinstated below.

In reconstructing this incident in detail, the aim is to resurrect the voice of 'Ā'isha. Gayatri Spivak (2010, pp.21-81) writes of the subaltern voice, asking famously if she could speak. Whilst, Spivak writes in relation to the colonised women of India, particularly those from the Hindu and untouchable communities, she illustrates and questions the processes imposed by colonisation that seeks to silence these women's voices. Similar processes are evident in the patriarchal effort that is not seeking to entirely obscure 'Ā'isha – that would be an impossible task – but does certainly seek to make certain interventions in her history and thereby, her projection as an ideal Muslim woman. The Battle of the Camel and its subsequent burial/partial disclosure is evidence of how even the voice of a figure as central to a tradition as 'Ā'isha's can be obscured. Between the powerful hegemonic assertion of the ideal pious Muslim woman that 'Ā'isha is perceived to model, and the politically conflicting arguments of the Sunni-Shi'a divide, the voice of 'Ā'isha herself is silenced.

Huda Sharawi (1986, p.131) once stated, 'Men having singled out women of outstanding merit, put them on a pedestal to avoid recognising the capabilities of women.' Indeed, this treatment of outstanding women is a common occurrence. The Algerian writer and filmmaker, Assia Djebar (d. 2015) bemoaned the poor treatment of Algerian women following the defeat and expulsion of French colonialists after they had been so crucially pivotal in ridding Algeria of French occupation. Zahia Smail Salhi (2008, p.81) writes, '...[Djebar] calls them voiceless 'fire carriers,' who despite the grandeur of their acts did not possess a discourse. What is the reason for their silence? Why not give body to their work through the power of the word? Why not externalise their heroism through discourse? And most importantly, how could they be speechless revolutionaries?'. These same assertions and questions could be put regarding 'Ā'isha. She is exemplified as a Muslim woman paragon and in doing so her story is also chastened of all that would complicate, contradict, and make ambiguous the narrow image of the pious Muslim woman. In the combating discourses that rail around her, whether that be Sunni, Shi'a or other agenda-driven orientation, she is reduced into a silenced subject to be

spoken about and for, but seldom given the opportunity for the full force of her actions and words to speak for herself. As a result, then, the role ‘Ā’isha plays in the Battle of the Camel is one of a character that disrupts hegemonic discourses of Muslimah<sup>33</sup> piety. Therefore, the battle can be framed as a discursive tool for upending and interrogating dichotomising discourses of gender roles and in establishing personal and political agency of Muslim women.

The precursor to the discord that would culminate in the Battle of the Camel was the appointment of ‘Uthmān b. ‘Affān as the third Caliph following the death of ‘Umar b. al-Khaṭṭāb. As the twice son-in-law of the Prophet<sup>34</sup> and a close friend to him too, this was a welcomed selection, but his preferential treatment of family and clan members soon disgruntled other Companions such as ‘Abdul Raḥmān b. ‘Awf, who had also been considered for the role of Caliph after ‘Umar’s death, as well as ‘Amr b. al-‘As, and ‘Ammār b. Yāsir, all of whom had felt violated by ‘Uthmān’s treatment of them. Discontent spread fast, and many, including the Mothers of the Believers, began to call for ‘Uthmān to be held to account. ‘Ammār b. Yāsir was the half-brother of Umm Salamah, another wife of the Prophet, and her home became a gathering place for the disgruntled to voice concerns. ‘Uthmān demanded an end to this growing collective gathering at the house of Umm Salamah, a demand which the latter flatly rejected. It was then that ‘Ā’isha intervened: she is reported to have taken a hair of the Prophet, his shirt and sandal, and holding them up exclaimed to the people, ‘How soon indeed you have forgotten the practice of your Prophet (*Sunnah*), while these—his hair, shirt and sandal—have not yet perished!’ This, it would appear, angered ‘Uthmān greatly, but forced him into retreat on the matter. It is also identified by Abbott as the moment at which ‘Ā’isha openly and publicly joined the opposition, a position she had not had to take under the caliphate of either her father, Abū Bakr, or of ‘Umar (Abbott, 1998, pp. 108-109). ‘Ā’isha and ‘Uthmān were again at loggerheads when he dismissed evidence that was presented to him of the misconduct of Walīd b. ‘Uqbah, the governor of Kufah, and also the half-brother of ‘Uthmān. Those presenting the evidence, upon being summarily dismissed by ‘Uthmān, appealed to ‘Ā’isha, who accused ‘Uthmān of ‘withholding punishment and intimidating witnesses’. Another public

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<sup>33</sup> *Muslimah* being the female of Muslim in Arabic and meaning Muslim woman.

<sup>34</sup> ‘Uthmān was married to the Prophet’s daughter Ruqayyah. Following her death, he then married the Prophet’s other daughter, Umm Kulthūm, thus earning him the nickname, Dhū al-Nurayn, The Possessor of Two Lights. Additionally, he partook in both major migrations, first to Abyssinia and then to Medina. He was amongst the Prophet’s closest Companions, and his conversion as a man from a powerful family and of wealth and influence, had a positive influence on those around him, and garnered more conversions besides his. See, Levi Della Vida, G. And Khoury, R.G. in *EI2*

disagreement ensued between the two of them until ‘Uthmān finally retorted, ‘What have you to do with this? You were ordered to stay at home’ (ibid. p.111). This is an interesting tactic on ‘Uthmān’s part in undermining the legitimacy of ‘Ā’isha’s holding him to account. At a loss for any real argument to defend himself against her complaints, he steers the argument to the validity of her opinion on the matter and moreover the validity of her involvement in public affairs; as a wife of the Prophet, he argues, she has been commanded not to venture out of the home. It seems he is the first to invoke the seclusion of the wives of the Prophet as a tool of censorship against them, but he is by no means the last to have resorted to such tactics. Nonetheless, despite ‘Uthmān’s aspersions on the acceptability or rather not, of ‘Ā’isha’s political agency, the argument was won by ‘Ā’isha, and he was forced to replace his Kufan governor, even if with another relative, Sa‘īd b. al-‘Ās.

Resentment spread amongst the citizens of ‘Uthmān’s caliphate, eventually growing into an outright rebellion that led to the assassination of ‘Uthmān. Three candidates were up for selection as the next Caliph: Ṭalḥa, Zubayr and ‘Alī. All three had been previously considered and overlooked for the position. Ṭalḥa was the cousin of ‘Ā’isha, and she was reported as being in favour of his selection, while Zubayr was her brother-in-law, and father to ‘Abdullah, her nephew whom she favoured as a son and for whom she had high ambitions. ‘Ā’isha was away in Makkah on pilgrimage at the time of the murder and appears to have been confident that one of her two preferred choices for Caliph would prevail over ‘Alī’s selection; her confidence was to be found misplaced. Al-Ashtār,<sup>35</sup> had been a central force in the rebellion against ‘Uthmān himself and was present in Medina at the time of his demise. He was a politically influential man who had pledged allegiance to ‘Alī. There are traditions revealing that he held his sword over S‘ad b. Abī Waqqāṣ, Ṭalḥa and Zubayr to force them to do likewise (al-Ṭabarī, 1997, Vol.16, p.4-5). Al-Ṭabarī notes that Ṭalḥa and Zubayr pledged allegiance unwillingly and that it had even been reported by some that Zubayr did not pledge allegiance at all (ibid. p.7).

After five days of deliberation, ‘Alī was declared Caliph (ibid. p.12). News of the murder reached ‘Ā’isha in Makkah and, on her return to Medina, she was informed of ‘Alī’s selection

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<sup>35</sup> His real name was Mālik b. al-Harith but was named al-Ashtār, meaning ‘the man with inverted eyelids’ after being wounded at the battle of Yarmūk (15/636). He is best known as the indefatigable warrior and as a central political agitator against ‘Uthmān. The historian, Ibn ‘Asākir (d. 571/1175), even names al-Ashtār as one of the murderers of ‘Uthmān. For more see, ‘al-Ashtār’, Veccia Vaglieri, *L EI2*.

as Caliph. She was clearly surprised at this turn of events, having not expected him to accede to the position. She then retreated to Makkah, arrived at the Hijr, and addresses the crowd:

‘People of Makkah! The mob of men from the garrison cities and the watering places and the slaves of the people of Medina have conspired together. They have charged this man who was killed yesterday with deceit, with putting young men in high positions where older ones had been before, and with reserving certain specially protected places for them, although they had been arranged before him and could not properly be changed. Nevertheless, he went along with these people, and in an attempt to pacify them he withdrew from these policies. When they could find neither real argument nor excuse, they became irrational. They showed their hostility openly, and their deeds did not fit their words. They spilled forbidden blood, they violated the sacred city, they appropriated sacred money, and they profaned the sacred month. By Allah! One of ‘Uthmān’s fingers is better than a whole world of their type. Save yourselves from being associated with them, and let others punish them and their followers be scared off. By Allah! Even if what they reckon against him were a crime, he would have been cleared of it, as gold is cleaned of its impurities or a garment of its dirt, for they have rinsed him [in his own blood] as a garment is rinsed of water.’  
(ibid. pp.38-39)

Cries of agreement and promise to uphold her words rang out through the crowds, an almost foregone conclusion with Makkah having been the hometown of ‘Uthmān. But she was not without detractors, those who would point out the contradiction in her statement and her previous opposition to the now-slain Caliph. This was an accusation she met with repeatedly over the course of this whole saga, but against which she steadfastly asserted that, though she had opposed his actions as Caliph and sought to rectify him, she had never intended for his blood to be shed, believing him to be genuine when he repented for his misdeeds. In fact, al-Balādhūri records an exchange between al-Ashtār and ‘Ā’isha when ‘Uthmān was under siege by opponents, in which al-Ashtār questions her as to whether or not she would sanction the killing of ‘Uthmān. She resolutely responded, ‘God forbid that I should command the shedding of the blood of the Muslims and the killing of their Imām’ (Abbott, 1998, p.122).

Nonetheless, ‘Alī’s apparent inaction in bringing to justice the assassins of ‘Uthmān, coupled with his heavy-handed deposition of all of the governors instituted by ‘Uthmān, earned him the enmity of many, who in turn flocked to Makkah, either physically or by expressions of support, to take up their grievances by joining ‘Ā’isha. These included ‘Abdallah b. ‘Āmir al-Ḥaḍrami, the governor of Makka, and Ya‘la b. Umayyah, the governor of Yaman. Each of these men had a following and revenue which they put to the service of ‘Ā’isha’s call. It is noteworthy that Mu‘āwiyah, the governor of Syria, whom ‘Alī had tried to remove, also raised a similar call to that of ‘Ā’isha. He likewise called for ‘Alī to be held accountable, and had reached out to Zubayr, urging him to come to Syria so that they could declare Zubayr Caliph. Importantly, there is no evidence of Mu‘āwiyah and ‘Ā’isha colluding, or even having communicated on the matter.

Four months after the fall of ‘Uthmān, Zubayr and Ṭalḥa requested leave of ‘Alī to make the pilgrimage. He agreed, and they were finally able to flee to Makkah and join up with ‘Ā’isha (al-Ṭabarī, 1997, Vol.16, p.32). After some deliberation on the course of action, it was decided that that three of them would ride to Basra with the support of an army of three thousand. ‘Ā’isha had initially asked the other wives of the Prophet to join her, and as long as the plan had been to meet with ‘Alī in Medina, they had all agreed. But when the plans changed, they soon declined to travel to Basra, except for Ḥafṣah bint ‘Umar, who had wanted to go but was prevented by her brother, ‘Abdallah. The only voice of dissent amongst the wives of the Prophet was Umm Salamah, who had long left ‘Ā’isha and the rest of the wives soon after the death of ‘Uthmān. When the rest of the wives of the Prophet had made a U-turn back to Makkah, Umm Salamah had continued to Medina, where she also placed her one and only son, ‘Umar, at the service of ‘Alī.

The journey to Basra was a long one and proved arduous enough to create a condition of conflicting political motivations and rifts, the arousal of doubts, and even the diminishing of numbers, all of which had an incremental effect on the psyche and confidence of ‘Ā’isha. When they arrived at Ḥaw’ab, ‘Ā’isha heard the howling of stray dogs, causing her to be instantly struck with fear. Howling dogs were superstitiously seen as a bad omen. There are reports that the moment triggered a recollection in ‘Ā’isha of the Prophet warning his wives that the dogs of Ḥaw’ab would be found barking at one of them (ibid. p52). The severity of this warning, and how directly it addresses ‘Ā’isha, appears to vary from narration to narration in accordance with the stance of the author and on which side of the sectarian battle line they found

themselves. Nonetheless, according to al-Ṭabarī, ‘Ā’isha became determined not to proceed as a result of this inauspicious occurrence. The caravan was grounded at Ḥaw’ab for a full day as she pleaded to return to Medina, her resolve now shaken. Zubayr and others tried and failed to persuade her that the guide had mistaken the place for Ḥaw’ab and that they were in fact nowhere near there. It was only when the false alarm of ‘Alī’s close approach was raised that they were able to proceed.

Within no time they were stationed on the outskirts of Basra and proceeded to make contact with the leaders and those of influence. ‘Ā’isha began to write letters to elucidate their stance and to garner support in Basra just as she had in Makkah (ibid. pp.74-76). While there was support for them in the city, the governor, ‘Uthmān b. Ḥunayf, was resistant. He came out to meet with them with the intentions of repelling them. To his surprise, he found that they had moved closer to the city, and were now camped at al-Mirbad, a market and camel camp southwest of the city. There was much arguing and dissent between the governor, Zubayr and Ṭalḥa, and rising discontent among the crowd, at which point ‘Ā’isha stood to raise her voice once more. Al-Ṭabarī describes her as having ‘a strong voice—it could be extremely loud, like the voice of a woman of high rank’. Rising, she cleared the air with the praise and glorification of God, before proceeding:

‘The people used to accuse ‘Uthmān of crimes he never did. They would belittle his governors and then come to us in Medina to ask our advice over tales they told us about them, expecting good words from us to solve things [i.e reconciliation]. But, whenever we looked into the matter, we would find him innocent, God-fearing, and faithful and would find them lying, treacherous, and deceitful, attempting to do the opposite of what they were showing. Then, when they became strong enough to rely on greater numbers, they did so. They attacked his house and desecrated sacred blood, sacred property, and the sacred city without blood debt or excuse. Therefore what is now imperative—and you have no alternative—is to arrest the killers of ‘Uthmān and establish the authority of the Book of Allah Almighty, which says, ‘Have you not seen those who were given a part of the Book being called to the Book of God for it to judge between them?’<sup>36</sup> (ibid. pp.60-61)

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<sup>36</sup> Quran, Āl ‘Imrān, 3:23.

‘Ā’isha was successful in splitting the audience, and in eliciting the support of many who were present. She was unable, however, to persuade them all, and that demand to silence earlier raised by ‘Uthmān, was hurled once more at her. This time it was Jāriyah b. Qudamah al-Sa‘di, a faithful supporter of ‘Alī: ‘Mother of the Believers, by God! The killing of ‘Uthmān b. ‘Affān is a lesser matter than your coming out from your house on this accursed camel, exposing yourself to armed combat! God did curtain you off and gave you sanctity. Anyone who thinks you should be fought, also thinks you should be killed. If you have come to us obedient, then return home! If you have been forced by someone to come to us, then seek help from the people [against him]!’ (ibid. p61). The verse to which both he and the instigator of this taunt, ‘Uthmān, referred are in al-Aḥzāb,<sup>37</sup> one that will be weaponised against her again in due course.<sup>38</sup> The claim of Jāriyah is an interesting one: that ‘Ā’isha’s exit from seclusion is worse than the murder of the Caliph. While this might be read as mere hyperbole it clearly also betrayed an important truth: that the death of ‘Uthmān was tragic and unfortunate but it was also a danger that came with the territory of politics and power. The Prophet himself was finally overcome by the poisoning of his enemies. To this extent, ‘Uthmān’s murder, as tumultuous and tense as it was, did not threaten social norms. ‘Ā’isha’s actions, however, did threaten the social norms, particularly for a community of believers who were still attempting to establish their mores and practices. By relinquishing the private, internal, domestic sphere of the home, and entering in so audacious a manner into the public/political sphere, and that too with military intent, was to unmoor long established traditions regarding gender and politics; it was perceived as an ill-planned attempt at re-grounding the new Muslim community. In the end, Basra was overcome, its governor captured, and there was some appetite among the rebels to execute him. Save for the intervention of ‘Ā’isha that would have occurred.

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<sup>37</sup> Quran, al-Aḥzāb: 33:33, ‘And abide in your houses and do not display yourselves as [was] the display of the former times of ignorance. And establish prayer and give zakah and obey Allah and His Messenger. Allah intends only to remove from you the impurity [of sin], O people of the [Prophet's] household, and to purify you with [extensive] purification.’

<sup>38</sup> Al-Ṭabarī (1997, Vol.16, pp.79-80) also records that amongst the letters ‘Ā’isha had sent out to various notables and leaders, one was to Zayd b. Ṣuḥān, who rejected her offer, and instead sided with ‘Alī, writing back, ‘From Zayd b. Ṣuḥān, to ‘Ā’isha bint Abū Bakr al-Ṣiddīq, beloved of the Messenger of God. After greetings. If you withdraw from this undertaking and return home, then I will be your devoted son. If you don’t, I will be the first to break from you’. He is then recorded as saying, ‘May Allah have mercy on the Mother of the Faithful! She was ordered to stay at home, and we were ordered to fight. But she didn’t do what she was ordered, and instead ordered us to do that [stay at home], while she did what we were ordered to do, and told us not to do that [fight]!’. Incidentally, he died in the Battle of the Camel, fighting against ‘Ā’isha.

Having consolidated their win over Basra, they intended on Kufa as their next target. Letters and messengers were now dispatched towards the new destination. Kufa's governor, Abū Mūsa al-Ash'ari insisted on remaining neutral on 'Ā'isha and 'Alī, who was also petitioning the leader for support. However, the fight for neutrality was lost, as Zayd b. Ṣuḥān, leader of the Kufan tribe of 'Abd al-Qays, had joined forces with al-Ashtār, whose initial pledge of allegiance to 'Alī in Medina had been so crucial. A large army was raised from Kufa to join 'Alī.

With 'Ā'isha's army in Basra, and 'Alī's just outside Kufa in Dhu Qār, 'Alī sent an envoy to initiate talks with the other side. 'Ā'isha, Zubayr and Ṭalḥa all asserted that their only demand was the bringing to justice of the killers of 'Uthmān, to which they were told to pledge allegiance to 'Alī and then the killers would be served their dues. Negotiations then proceeded for the next three days. It is likely that 'Ā'isha was weary of battle. She was averse to the illegal bloodshed of fellow Muslims, and was acutely aware of the tensions in her own camp that so harrowed her at Ḥaw'ab, and that had only been intensified since with the lack of response to letters that she had sent calling for support from beyond Basra and Kufa, to Syria, Medina and Yamamah. A peace deal brokered without any further bloodshed would be the ideal scenario. But just as there were bands of differing motivations and intentions in 'Ā'isha's camp, there were also varying motivations and intentions in 'Alī's. There were those who were also inextricably culpable in the murder of 'Uthmān, and for whom a peace deal could herald bad news, among them al-Ashtār, and the uterine brother of 'Ā'isha, Muḥammad b. Abū Bakr. Thus, despite leaders of both sides seemingly progressing towards a satisfying conclusion to their negotiations, violence broke out on 10th Jumād al-Thāni 36/4th December 656 (ibid. p.102).

It is reported that Ka'b b. Sūr led the camel carrying 'Ā'isha into the battle in the hopes that her presence would quell the fight, but this was to no avail. Despite many Basrans fleeing the battlefield, 'Ā'isha commanded Ka'b to part from her and to head to the frontlines, calling for peace and admonishing the fighters with citations of the Quran to stop the violence. But Ka'b was quickly struck down, and so she was left to shout her orders, to command her army as best she could. Both her generals, Zubayr and Ṭalḥa, were lost to the crowd. She was effectively the commander of the army, ordering and rallying her force, and so the fight became most fierce around her camel. Later, 'Īsa b. Hittan would say there was no other way to describe the palanquin within which 'Ā'isha sat, except as a hedgehog for all the arrows that had pierced it.

She imbued courage and bravery, displaying immense leadership as she rallied her troops and bolstered their morale according to the skills for which each tribe was reputed (ibid. pp.134-136). But the fight grew more intense, and seventy lives were lost around the camel that carried her. ‘Alī, well versed in battle tactics and thoroughly experienced in warfare, realised that as long as the camel stood, the battle would not end. He therefore called for all energy to be diverted to striking the legs of the camel. When this was achieved, down came the camel and with it, all that ‘Ā’isha had fought for. Neither Ṭalḥa nor Zubayr survived the battle. The total number who lost their lives in that battle was recorded to be in excess of six thousand (ibid. p.144).

‘Alī proved himself to be gracious in the matter of ‘Ā’isha and organised for her return to Makkah in the company of forty prominent Basran women, riding beasts and provisions, headed by her brother, Muḥammad. This ensured an honourable home-going as a mark of respect for ‘Ā’isha. He returned her to Makkah where she wished to stay until performing the Ḥajj, after which she was to return to her home in Medina, destined never again to participate in political affairs. The final word on the matter relayed by al-Ṭabarī, framed as a concluding lesson, are the words of ‘Ammār b. Yāsir, who remarked to ‘Ā’isha after the cessation of fighting: ‘Mother of the Faithful, how far this march is from the pact that was made for you!’<sup>39</sup> She is said to have replied, ‘By God! As I always knew, you are a great speaker of truth.’ ‘Praise be to God, who has judged in my favour by your tongue.’ With that, the narrative of the saga of the Battle of the Camel is brought to a close.

This event has been relayed here in much length and is justifiable for the wealth of information it provides, and for the censorship which all too often plagues this story in its retellings. In one prominent fatwa website, where someone has asked for clarification on the deaths of ‘Uthmān and ‘Alī, the question is entitled, ‘Necessity of refraining from discussion of the disagreements that occurred among the Companions of the Prophet’ (<https://islamqa.info/en/127028>). Instead of answering the question, the questioner is given a litany of statements from the Quran and prominent scholars of Islam, to not speak ill of the Companions of the Prophet. The matter is entirely avoided. In cases where the matter is not avoided, such as in the aforementioned work of Haylamaz (2014), the event is entirely sanitised. It is nothing more than the ‘Muslims’ test with their brothers’ and there is never a degeneration of decorum or politeness, and the intention

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<sup>39</sup> Again, alluding to Quran, al-Aḥzāb, 33:33.

is solely to seek justice and reinstate peace. The blame is exclusively upon the single character of ‘Abdallah b. Saba, a dastardly and convenient figure for blame, upheld as a hypocrite amongst the ranks.

The story of the Battle of the Camel and its gradual sanitisation at the pens of biographers and storytellers, has meant that ‘Ā’isha is stripped of the complexity that made her human. Her confidence upon entering the fray and the conviction with which she took up an oppositional stance to ‘Alī, her political acumen in seeking to support Ṭalḥa and Zubayr for Caliphal power, her trepidations and doubts as the convoy left Makkah and moved towards Basra, her insistence on avoiding unnecessary bloodshed even on the battlefield, and her defiance and conviction in her position even once she was captured are all elided.

But before her silencing, there is her voice and the Battle of the Camel provides a rich case study for it. Her understanding of her people and how to sway public opinion is on full public display in her first speech against ‘Uthmān, where she rallies the people to hold him to account and ensure that he upholds his role with integrity and honesty. Her use of the Prophet’s artefacts as a means to invoke the love of the people for their Prophet and reminding them of her proximity to him as wife and now keeper of these intimate objects, is politically astute. In her second rousing speech to her party en route to Basra, reminding them that ‘Alī is now in need of being held to account, she is just as able to quell the disorder and disillusionment beginning to grip those around her and restore their motivation and courage for the most part. That she does this by summoning the Quran, is so very typical of ‘Ā’isha’s approach to living faithfully and is a recurring practice that appears in *al-Ijāba* too. Her ability to calm the anxieties and to dispel the doubts of those who have followed her, whilst she herself is also gripped by such trepidations, knowing the severity before God of Muslims turning their weapons on one another, is evidence of her quality and calibre as a leader. By removing this complicated narrative from depictions of the Battle, it is easy to mould her story into one of a grave mistake made by a Mother of the Believers, or to that of a proto-feminist army commander, rather than that of a committed leader of the Muslims, seeking justice and a faithful outcome for her community.

Both she and Umm Salamah provide a centre for dissenting voices to be expressed by opening up their homes for meetings to take place; a practice they will have remembered from the Prophet who would hold counsel (*shūra*) in his home, making room for opposing perspectives

to be heard and considered. Her sending letters to influential and powerful local leaders displayed her understanding of how political alliances are built and won and was likely a practice she will have observed from the Prophet. The democratic organisation of her home is not, in any case, a new arrangement. Her house was also the site of a counsel formed to decide on 'Umar's successor upon his death. 'Ā'isha had been accustomed to having proximity to power and easy influence as one who was consulted by the Prophet, her father Abū Bakr, and his successor 'Umar. However, with 'Uthmān's nepotism and the residual antagonisms between her and 'Alī, this proximity to power was incrementally removed. Another way had to be sought, and with growing dissent amongst citizens around her and their positive response to her declarations, she would have been emboldened to take this uncharted path of political dissent through public disobedience and organisation.

While the battle was not won, her willingness to take risks and to do so while putting her own life in danger too, would be reason enough for men in a similar situation to be hailed as heroes, even in defeat. Subaltern studies have provided many examples of the breach between popular and national histories in its highlighting of the construction of history as a process that is driven by the social and political elite of the time (Shrivastava, 2017). This is resonant here, in the writing of Muslim historians and biographers who clearly viewed this episode in the life of 'Ā'isha as one of embarrassment. They took their lead from those who would chastise and seek to shame 'Ā'isha by invoking seclusion for the wives of the Prophet, seeking always to maintain and promote a particular hegemonic image of Muslimah piety. Rather than allowing themselves to be inspired by her bravery and courage, they sought to excuse, displace and distance the subversiveness of 'Ā'isha's actions. Freed from such a framing which casts her actions as problematic, embarrassing or threatening, 'Ā'isha's story can finally be allowed the full force of its subversive and empowering potential, particularly for women.

The notion that her defeat at the Battle of the Camel somehow cowed her into a submissive position is erroneous. She simply takes another course. Still using her powerful voice and her sharp intellect, she becomes the disruptive educator and instructor in Medina, taking her subversive message into a different mode of operation. Perhaps she was chastened in the moment when the battle was lost, and it is true that she does not raise an army again or stand in overt defiance in the public political domain, but she continues to raise her voice, she remains embattled in safeguarding the boundaries and practice of Islam. And still, despite her loss at the Battle of the Camel, there are many victories to be celebrated, not least that this event and

‘Ā’isha’s role in it, allows hegemonic discourses of Muslimah piety to be disrupted. The binary gender roles that have been erected and justified through the scholarship of Muslim male scholars, in keeping with their contexts and interpretations, when met by the revolutionary and insubordinate actions of ‘Ā’isha during this time of great civil unrest in the Muslim community, cannot interpret away the diametrically opposing image that is conjured by ‘Ā’isha in this time, to that of the pious Muslim woman. She refuses to either be silenced or censored by those who insisted that the Quran called for the seclusion of the Wives of the Prophet. At most this story is used as a justification for the impermissibility of women’s political leadership; at worst it is ignored in its entirety. While this attempt to subalternate the story of her political agency may have succeeded to a degree, the subversive nature of her actions could not be entirely erased. Her role and actions remain in the earliest books on the history of Islam, and while they may find themselves re-told in sanitised adaptations since, the traces of her action allow for destabilising discourses on gender roles and both personal and political agency of Muslim women.

### **‘Ā’isha and the Construct of Muslimah Piety**

Each of the case studies from the life of ‘Ā’isha and the ways in which each has been carefully constructed and reconstructed by biographers, scholars, historians, storytellers and traditionists illustrates the myriad of ways in which ‘Ā’isha’s name and story have been co-opted and adapted according to the ebbs and flows of differing times and places and the demands they made on Muslim memory. As with many iconic figures, ‘Ā’isha serves as more than just a historical character. She acts as a signifier of what Muslim women can be, and moreover how Muslim women can and should enact their piety, or what can be simply referred to as Muslimah piety.

These incidents from the life of ‘Ā’isha that have been considered in some length in this chapter not only provide a historical account but another way of framing her. It must be acknowledged that most of the sources cited, in the main early Muslim sources, are still secondary sources, penned by scholars already steeped in intra-Muslim and inter-faith polemics. As such, then, how ‘Ā’isha’s story is told is at the service of the demands made by the political contexts. Thus, it can be argued that these retellings are not driven only by the pursuit of knowing ‘Ā’isha, but also by the pursuit of constructing the ideal Muslimah. Her story is told as a response to Shi‘a accusations, to non-Muslim denigrations, orientalist constructions, and to the need of Muslims

to find role models in the earliest generations, not least of female role models for Muslim women.

By re-reading the key incidents in her life, it is possible to not only re-evaluate how the story is told, but to also deconstruct it, mining it for what Derrida (1997) called the 'trace'. For Derrida deconstruction is a means to questioning the self-construction, or rather the 'official' stories told, to utilise them in order to illustrate how they can be reconstructed in alternative ways. The stories around 'Ā'isha regarding her age at marriage, the slander, and the Battle of the camel have each been re-engaged with on numerous occasions to formulate new official versions. Each time the same sources have been used, but different constructs of the story are formulated by different omissions and emphases. This re-engagement and reconstruction of 'Ā'isha's stories, is inextricably linked with how Muslim women perform their piety. Furthermore, whilst Derrida wrote of the signifier from a linguistic perspective, one can also extend this as a means to discussing the wider implications of how iconic figures are constructed for teleological purposes. If the signifier is about determining what the signified is and is not, then the constructions of 'Ā'isha are also about determining what she was and was not, in addition to what the Muslim woman can and cannot be.

'Ā'isha becomes a historical figure, a signifier for the ideal Muslim woman, meaning her story is not only told by the events of what occurred in her life and how she responded to each, but is also influenced by the external needs those stories could fulfil in developing a narrative for Muslim women seeking a paragon of Muslimah piety. She is thus, like the signifier in Saussure (Bradley, 2008, pp.71-73), constituted by the elements of the story that make up her own life and being, and just as much by her difference from other constructions of her; allegations made by the hypocrites in the time of the Prophet, Shi'as who viewed her unfavourably, and orientalist and Islamophobes who project their own negative narratives of her, as well as keeping her distant from all manners and actions considered disreputable in a Muslim woman by patriarchal standards of varying times. However, importantly, sometimes evidence of the very traits and behaviours she is not meant to model happen to be clearly present in her life stories. She is not a rebellious woman but a dutiful one, and yet she raised an army against 'Alī. She is not a woman who opposed male authority, and yet her home was a centre for gathering those who were disgruntled by the political climate under 'Uthmān's caliphate and beyond. She is weak and vulnerable, as women are supposed to be, and yet she was protected and exonerated through Divine intervention and was a paragon of composure and strength when

falsely accused. ‘Ā’isha’s identity is assembled on the building blocks of her history, but also the difference between what she is and what others have wrongfully constructed her as. She is also constructed in accordance with the ideal Muslim woman as devised by Muslim male scholars and in opposition to those attributes deemed unbefitting of the ideal Muslim woman. With varying demands bearing down on the construction of ‘Ā’isha, it is unsurprising that so much of her personal history is obfuscated, ignored, or sanitised beyond recognition. But the traces of who she was or could be, are found in the gaps and omissions, and in the assertions and emphases that emerge with her story over time.

Each case study given above has been relayed in a manner that not only illustrates key events in her life but also allows alternative readings with varying implications. The issue of her age at marriage highlights effectively the informal fluidity of the ḥadīth canon. The incident of the slander and the Battle of the Camel both use early sources and demonstrate ‘Ā’isha’s strength, independence, autonomy, unfaltering faith, sense of justice, engagement in public life, and the merging of the public space with the domestic. Releasing ‘Ā’isha from the constraints of patriarchal readings and allowing for another perspective of the stories to emerge, broadens the implications and parameters of her as a signifier for Muslimah piety, and thus expands the horizon for Muslim women. A Muslim woman who finds herself in a vulnerable domestic situation can freely return to her parents’ home and advocate for herself; a Muslim woman can aspire to positions hitherto held only or primarily by men in the political, military or other domains of life; a Muslim woman can hold Muslim men to account with authority, and so on. The release of ‘Ā’isha as signifier for Muslimah piety, is also a release for Muslim women and the parameters set by their faith.

### **Introducing the Author: Imām al-Zarkashī**

His full name was Badr al-Dīn Abū ‘Abdullah Muḥammad b. ‘Abdullah b. Bahādur al-Zarkashī. He is also known as Abū ‘Abdullah Muḥammad b. Bahādur b. ‘Abdullah al-Minhāji al-Shafī’ī. He was born in Mamluk Cairo in 745/1344, witnessing both the Bahri and the Burji periods of Mamluk rule, and was of Turkish heritage. He came to be known as al-Zarkashī, the embroiderer, due to his mastery of the skill at a young age using golden thread, under the tutelage of his father who was a skilled embroiderer. However, he soon turned his attention to the study of Islam and was educated under the direction of some of the most illustrious teachers of his time, until taking his own seat among such names (Faraj, A. 1990, pp.5-7). He travelled

to Damascus to learn ḥadīth with the famed exegete, Imād al-Dīn b. Kathīr (d. 774/1373), to Aleppo in 763/1361 at the age of 18 to study *fiqh* and *uṣūl* with Shihāb al-Dīn al-Adhra‘ī (d. 783/1381), and back to Cairo to study Quran and *fiqh* with the then head of the Shafi‘ī school in Cairo, Jamāl al-Dīn al-Asnawī. He remained in the company of al-Asnawī until he passed away in 772/1370. Additionally, he spent a significant number of years with Sirāj al-Dīn al-Bulqīnī (d. 805/1404), with whom he studied and memorised Imām al-Nawawī’s *Minhāj al-Ṭālibīn*, which earned him the agnomen al-Minhājī, alongside al-Zarkashī. He stayed in his company until al-Bulqīnī moved to Syria to hold the position of Qāḍi there. Al-Zarkashī was also taught ḥadīth under the tutelage of ‘Alā al-Dīn Mughulṭay (d. 762/1362) (Rippin, A. 2012, *EI2*).

Al-Zarkashī was a prolific writer, earning the title ‘al-Muḥarrir’ (one who writes with speed) due to the proliferation with which he authored books (Ahmad, 2014). He is thought to have written somewhere between thirty-three and forty-six works, ranging in topics from jurisprudence (*fiqh*), sciences of the Quran (‘*ulūm al-Qur’ān*), principles of jurisprudence (*uṣūl al-fiqh*), exegesis (*tafsīr*), Islamic etiquette (*adab*), Islamic scholasticism (*kalām*), and ḥadīth terminology (*muṣṭalah al-ḥadīth*). However, only twenty-two works remain extant, and only fourteen of them are currently available in published form (Rippin, A. *EI2*). At the young age of nineteen years in the year 764/1362 he penned his first book, ‘*Uqūd al-Jimān*. It was around 790/1388 that he authored *al-Ijāba*, making it one of the last books he wrote. It is noted by Arūl that al-Zarkashī was able to dedicate himself fully to the pursuit of knowledge thanks to the generosity of family members who took it upon themselves to provide monetary assistance to his family and fulfil their material needs so that he would not need to work. He is often depicted as a recluse, seldom engaging in public or social activities, instead preferring to spend prolonged periods in seclusion dedicated to the pursuit of knowledge. Ibn Ḥajr (2012, Vol.3 p.398) writes in his *al-Durrur al Kāmina*, ‘He [al Zarkashī] detached himself in his house and would not frequent anyone except the book market and when he would go there, he wouldn’t buy anything. He would spend the whole day studying in the bookshop, noting down that which interested him and would then use this in his writings’.

He passed away at the age of forty-nine, in the year 794/1392, and is buried in the smaller al-Qarāfah cemetery in Cairo. Before passing away, while on his death bed, he is recorded as having gathered his children; ‘Ā’isha, Faṭīma, Muḥammad, ‘Alī and Aḥmad, and instructed Muḥammad to read his books, beginning with *al-Ijāba*. Upon completing the

readings, he granted them all license (*ijāza*) to teach his works. Despite his relatively short life he is noted as having left behind a great legacy of knowledge, from which scholars of his time and after having gained immensely. It is observed that al-Suyūṭī (d. 911/1505), benefitted greatly from al-Zarkashī's works, authoring a number of books which drew heavily from his works<sup>40</sup>, including *ʿAyn al-Iṣābah fī istidrāk ʿĀʾisha ʿala al-Ṣaḥābah*, which he introduces as a summary of al-Zarkashī's *al-Ijāba*.

Al-Suyūṭī organises his book into chapters, in the standard fashion of organising chapters in books of jurisprudence; in terms of purification, prayer, funeral prayers, fasting, and so on, unlike al-Zarkashī, who categorises his book's chapters according to the various Companions to whom ʿĀʾisha is responding. While this is in keeping with the *musnad* style of ordering, whereby traditions are organised and categorised according to the narrator of the statements rather than the subject, it is also clearly a more assertive, perhaps even more provocative, stance than that taken by al-Suyūṭī. To structure his book with chapters assigned according to which Companion ʿĀʾisha was refuting, makes a far stronger statement about her engagement with the relating of Prophetic traditions, and her authority among the Companions and the generation following them, the *Tābiʿūn*, than simply organising chapters in the customary way of *fiqh* books, which would allow the book to blend in with the myriad of *fiqh* books, denying it any outstanding feature. Al-Suyūṭī's work further pales before that of al-Zarkashī when considering the former records only fifty-three ḥadīth in his work while the latter records two hundred and twenty, due perhaps to the concentration of al-Suyūṭī on those ḥadīth which could be organised within jurisprudential categories, though al-Suyūṭī asserts that this is because the other traditions beyond the fifty-three he extracts from *al-Ijāba*, cannot be considered as 'corrections'.<sup>41</sup> This is a strange assertion to make, given that this simply is not the case. It raises questions as to why al-Suyūṭī is now seeking to construct ʿĀʾisha specifically in terms of jurisprudence concerned with personal piety; did he feel al-Zarkashī's work had the potential to undermine the

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<sup>40</sup> Another work which al-Suyūṭī heavily benefits from is al-Zarkashī's *al-Burhān fī ʿUlūm al-Qurʾān* which he draws from extensively in his own better-known book, *al-Itqān fī ʿUlūm al-Qurʾān*.

<sup>41</sup> Al-Suyūṭī took such liberties with the works of many other scholars too, and yet his works were warmly received rather than chastised for their at best unoriginal and at worst plagiaristic, nature. Blecher (2017) argues that this is because his works served another purpose to contribute a work that is useful without toil, *al-naḥʾ bi-lā taʿab*. For more on this see, Blecher, J. 2017. 'Usefulness without Toil': Al-Suyūṭī and the Art of Concise Ḥadīth Commentary. *Al-Suyūṭī, A Polymath of the Mamluk Period*. Leiden: Brill.

existing canon? Or perhaps he was trying to construct ‘Ā’isha as an authority solely in the realm of *fiqh*. Al-Suyūṭī further claims in his introduction to have not only exhumed those statements which are genuine corrections of ‘Ā’isha, but to have included some corrections overlooked by al-Zarkashī. Out of fifty-three traditions that he records, only six are additional to what is recorded in *al-Ijāba*, and even then, five of these are a variation of others which are recorded by al-Zarkashī, leaving only one to be genuinely additional to al-Zarkashī’s collection.<sup>42</sup>

Al-Suyūṭī notes that al-Zarkashī’s work was preceded by that of Abū Maṣṣūr ‘Abd al-Muḥsin b. Muḥammad b. ‘Alī b. Ṭāhir al-Baghādādi, also known as Abū Maṣṣūr al-Shiḥī.<sup>43</sup> He notes that he recorded 25 traditions. Again, a small number in comparison to that recorded by al-Zarkashī. Arūl (2004, p.13) establishes in his edition of *al-Ijāba*, that al-Zarkashī utilised this work, among others, to compile his text. Ibn Ḥajar acknowledges Abū Maṣṣūr’s work but affirms the superiority of al-Zarkashī’s work over the former’s stating, ‘Indeed, the author of *al-Ijāba* has a better order, more clarification, and it traces back to the texts of previous great scholars’.

It is of interest that another book al-Zarkashī penned was *al-Tanqīḥ li-alfāz al-Jāmi‘ al-Ṣaḥīḥ-- Revision of the Words of the Ṣaḥīḥ Collection*. In the introduction to the critical edition of this book, Yaḥya b. Muḥammad ‘Alī al-Ḥakamī (2003, Vol.1 p.7) states, ‘...this is the most important of all books concerned with explaining Ṣaḥīḥ al-Bukhārī...there is no exegete of Ṣaḥīḥ al-Bukhārī that has come after al-Zarkashī, except that he has depended on his work’. Al-Afghānī (1970, p.10) in his edition of *al-Ijāba* makes reference to this book explaining that al-Zarkashī had sought to ‘clarify that which is obscure, to make manifest that which is hidden, selecting from statements the most authentic...’. That al-Zarkashī exerted himself in such an endeavour on al-Bukhārī may also be an indication of his occupation with keeping the canon open, maintaining a position of renewed and constant engagement with the ḥadīth texts, and pushing at the boundaries of the canon by authoring a book such as *al-Ijāba* while also keeping the internal state of the canon fluid too.

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<sup>42</sup> Al-Suyūṭī (1989, p.43) writes: Muslim records on the authority of ‘Urwah who said, it was said to ‘Ā’isha that people were claiming that the Messenger of God had been shrouded in a silken shawl. She said, ‘A silken shawl was brought, but he was not shrouded in it’.

<sup>43</sup> Akram Nadawi (2013, p220) notes that this has been reproduced by Ibn Ḥajar in his *Mu‘jam al-Mufahras*.

## Introducing the Text, *al-Ijāba li-Īrādi mā Istadraktahu* ‘Ā’isha ‘Ala al-Ṣaḥābah—The Corrective: ‘Ā’isha’s Rectification of the Companions

### *Al-Ijāba*, the Manuscript

Despite the value of the book, it is remarkable that the manuscript was so neglected. As mentioned previously, only two manuscripts are known to exist: the first discovered by Sa‘īd al-Afghānī at the Zāhiriya Library of Damascus in 1939, and the second by Mehmet Bünyamen Arül at the Beyazit Library of Istanbul in 1994, which he came upon whilst working on a critical edition from the first manuscript in which he found many errors. This second manuscript then worked as an aid in his efforts to verify and source the statements that were recorded in the first.

Both al-Afghānī and Arül’s excitement at discovering their respective manuscripts is palpable in their introductory remarks in each of their critical editions. Al-Afghānī (1970, p.4) states, ‘I was searching the treasures of the Zāhiriya Library in Damascus [looking] through all the manuscripts, and at the very end I found a rare treatise by Imām Badr al-Dīn al-Zarkashī al-Shafī‘ī, written by himself dedicated to one subject matter; the corrections the honourable ‘Ā’isha made of the Companions. I had not even finished reading it when I had already resolved to publish and share it amongst the people.’ Similarly, Arül (2004, p.6) writes ‘I could not believe my eyes’ when he discovered a second manuscript again by chance, at the Beyazit Library in Istanbul, whilst working on a *tahqīq* study of the original manuscript. Arül makes no mention as to who wrote the manuscript he found, whether it was by the pen of Imām al-Zarkashī as well, or a student or otherwise, nor does he date it, but he used the two manuscripts to inform his investigation of the text, and his verification of the soundness of those statements recorded therein to complete the critical edition that was first published in 2004 and is the text from which I have worked for this study.

### *Al-Ijāba*, the Text

As illustrated by Spellberg, the historiographical journey of ‘Ā’isha has been a long and complex one. Intertwined in historiographic debate, the politics of genealogy and succession, and sectarian debacles and assertions, her image has been reconstructed time and again. The earliest written sources such as those biographies of the Prophet Muḥammad

written by Ibn Ishāq (d. 150/767), Ibn Ḥishām (d. 218/833), al-Wāqidī (d. 207/823), and ‘Abd al-Razzāq b. Hammam al-San‘āni (d. 211/827), chronicle the life of ‘Ā’isha, much like the other thirteen wives of the Prophet, as simply that—wives of the Prophet. Little is mentioned of their life prior to marriage to him, and they are viewed only through the prism of his life. Their lives are simply recorded as a series of points at which they intersect with his.

It is not until the 3<sup>rd</sup>/9<sup>th</sup> century, with the emergence of *ṭabaqāt* dictionaries recording the biographies of the Companions of the Prophet, and others found in the transmission of Prophetic traditions, that ‘Ā’isha is given a fuller and more outstanding life story. Ibn S‘ad (d. 230/845) authored what could be described as the seminal work of that genre, entitled *Kitāb al-Ṭabaqāt al-Kabīr—The Book of the Classes*, in which he mentions 4,259 individuals, including 600 women (Fück, J.W, *EI2*). In it he provides ‘Ā’isha with a far more detailed biography and enumerates for the first time the qualities that make her distinct and superior to the other wives of the Prophet. These qualities are given in the first person by ‘Ā’isha herself and detail those attributes and occasions granted to her exclusively from among the wives of the Prophet. They include her being the only virgin wife he married, that she was the only wife whose parents were both emigrants to Medina (*muhājir*), that the Prophet received revelation in her presence, and that he passed away in her arms, to name but a few. Ultimately these unique characteristics revolve around five particular themes; her genealogy, her proximity to the Prophet during the performance of significant religious rituals, in addition to her presence during the final days of his life, the particular aspects of their married life, and the intervention of the Divine during the incident of the slander against her (Spellberg, 1994).

These virtues remained in popular circulation amongst Muslims and this theme was then harnessed a century later by al-Ṭabarī (d. 310/923). This is significant because as Watt (1998, pp.333-334) notes, it was in the 4<sup>th</sup>/10<sup>th</sup> century that the scholars utilised the term ‘Sunni’ for the first time to describe the majority Muslim community. The schism between the Sunnis and Shi‘as was to rupture, and ‘Ā’isha was one of a number of personalities whose virtues and status were to not only be contested by the Sunni and Shi‘a, but to become the very battle lines drawn between them. The polemics surrounding ‘Ā’isha, however, remained concerned with the assertion of her superiority over the other wives and female companions, and then more broadly her superiority among women in general, setting her up

as a paragon of virtue and piety. This effort, while exalting the sharpness of her intellect and the accuracy of her memory, did little to bring her to the centre of knowledge production. Being caught up in the Sunni-Shi'a conflict which manifests itself in a battle of superiority between 'Ā'isha and Fāṭima, or Abū Bakr and 'Alī, means that the critical force of 'Ā'isha in the epistemology of Islam remained absent, or at the very least overlooked.

In the 8<sup>th</sup>/14<sup>th</sup> century, al-Zarkashī fused the unique and outstanding virtues of 'Ā'isha with her unique and outstanding contribution to Islamic memory (Spellberg, 1994): as a critic of ḥadīth narrations, and as a *faqih*, one who could discern legal conclusions, as well as an exegete of the Quran (Sayeed, 2013). In his *al-Ijāba* he collects all the traditions in which 'Ā'isha responds as a critical traditionist to the reports of other Companions, many of whom are held in great esteem such as 'Umar b. al-Khaṭṭāb, Ibn 'Abbās, 'Alī b. Abū Ṭālib, and Ibn Mas'ūd. After his praise and brief introduction of 'Ā'isha, al-Zarkashī states in his introduction, 'This book is devoted to her particular contribution in this field, especially the points on which she disagreed with others, the points to which she supplied additional information, the points on which she was in complete disagreement with the scholars of her time'. It is clear from his introduction that he is advocating a projection of 'Ā'isha which is critical and engaging in the process of formulating knowledge. It is possible that he intended for his work to have a deep impact from his dedication of the book to the *Qāḍi al-Qudāt*, Chief Judge, Qāḍi Burḥān al-Dīn b. Jamā'ah (d. 790/1388), who was one of the most distinguished Shafī'ī jurists in Mamluk Egypt and descended from a family well established within the religio-judicial system of the Mamluk dynasty. To have had his ear, was to potentially impact the prevailing judicial system.

He proceeds to enumerate forty-two qualities particular to 'Ā'isha, expanding the lists provided by Ibn S'ad and al-Ṭabarī. Like al-Ṭabarī, al-Zarkashī too highlights the similarities between 'Ā'isha and Mary mother of Jesus, and as was typical of the Sunni-Shi'a polemics, raises 'Ā'isha and her father, Abū Bakr to the highest levels of praise such that to disavow them is to disavow Islam itself. Al-Zarkashī however, moves beyond these polemics and sets the grounds to recast 'Ā'isha by situating her superiority in her intellectual astuteness and her eloquent articulation. Al-Zarkashī states that she 'was the greatest of his [the Prophet's wives] regarding the science of ḥadīth', and that she was the 'most eloquent' of all people, such that her words were considered better and 'more intelligent' than the Friday sermons of the first four Caliphs. These are not outstanding claims that he makes,

they are in fact well expressed by many scholars. Al-Ḥākim records in his *al-Mustadrak* (Vol.4, pp.12-13), that al-Aḥnāf said, ‘I heard the sermons of Abū Bakr, ‘Umar, ‘Uthmān, ‘Alī, and other Caliphs besides, but I never heard speech from the mouth of men, more splendid or perfect than that which came from the mouth of ‘Ā’isha’. He further records al-Zuhrī as stating, ‘If the knowledge of all mankind and the wives of the Prophet to be gathered, ‘Ā’isha would be more knowledgeable still’.

Her reputation continues to precede her, and yet ‘Ā’isha’s own voice or agency has oftentimes been obscured, lost in the polemics of sectarian divisions and debates. This translation and study into her correctives seeks to be guided by the personality and methodology of ‘Ā’isha and as such, it is imperative that what has been garnered regarding her life and how it has been constructed, is considered in the translation process as well as textual analysis.

## **Conclusion**

Imām al-Zarkashī would, no doubt, have laboured on *al-Ijāba*, like any of his works, with the intention of benefitting his community and future generations of Muslims. His commitment to this text is indicative from the reach he hoped it would attain through his children and students. But time proved a cruel master, and instead this work was close to being entirely lost. Yet somehow by a tenacity and resilience emblematic of its core protagonist, ‘Ā’isha, it survives, almost willing its own discovery. The opportune findings of Sa‘īd al-Afghānī and Muhamet Bunyamun Arül of their respective manuscripts reads as nothing short of two serendipitous findings.

In order to garner the most from the text, it has been this chapter’s effort to examine the background and historiography of ‘Ā’isha. Reconstructions of ‘Ā’isha reveal much about the historiographical journey her persona has taken conjointly with that of Muslims and Islam. Taking her life and story at this juncture allows once more the strength of her character to be recalled and to do so in a way that informs the translation of her words and an interrogation of her emergent methodology of ḥadīth criticism and jurisprudence, in addition to offering a new perspective on ‘Ā’isha herself. However, before this can take place, it is important to also understand the history of the ḥadīth tradition and its canonisation, as this process contributes to the marginalising of ‘Ā’isha’s positions.

## Chapter Two: The Classical Ḥadīth Tradition and Its Canonisation

The ḥadīth tradition has a long and complex history. Muslim attitude towards the ḥadīth has ranged from disinterest to committed acceptance, cynicism and scepticism to outright rejection, with a rich history of scholarly debate to match. This chapter presents an overview of that history, of how the science of ḥadīth developed and was applied, as well as the canonisation process that the ḥadīth has undergone. The relation of this history to the legal judgments of ‘Ā’isha, and their attendant exclusion or inclusion, is crucial to this account.

It is noted in this chapter, that much like the retellings of key incidents in the life of ‘Ā’isha in Chapter One are in fact a return to earlier detailed accounts of each, the approach to ḥadīth criticism that is suggested as a result of ‘Ā’isha’s emergent methodology in Chapter Seven, is also a return to established practices in the science of ḥadīth impugment and validation, and the expansion of such methods to go beyond their current application. Additionally, the interrogation of the ḥadīth canon has already been illustrated as taking place in Chapter One, particularly in the account of how ‘Ā’isha’s age at marriage has been handled by Islamic scholars. In this chapter, I argue for this interrogative engagement with the canon that seeks to simultaneously critically engage its content as well as expand its boundaries, to be formally recognised, proposing a new conceptualisation of the ḥadīth canon in Islam.

Though there may be an appeal to established practices in the science of impugment and validation of ḥadīth, the process and its history is relayed in this chapter to reveal how the process has also been utilised to overlook statements of ḥadīth. The criteria are, of course, only as effective as those applying them. This is not to assert that there was an anti- ‘Ā’isha sentiment, but that socio-political contexts within which ḥadīth were being scrutinised, and compilations authored and canonised, foreclosed the possibility of centring many of her statements and actions. As has already been presented in Chapter One, polemical and sectarian divisions as well as outside accusations and threats, in addition to the fact that the entire endeavour of ḥadīth collection, commentary and canonisation has been done by men, has resulted in only a partial presentation of ‘Ā’isha.

## The Classical Ḥadīth Tradition and The Science of Impugnment and Validation of Narrators

Gautier Juynboll (1996, p.119) opines that Muslims are entirely deferential to the canonical collections of ḥadīth, and that the interrogation of ḥadīth found in any of these collections is unnecessary in the Muslim imaginary. Indeed, he claims Muslims would see such endeavour as ‘superfluous’, further adding, ‘in their [Muslim] view a tradition listed in any of the canonical collections *al-kutub al-sitta*, is not in need of historical analysis, but especially not if found in more than one collection, including that of al-Bukhārī or Muslim. Its occurrence there constitutes for these Muslims sufficient evidence for the historicity of its ascription to the prophet Muḥammad’. He continues with the assertion that it is the works of Goldziher and Schacht that have been cause for reflection among Muslims, and the impetus for questioning their own absolute deference. Whilst the canonical collections of ḥadīth do hold a paramount status amongst Muslims, and particularly the laity, the claim of Juynboll ignores the historical and contemporary engagements of Muslim scholars with the canonical ḥadīth that interrogate their chain of narration, the individual reports and investigate their historicity. Evidence of this has been given in the scholarly engagement regarding the age of ‘Ā’isha upon her marriage to the Prophet in Chapter One. *Al-Ijāba* itself constitutes an endeavour that challenges the canonical ḥadīth texts, and some of al-Zarkashī’s work on a number of ‘Ā’isha’s ḥadīth involve the strengthening of her statements through interrogation of the chain of narration (*isnād*), as well as taking to task the actual text (*matn*) of the ḥadīth.

Admittedly, however, though these endeavours exist, there are limitations; they tend to be done sporadically and there is no overarching methodology or organised approach, and none of these attempts have compromised the ultimate status of the canonical ḥadīth collections. Attempts at scrutinising individual ḥadīth within the canonical corpus are often met with fierce resistance. Al-Dāraqūṭni challenged the status of a number of ḥadīth found in both al-Bukhārī and Muslim in his works *Kitāb al-ilzāmāt* and *Kitāb al-tatabbu’* - sometimes presented as one work, rather than two - in which he sought to scrutinise chains of narrations found in the *Ṣaḥīḥayn*. While this was not a particularly exceptional endeavour for its time, he was met with strong rebuttals from al-Nawawī and Ibn Ḥajar. Later scholars like Ibn al-Qayyim and Ibn al-Jawzī dedicated studies to the scrutiny of ḥadīth on the basis of their chains of narrations but went further to scrutinise the content of the ḥadīth (*matn*) too.

Despite the existence of these texts and the advocacy of scholars such as Abū Ḥanīfa, al-Shafī‘ī and Ibn al-Jawzī to establish a universal set of principles by which to critically authenticate a ḥadīth by its text as well as its chain—including by weighing up its content with the Quran—serious attempts at probing the content of ḥadīth is largely absent (Khan, I.A, 2010, p.38). Khan argues no works of ḥadīth can be found in which both the chain of narrators and the text of the ḥadīth have been interrogated. He argues (ibid, p.31), ‘scattered comments and observations on certain aḥadīth, from a textual perspective, can be attributed to some scholars, but on the whole, serious efforts are missing from scholastic legacy’. He further identifies Ibn al-Qayyim as the first Muslim scholar to have attempted to construct a textual analysis of ḥadīth in the process of authentication (ibid, p.38). The criteria Ibn al-Qayyim developed for authenticating ḥadīth by way of their content are:

- The ḥadīth must not contradict the Quran;
- The ḥadīth must not contradict highly authentic ḥadīth;
- The ḥadīth should not be in opposition to true observations;
- The ḥadīth should not promote reward and punishment in a disproportionate manner;
- The ḥadīth should not contain an unsound statement;
- The ḥadīth should not exaggerate or be illogical in its praise or condemnation of a place, person, profession or thing (ibid, p.39).

Despite proffering this criteria and despite the existence of some attempts at scrutinising the content of ḥadīth, the approach was seldom engaged for the major canonical collections, instead focussing primarily on the chain of narrators for their critical authentication of prophetic traditions. It is for this reason that al-Zarkashī’s *al-Ijāba* is invaluable, in its endeavour to engage in scrutinising the actual text of the ḥadīth (*naqd al-matn*). As will be seen, interrogation of the alleged prophetic tradition in terms of its actual content is a regular practice of ‘Ā’isha in verifying ḥadīth. This research, then, seeks to not only engage with the texts of the ḥadīth scrutinised by ‘Ā’isha, in keeping with her own approach to ḥadīth criticism, but will also seek to extend the established methods for interrogation of ḥadīth as formulated by ḥadīth scholars, so that they are applied to the Companions, in order to fully realise the authenticity they were meant to achieve.

## The Principles of Impugment and Validation (*al-Jarḥ wa al-Ta'dīl*) in Ḥadīth

In order to consider the implications of a study of *al-Ijāba*, it is important to have an understanding of some of the principles of the classical ḥadīth tradition regarding the techniques developed for ḥadīth criticism. In particular the process and criteria for *al-jarḥ wa al-ta'dīl*, the impugment and validation of narrators in a chain of transmission for a tradition, and the premise of *'adālat al-Ṣaḥāba*, the equal reliability of the Companions in terms of their trustworthiness and uprightness, excludes them from being appraised by the process of *al-jarḥ wa al-ta'dīl*.

A narrator is considered impugned if they meet any of the following conditions:

- *Kadhib*: They have been found to have lied or falsely attributed sayings to the Prophet.
- *Ittihām bi al-kadhib*: They have been accused of lying or falsifying traditions.
- *Fisq*: They are guilty of immoral actions.
- *Bid'a*: They have advocated pernicious innovation.
- *Jahāla*: The narrator is anonymous.
- *Sū' al-ḥifdh*: The narrator is known for having a bad memory.
- *Mukhālif al-thiqāt*: Opposition to established, reliable authorities.
- *Kathara al-ghalaṭ*: Reputation of frequent errors.
- *Ghafla*: The narrator has been known to be neglectful with the tradition.
- *Wahm*: The narrator is guilty of incredulity and imaginary indulgence.

To be considered reliable as a narrator, one needed to avoid being impugned by any of the aforementioned criteria, while meeting two essential criteria:

1. *Al-'Adālah*, Truthfulness: which encompasses being Muslim, having reached adulthood, being of sound intellect, and safe from all immoral actions.
2. *Al-Dabt*, Precision: Meaning that the narrator should not have any opposition from or disagreement with a narrator considered a reliable authority (*thiqah*), to not have

poor memory, to not be heedless and prone to mistakes, nor be one who has indulged the imagination in recounting prophetic traditions (al-Tahhān, 1996, p.111).

The criteria of both impugnement and validation therefore have some overlap, but most significantly are not applied to Companions. Narrators other than the Companions are considered impugned until exonerated by the majority of traditionists. The only exception to this is the opinion of Ibn ‘Abd al-Barr who believed, conversely, that narrators were to be trusted unless found to be otherwise (Siddiqi, 1993).

To be impugned as a ḥadīth narrator did not relegate or decrease the piety and righteousness of an individual; it simply meant that they were not qualified to narrate the traditions. Neither did it preclude them from being authorities in other fields. One such example is Ḥafṣ b. Sulayman (d. 796/1393): though he was an esteemed and central authority in the transmission of the Quran, when it came to ḥadīth transmission, his traditions were considered weak, as noted by classical scholars such as Yaḥya b. Ma‘īn (d. 233/847), al-Nasā‘i (d. 303/915) and ‘Abd al-Raḥmān b. Abī Hātim (d. 321/938). Indeed, it is reported in Muslim that Abū al-Zinād commented that in his time in Madinah there were approximately one hundred people who were not considered reliable in ḥadīth but were still considered from amongst the most pious of people (Khan, I.A, 2010, p.30).

It is acknowledged that the application of the conditions of *al-jarḥ wa al-ta‘dīl* have not been uniformly applied. As Kamali (2005, pp.85-86) notes, there has been a far more lenient approach to accountability on the required terms relating to well-known figures in general, while narrators higher up in the chain of transmission were deemed more credible than those lower down in the chain. It seems, then, that the level of scrutiny is inversely proportional to where in the chain of transmission a narrator was situated; the higher up they were in the chain, the lower the level of scrutiny they were exposed to. This scrutiny all but disappears for anyone deemed a Companion.

The principle of *‘adālat al-Ṣaḥābah*, is one that asserts that all Companions are equally reliable and trustworthy. Ibn Ṣalāḥ stated in his *‘Ulūm al-Ḥadīth* (1986, p.294), ‘The Companions are all just and trustworthy, whether they took part in the *Fitnah* [the war between ‘Ā’isha and ‘Alī] or not, according to the consensus of the reliable scholars.’ Ibn

Ṣalāḥ thus elucidates the standard position on the Companions taken by ḥadīth scholars. This continues to be the accepted practice amongst Sunni scholars, who believe that the Companions have been exonerated by none other than God, in the Quran, and therefore to discredit a Companion is to discredit Islam itself. Such is the view of scholars such as the Yemeni, Shaykh ‘Abd al-Mālik b. Ḥusayn al-Tāj (2010), who, when asked about applying *al-jarḥ wa al-ta’dīl* on the Companions, commented, ‘Indeed all of the Companions are reliable by the testimony of God for their reliability; there is no need for impugnement after that, and there is no one who interrogates them except that he interrogates Islam’.

Those upholding this view cite verses such as verse one hundred and ten of the chapter *Āl ‘Imrān* as evidence of God’s having credited all the Companions with virtue: ‘You were the best of nations produced [as an example] for mankind, you enjoin what is good and forbid what is wrong...’ However, there is no consensus on who is being referred to in this verse, and indeed al-Ṭabarī (1994, Vol.2, pp.303-304) in his exegesis reports both ‘Umar b. al-Khaṭṭāb and Ibn ‘Abbās as specifying the *muhājirūn*, those who emigrated with the Prophet from Makkah to Medina, as the referents in the verse. ‘Umar is reported to have said, ‘This [refers to] the first of us [Companions], and not the last of us’, thereby implying that the Companions are by no means equal in virtue.

Kamali (2005, p.187) similarly contends, ‘The qualification of *‘adāla* is established for all the Companions of the Prophet regardless of their juristic or political views’. He goes on to assert that this is on the basis of the Quran’s statement, ‘God is well-pleased with them, as they are pleased with Him’.<sup>44</sup> However, as with the previous verse, there is no consensus on who is being specified, and, further still, there is always a possibility of exceptions to the rule. While the position that all the Companions are equally reliable may be the normative view, contradictions in reports from the Prophet and manifestations of complicating factors in his lifetime, such as the presence of hypocrites among the believers in Madinah whose identities remained concealed, have not gone unnoticed. Aḥmad b. Muḥammad b. ‘Alī al-Wazīr (1996, pp.223-232) in his book, *al-Muṣaffa fi Uṣūl al-Fiqh* notes this in his chapter on *‘adālat al-Ṣaḥābah*, stating that the Sunni position in fact asserts the Companions are considered trustworthy reliable narrators as long as they have not committed an immoral act (*fisq*) for which they have not repented. As such, he argues that the status of *‘adālah* afforded

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<sup>44</sup> Quran, al-Tawba, 9:100.

to the Companions by God or the Prophet can only ever be taken as a general statement; individual Companions must still be scrutinised, as the possibility of them all being equally trustworthy, reliable, and indeed knowledgeable on a matter is implausible.

It becomes apparent through reading *al-Ijāba* that whilst ‘Ā’isha is not explicit about a methodology to approaching ḥadīth, she certainly seems to rely on particular means of testing Prophetic traditions before accepting or rejecting them. These, in brief, are:

- Measuring the ḥadīth against the Quran;
- Measuring the ḥadīth against Prophetic practice that she witnessed;
- Measuring the ḥadīth against her own intellect and logical reasoning - including considering the lived practice and experience of her community and how best to engage in interpretation that was conducive to granting them ease within the realms of what is permissible.

In addition to this, she brings to attention the shortcomings of particular Companions in their recalling of a tradition, in their understanding and comprehension of the statement and in the limitation of their knowledge of the context of the ḥadīth which on many occasions gave the opposite message to what was originally relayed without contextualisation. This approach of ‘Ā’isha’s then also supports the endeavour to extend the tools of *al-jarḥ wa al-ta’dīl* to the Companions.

In light of the conditions of impugment stated above, the traditions collected by al-Zarkashī in *al-Ijāba* will be presented in this study, in the form of sections identifying whom ‘Ā’isha is correcting, in keeping with the Musnad tradition, in which ḥadīth are collected and presented according to the primary narrator. This research is concerned with critical ḥadīth study, and so each Companion’s section will be presented in themes of impugment and the emergent methodology of ‘Ā’isha in dealing with Prophetic traditions.

### **A Brief History of The Science of Impugment**

It is well known that the science of ḥadīth and the principles within *al-jarḥ wa al-ta’dīl* were not developed until sectarianism had become widespread amongst the Muslim community

and the Sunni-Shi'a divide reached an acrimonious high. Until this point the ḥadīth corpus was a blend of authentic and inauthentic statements. Particularly prolific narrators, such as Abū Hurayra, became easy entrance points to whom fabricators of traditions could attribute their statements. Fabricated ḥadīth have always been a threat to the integrity of the ḥadīth corpus, hence perhaps the Prophet's initial dissuasion of his Companions in recording his statements. Siddiqi (1993, p.32) holds that, while authors such as William Muir believe that forgery of ḥadīth began during the caliphate of 'Uthmān, in actual fact such forgery began in the very lifetime of the Prophet himself. He notes an incident narrated by Ibn Ḥazm in his *al-Iḥkām fi Uṣūl al-Aḥkām* whereby a man approached an outlying district of Medina, claiming the Prophet had sent him with his authority over them. It is believed he did so in order to win over a girl living in that district in marriage, who had previously declined his proposals. The people however sent a messenger to the Prophet to verify the man's claims, to which the Prophet replied that this man had received no such authority and was in fact a liar and imposter. Other such incidents are also noted by Siddiqi (ibid. pp.53-59), who queries that perhaps such pervasive spread of false traditions is what caused the earliest Caliphs and most senior Companions to be so resolutely sceptical of and resistant to supposed Prophetic traditions, and preferred instead to engage in *ijtihād*, reasoning.

Over time traditions were fabricated from a number of different quarters, including the so-called heretics (*zanādiqa*), who were accused of undermining Islam through the forgery of thousands of traditions, and the well-intentioned pious, who were embroiled in this practice hoping to encourage the believers towards good and deterring them from bad. Forgeries formed part of propaganda campaigns to prop up authorities, and even appeared at the hands of students seeking to enhance the position of their own teachers or to bring down the position of their opponents. For example, al-Muḥallab (d. 83/702), staunch opponent of the Khawārij and esteemed general, who admitted to forging traditions against the self-same secessionists; or 'Awāna b. al-Ḥakam (d. 158/774), who fabricated traditions foretelling the rule of the Umayyads and praising them; similarly, Ghiyāth b. Ibrahīm, who fabricated ḥadīth to earn favour with the Caliph. In fact, Siddiqi goes as far as to say that most traditions that praise particular individuals, tribes, geographic places or leaders find their origin in one or other deliberate forger and are but mere concoctions that were politically expedient at a given time and place. This echoes the position of Ibn al-Qayyim aforementioned, that ḥadīth that single out a particular person or place for praise are not to be considered authentic. Another source of forgery was the *quṣṣās*, storytellers and street-preachers, who held no

official posts but could amass sizeable followings for themselves and had to retain such attention by being able to supply their audiences with innovative, inspiring, and new stories, for which they would often resort to concocting prophetic traditions (Siddiqi, 1993).

Kamali (2005) frames Abū Bakr, ‘Umar b. al-Khaṭṭāb, ‘Alī b. Abū al-Tālib, ‘Abdallah b. ‘Abbās, Anas b. Mālik, ‘Ubāda b. al-Ṣāmit and ‘Ā’isha as Companions who were known to be particularly strict regarding the narration of prophetic traditions and could be considered as proto-ḥadīth scholars. Of them, ‘Umar, Ibn ‘Abbās, ‘Alī, and ‘Ā’isha, all denied, refuted, rebuked, or opposed statements made by Abū Hurayra. This is particularly important when considering the terms they used when responding critically to the statements of Abū Hurayra, to whom Chapter Five is dedicated.

This is not to say that all of the traditions of Abū Hurayra must be rejected, but that caution must be exercised, and that the methodology of ‘Umar and ‘Ā’isha should be adopted when engaging with problematic traditions related from Abū Hurayra and others. ‘Umar was famed for seeking corroboration of traditions before accepting them, and this indeed is a practice used by classical ḥadīth scholars when seeking to strengthen a tradition. As is illustrated in the second ḥadīth of Chapter Five, al-Bukhārī used this method to strengthen the tradition narrated by Abū Hurayra, whereas al-Zarkashī utilised the same method to strengthen that of ‘Ā’isha. In the end, as al-Shāfi‘ī and Abū Hanifa are reported to have said, and as merit would deem fit, the statements of ‘Ā’isha should be given precedence. Additionally, I argue that one should apply the emergent methodology of ‘Ā’isha in her correctives of the Companions. There are a number of features to be considered as an emergent methodology towards ḥadīth, as espoused by ‘Ā’isha, and these will be enumerated in Chapter Seven.

The mechanisms utilised to marginalise and silence certain statements of ‘Ā’isha though are not exclusively the process of validating ḥadīth. There are many ḥadīth of ‘Ā’isha that are verified but not valued for their being situated outside the canonical corpus of ḥadīth, such as those found in *al-Ijābah*, and the collections it relies on. Indeed, of the thirty-nine statements selected from the work to be translated for this thesis, half are from outside of the canonised ḥadīth collections. As such, then, it is important to interrogate the canonisation process and consider the intention of al-Zarkashī in penning this collection as a possible pushback against the closure that canonising can cause, and the possibilities the text holds

now in re-opening the canon and fulfilling what may have been al-Zarkashī's vision in the first place. Even if it were not a vision of al-Zarkashī's though, it is certainly a potential of the text that warrants actualising.

## **Canonisation**

While the concept of 'canon' has grown out of the Christian tradition, where it finds its roots in the Greek word *kanon*, meaning, 'any straight rod of bar; rule; standard of excellence', it is one that has been appropriated in the study of other religious texts, in the arts, in secular legal contexts, and in literature too, to define central texts that are deemed exemplary or authoritative among the community of their readership.

The process which a body of texts undergoes in the transition from literary text to canonical status is a triangulated one between the text, authority (in this case both religious and state authority) and the communal identity of those amongst whom it is to take pride of place as canon. The process of canonisation creates a circle of validation between given authorities and the canon. A text cannot profess itself to be canon, nor can its author wield such power either. It is up to the prevailing authority of any given time, usually in response to a current need of its community, to identify a text as being of enough import to warrant such investment. A canon is born through the interpretations of an authority. Such attention grants a text a standing in the community, which is further augmented the more said authority engages with this text. Jonathan Brown (2007, p.26) argues, 'Through canonising a set of texts, a tradition can deposit religious authority in a manageable and durable form. Later interpreters can then bring the authority embodied in this canon to bear on new issues'. A text, once canonised, enters a new realm of sacredness, created by the canonical culture within which it exists, which means that readers, both lay and specialist, will approach the text with reverence and hallowed awe, not criticism and critique. As a result, the canon becomes invested with authority and then reasserts this same authority on subsequent communities and scholars who may engage with it. It therefore acts as a means by which boundaries are defined and maintained; they become the criteria by which inclusion into and exclusion from a community is performed.

While the canon then plays a central role in the communal experience of its community, it also plays an exclusionary one. It entails the exclusion of other works, or at least the oversight of these works in favour of the canonised texts and thus the stances best supported by them, and

it silences certain voices not represented by those involved in the collation and interpretation of the canon. If the canon is then supported, nurtured and crystallised in a canonical culture that exists within one that is patriarchal too, it is not likely that voices of women that challenge the patriarchy, whether from within the canon or without, will be heard. When the process of canonisation has taken place at the hands of men, the perspectives and interpretation of women have not been privileged with a contribution to this process, and those voices that may exist within the canon may have been silenced. Lillian Robinson (1983, p.84) questions the nature of the canonisation process as surely being more like a ‘gentlemen’s agreement than a repressive instrument’, though she then states, ‘but a gentleman is inescapably - that is by definition - a member of a privileged class and of the male sex. From this perspective, it is probably quite accurate to think of the canon as an entirely gentlemanly artefact’. Thus, it is with the ḥadīth canon too: a gentleman's agreement that by its very nature means women’s voices within the text have been buried, whilst those outside of the text were never given an opportunity.

The literary canon has been interrogated by many scholars who have called for marginalised voices, such as the writings of People of Colour or women, to be given attention and granted entry into the literary canon. Stephen Behrendt (2008) stated, regarding the literary canon, that ‘...any traditional canon is first undermined by activists and revisionists who want to de-bunk the canon by redrawing the landscape in a more historically accurate fashion that makes very clear how different the reality is from the inherited misconception’. The works of feminist scholars previously mentioned, such as Mernissi, Chaudhry, Sheikh and others, are a concerted effort towards this goal, but can only go so far in their contributions to ‘de-bunk the canon’ in a way that is more historically accurate of the contributions of Muslim women, and their position within Islam. Hence the urgency in the need to reopen the canon, to uplift the female voices within it, to incorporate extra-canonical ḥadīth that challenge patriarchal norms established through canonisation in Islam, and to allow interpretation of the ḥadīth literature by female scholars to take place. The sacred canon may share traits with the literary canon; indeed, interrogating and reopening the sacred canon may methodologically appear to be a similar process. However, in practical terms, the sacred canon’s status vis-a-vis the Divine and its attendant authority, in addition to its use in the religious community as a resource for a variety of religious needs—from liturgical usage to the extrapolation of Islamic law—means that the formal process will be distinct from the decanonisation of the literary canon.

Reopening the canon to incorporate more female voices is not to deny that there are statements of the Prophet within the canonised ḥadīth which can be read as being favourable towards women. Many cite instances such as the Prophet’s praise for those who raise daughters, or the status of mothers in Islam as evidence of the high status of women in Islam.<sup>45</sup> Arguably, however, these constructions of the ‘ideal Muslim woman’, who is granted the high status promised in such statements, is one that is shallow in scope for women—it almost entirely reduces their roles to mothers, wives and daughters, while overlooking the plethora of ways in which a Muslim woman may seek to find fulfilment or even religious expression, outside of their roles as mothers, wives, and daughters—all of which are roles inextricably granted by their connection to a male family member in the form of sons, husbands, or fathers. Nor is the desire to reopen the canon done in naive hope that the extra-canonical ḥadīth literature might ultimately affirm the equal status of women in Islam as opposed to misogynistic traditions. It is also not to deny that chapters exist in the canonised collections that speak specifically of issues pertaining to women, such as the chapters on menstruation and on issues pertaining to the suckling of a baby. Even in such instances, not all traditions recorded are instructions for women regarding their menses, and while it is true that the Muslim stance on women not becoming intrinsically defiled by their menses was unusual for its time, some of the traditions appear to be far from focused on the needs of women. To make this point clearer, prior to Islam, many Arabs had believed in the inherent defilement of a woman when she was on her menses, thus restricting her movement and sometimes even evicting her from the home until her period was complete. The ruling in Islam was that woman remained pure even whilst on her period, but that she was exempt from prayer and fasting as a dispensation from God. She was also not to engage in penetrative intimacy, though all other forms of intimacy were made permissible. Thus it could be argued that while the Islamic attitude towards menstruating women is freed from the pre-Islamic phobic attitude towards menstruating women, it then seems almost to undermine the gender justice nature of such a stance with the emphasis being on what a husband’s rights to his wife’s body during this period are, rather than on the liberation of

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<sup>45</sup> For example: Abū Hurayra reported that someone asked the Prophet, who amongst the people is most deserving of my good treatment? He said, ‘Your mother, again your mother, again your mother, then your father, then those closest in relation to you after them, and then those closest after them’ (Ṣaḥīḥ Muslim, Chapter: Piety, Maintaining ties of Kinship, and Good Manners, Section; Filial piety and which Parent is most entitled, ḥadīth No.2548). Also, ‘Abdallah b. ‘Amr b. al-‘Āṣ reported the Prophet as having said, ‘The world is but a [quick passing] enjoyment, and the best enjoyment of the world is a pious and virtuous woman’ (Riyāḍ al-Ṣāliḥīn, ḥadīth No. 280). Additionally, Abū Bakr b. ‘Ubaydullah b. Anas b. Mālik narrated that the Prophet said, ‘Whoever raises two girls then he and I will enter Paradise like these two’ and he indicated with his two fingers [being side by side] (Jāmi‘ al-Tirmidhī, Book 27, Ḥadīth 20).

women from the exclusionary practices that had been enacted previously. The rest of the chapters in ḥadīth collections are more generic, addressing both men and women.

### **Canon as Canon I and Canon II**

In Biblical Studies, where the nature of holy scripture as canon was first developed, Sheppard (1987, pp.62-69) identified two realities in the formation of Jewish and Christian canon. The first reality, which he named ‘Canon I’, referred to that ‘authoritative voice in written or oral form that was read and received as having the authority of God in it.’ Canon I is essentially where the formation of a body of materials occurs, which do not of themselves hold any authority but find their authority imparted on to them by the scholars that engage with them and are themselves the source of authority. In contrast, Sheppard identifies a second type of canon, ‘Canon II’, which is what is primarily assumed when mention of canon is made. It is that body of works which has become standardised and perpetually fixed. These Canon II works do not rely on the engagement of accredited religious authority to validate them, they have become invested with religious authority of their own. They are independently valid and as such are deemed to be closed and complete.

Brannon Wheeler (1996) studies the Islamic legal tradition with particular attention to the Ḥanafī school. He views the Islamic canon primarily as of Canon I type, where the whole of the amorphous body of the prophetic traditions, the *Sunnah*, are what compose the canon. In his view therefore, the Six Books, the *Ṣaḥīḥ Sitta*,<sup>46</sup> were in fact ‘different attempts to delineate in ‘written’ form what was, at that time, considered to be the ‘text’ of the *Sunnah*’. Wheeler thus argues that the canon is not to be restricted to the Six Books, or even to the two books of al-Bukhārī and Muslim, but that the whole of the prophetic tradition must be considered canon. Importantly, he argues that the canon should not be conflated with text for a tradition that was primarily an oral one. While this would be an ideal scenario, particularly for the research at hand, it appears to ignore the reality of what has occurred. Those six written collections were invested with authority by both the religious scholars and the community of believers who saw these works fulfilling their needs. As such, then, they do emerge as a Canon II type canon, particularly the *Ṣaḥīḥayn* (i.e. the collections of al-Bukhārī and Muslim). I would argue that

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<sup>46</sup> Widely acknowledged as, *Ṣaḥīḥ al-Bukhārī*, *Ṣaḥīḥ Muslim*, *Jāmi‘ al-Tirmidhī*, *Sunan Abū Dāwūd*, *Sunan al-Sughra* by al-Nisā‘ī (often simply referred to as al-Nisā‘ī), and either *Sunan Ibn Mājah* or *al-Muwaṭṭa* of Imām Mālik.

the *Ṣaḥīḥayn* are in fact regarded as superior to the remaining four canonical books of ḥadīth and so the conceptualisation of canon of Prophetic tradition in Islam may require some reconfiguration.

Folkert (1989), a scholar of Jainism, illustrates the problem of western scholarship imposing this model of canon on a tradition that is not western or Christian. He notes that in Jainism there exists a forty-nine-book canon, while some of the most influential Jain scriptures do not in fact constitute part of this corpus. Folkert (1989) therefore asserts that ‘Western scholars superimposed a Canon II model of scripture onto a tradition whose literature was of the Canon I variety’. It may then be prudent to consider how ḥadīth texts are canonised and if the model of canon would benefit from adaptation to best model what occurs with the ḥadīth corpus.

Folkert presents three cautionary premises in the study of canon formation. Firstly, he cautions against what he sees as a tendency ‘endemic in scholarship’ to inaccurately treat Canon I traditions as Canon II. Secondly, he encourages caution and consideration of whether or not canon is even an adequate genus for the tradition being scrutinised. This is particularly the case when evaluating traditions that predate religious organisation allowing for the institutionalisation of scriptures. In this regard, Smith (1998) gives the example of there being ‘no scriptural canons, in the sense of Canon II, in the varied configurations of Christianity until some of the forms of Christianity appeared in the fifteenth and sixteenth centuries’. Thirdly, he argues that the social aspect of the formation of canons should be given more consideration and that rather than being approached from the perspective of doctrine, that it would perhaps be more fruitful to consider them from an ethnographical approach instead.

This third and final precaution in the study of canon is an important one and gives rise to the nature of the canon: Is the ḥadīth canon more a ‘compendium of excellence’ or a ‘record of cultural history.’ As has already been elaborated, the process of canonisation is not simply theological, but social too. The canonical process, and its 7<sup>th</sup>/9<sup>th</sup> century setting for ḥadīth canonisation, meant there was no input from women in terms of knowledge generation, though they may make guest appearances as narrators, and that collections such as that of al-Bukhārī’s

which gained patronage from Nizām al-Mulk Awliya (d. 474/1092)<sup>47</sup> to be taught in madrasahs were granted authority and status that other, possibly more meritorious collections, did not benefit from. Interestingly Nizām al-Mulk, patron of al-Bukhārī, also authored *Siyāsat Nama—The Book of Government*, also known as *Siyār al-Mulūk—Rules for the Kings*, in which he dedicated the forty-second chapter to the issue of ‘the veiled ones’, where he robustly argued for the exclusion of women from the political domain ‘to avoid disaster’. He invokes examples of pre-Islamic women who gained direct or even indirect access to power, and the disastrous effects this had on the rulership and people. His only Muslim example is ‘Ā’isha (1960, pp-188-189).

Folkert’s work inspired much reconsideration of how canons are to be understood, particularly in the study of South Asian religions. Smith (1998) builds on this work when considering canons formulated as ‘lists’, which in turn make up catalogues of texts, some of which are catalogues of canonised texts, and some which are catalogues of lists, which contain canonised material. Therefore, a number of texts can be canonised and organised into subjects. Smith gives the example of classics and how they have been developed in literary scholarship. But the efficacy of such conceptualisation of canon in understanding the ḥadīth, may be questionable. The ḥadīth are meant to be secondary to the Quran, and yet the authority invested in the canonised ḥadīth texts of al-Bukhārī and Muslim in communal practice, would suggest otherwise. Al-Azmeh (1998, p.191) points out that the ḥadīth was canonised before the Quran. This is significant and warrants investigation, particularly as the Quran is what is professed as being the ultimate authority, but it would appear that the ḥadīth’s amenability for the development of jurisprudence made it the subject of scholars’ attention, over the Quran which is too vague for utilisation in political, juridical, and sectarian debates. This is an important point and one that will be returned to in Chapter Four.

The notion of scholarly consensus (*ijmā’*) is at the heart of the commissioning of ḥadīth as authentic and consequently as part of the canon, but this notion is one that is highly flawed. Both Rahman and al-Azmeh highlight the use of *ijmā’* to validate traditions, and the problems

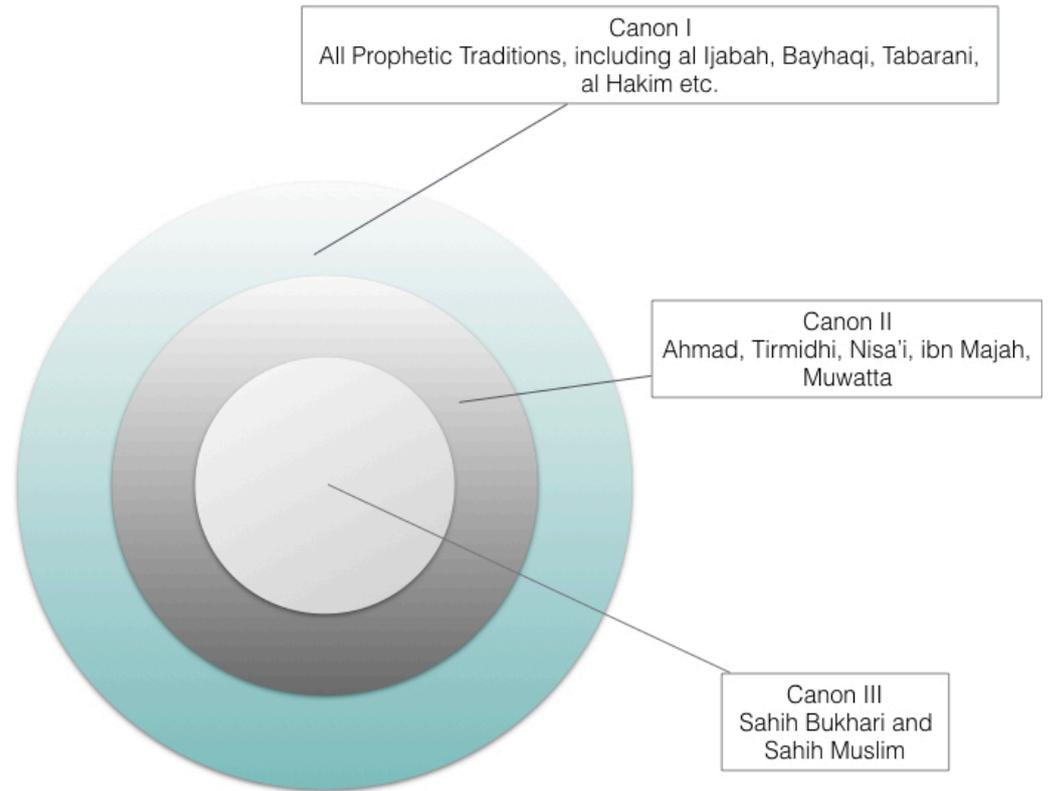
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<sup>47</sup> His actual name was Abū ‘Alī Ḥasan b. ‘Alī Tusī. Nizām al-Mulk was an honorific bestowed upon him, meaning ‘Order of the Realm’. He began his political career as a vizier to the Seljuk ruler, Alp Arslan, upon whose death, Nizām al-Mulk became ruler. He is well known for his success as a leader and rule as a monarch. He was a patron of the famed Abū Ḥāmīd al-Ghazālī too and was also well known for establishing a number of madrasahs which were committed to the Shafī’ī school of thought, as was he. For more information see, Bowen, H. and Bosworth, C.E, in *EI2*.

that lie therein. Rahman notes the differentiation made by early Muslims between *Sunnah* and *Ijmā'*: *Sunnah* is the way and example of the Prophet as narrated by his Companions and recorded by later scholars; to contravene the *Sunnah* is to stray into heretical innovation (*bid'ah*). *Ijmā'* is the consensus upon which the community of believers, or its religious scholars, arrive and is the means by which boundaries are defined and arbitrary opinions are rejected. However, Rahman notes that the *Sunnah* as made available to Muslims, does itself include the interpretation of religious scholars. As has been noted above, the canonisation process necessitates the engagement of authority with the text. This means that in reality the *Sunnah* and *ijmā'* are in fact much closer to each other than may first be observed. The *Sunnah* provides the contents of the ḥadīth texts, while *ijmā'* plays a long and crucial role in Muslim methodology; there is a symbiotic relationship between them. It may then be asserted that biases are therefore structurally built into the conceptualisation of *Sunnah* and then further perpetuated by the process of canonisation.

### **Ḥadīth Canon Re-conceptualised**

While the development of canonisation as an analytical tool is most helpful in observing the process of canonisation of the ḥadīth texts, it seems useful to expand the current casting of Canon I and Canon II. As such, then, when investigating the ḥadīth canon, I propose a new conceptualisation of the ḥadīth canon, wherein it is represented as containing the ḥadīth tradition as a whole, as envisioned by Wheeler, as well as acknowledging the different types of canon. I posit a conceptualisation of the ḥadīth canon that is best modelled as spheres, at the core of which is Canon III, representing the *Ṣaḥīḥayn* of al-Bukhārī and Muslim. Canon II represents the other four books of ḥadīth—Tirmidhī, Aḥmad, al Nisā'ī, and Ibn Mājah or the *Muwatta* of Imām Mālik—that have also been canonised but do not hold the same status as the *Ṣaḥīḥs* of al-Bukhārī and Muslim. These books are all designated as Canon II, but do not hold the same authority as Canon III. The outer sphere is that of Canon I, which would incorporate, as Wheeler suggests, all of the ḥadīth corpus. This conceptualisation is best illustrated as shown in figure 1.



*Figure 1: Conceptualising Ḥadīth Canon*

Acknowledging a wider body of work as being within the canon allows for a greater pool of traditions and fluidity of the spheres of canonisation. As this research demonstrates, particularly as has been presented in Chapter One, in regard to controversial issues such as the age of ‘Ā’isha upon marriage, the canon is already informally open to critique. By conceptualising the canon so, it is hoped that this informal process can be acknowledged and formalised. Dogmatic devotion to al-Bukhārī and Muslim are not religious requirements; they are not ordained by God and their supreme position is not sanctioned by anything other than human processes. It follows, then, that Muslims should seek out the most authentic of traditions - and by authentic I do not only mean those that are sound in their chain of narration and content, but also as per ‘Ā’isha’s emergent methodology - and seek to give these traditions central importance even if that means displacing those currently considered Canon III. This reconceptualisation of the ḥadīth canon is not only closer to the reality of how ḥadīth are engaged with, but also allows for the formal acceptance of this approach and thereby a rigorous commitment to re-engaging with the ḥadīth in a systematic manner.

## Conclusion

The notion that ‘Ā’isha bint Abū Bakr has been silenced or marginalised for the Muslim, whether lay or learned, is at first glance likely preposterous. The burden of proof lies with the one making such a claim to an audience who is convinced that ‘Ā’isha is fully honoured both as the beloved of the Prophet and Mother to the Believers. In an effort to show how it is possible for ‘Ā’isha to both be present within the ḥadīth corpus and absent, I began with an account of how the ḥadīth came to become a discipline in the venture of Islam, and what its methods to ensure rigour were. Secondly, it was important to understand how the most authoritative collections, the so-called canonical corpus, came into being; the context, in particular the socio-political context, in which the canonisation process occurred and how that effected the statements and positions of ‘Ā’isha; which of her statements were included and which excluded, and how those that were included were subsequently treated. This chapter has illustrated both the process of ḥadīth methodology and canonisation and has gone further by proposing a new conceptualisation of the ḥadīth canon that is more representative of the actual engagement of traditionist scholars with the ḥadīth corpus. At the same time, this allows for and encourages a re-opening of the canon, and pragmatism with respect to the entire body of sound ḥadīth collections, so as to ensure Muslim scholarship is being loyal first to statements of the Prophet that are in line with the ethic of the Quran and Prophetic mission. With the history of ḥadīth as a developing science and its canonisation process considered, the translation of ḥadīth is next explored.

### Chapter Three: Thinking Translation

When I began the task of translating *al-Ijāba*, it was my expectation that I would translate the text using the formal equivalence method for translation; that is, one that is as literal as possible, starting with a literal translation of each word first, then constructing the sentence, believing at the time that this is how to attain the most authentic translation with the least scope for criticism and the best course of action to protect the translation from accusations of subjectivity. Having begun the process, though, it became clear to me that such an approach is not the most effective, and that the pursuit of as literal a translation as possible does not, in fact, necessarily mean the most authentic conveyance of what is being said. This chapter began as, ‘a note on translation methodology’ but has developed into its own chapter for the need to engage with current ḥadīth translations and the lack of transparency on translation methodologies. This lack of transparency and a coherent methodology in translating ḥadīth has meant that this chapter proposes a methodology that was applied first to the translation of *al-Ijāba*, but that can be extended to the translation of ḥadīth works more generally as well. Furthermore, the chapter highlights the sections of *al-Ijāba* that have been selected for translation in this thesis and explains the justification for this selection.

#### Translating the Ḥadīth

A literal translation of a text does not *ipso facto* result in a loyal translation. It does not take into consideration the number of ways in which a sentence could be translated to convey the feelings, personality or character of the speaker. It is important to give these aspects which transcend syntax and linguistics pause for thought, especially as ḥadīth was originally an oral tradition in which all of these aspects of conversation contribute to the conveyance of a message. This is something that does not appear to have been considered in translations of ḥadīth and does not seem to have been addressed by those translating ḥadīth. Amongst the most popular ḥadīth translation is that of Imām al-Bukhārī’s *Ṣaḥīḥ*, published by Darussalam. The nine-volume work is preceded by a certification of the validity of the translation which was undertaken by Muhammad Muhsin Khan, and a list of academics who have reviewed and corrected the translation where necessary. The note penned by Muhammad Amin al-Misri, Head of Higher Studies Department at the Islamic University of al-Madina, states, ‘I have pursued a portion of this translation and found that the translator has succeeded in rendering the meanings of *al-Jāmi‘ al-Ṣaḥīḥ (Ṣaḥīḥ al-Bukhārī)* into English in a simple comprehensible

style, free from complications. I have also noticed that he has chosen successfully the best and most authentic interpretation of some *Aḥadīth* that are interpreted differently by different scholars' (Khan, M.M, 1997, Vol 1. P.6). No attempt is made to explain the approach used in translating the text, nor is any justification given to the merit assumed of translating a sacred text into 'simple' English, nor any explanation of how such a complex text is rendered 'free from complications', and certainly nothing further is offered in illustrating how a translation has been deemed in line with the 'most authentic interpretation'. In short, there is no transparency, alternative readings available nor signposted, nor any express methodology.

For the translation of *al-Ijāba*, while still trying to retain a translation as close to the wording of the original Arabic text, room has been made for some liberty in order to better reflect the context and ambience of the statement or circumstance being relayed; the connotative meaning has at times been preferred, having accepted that a literal translation can be stylistically odd in the translated language. The process of translation and what one can reasonably expect from the process is beautifully expressed by John Ciardi in his translator's note for his translation of *Dante's Inferno*, wherein he states: 'When the violin repeats what the piano has just played, it cannot make the same sounds and it can only approximate the same chords. It can, however, make recognisably the same 'music', the same air. But it can do so only when it is as faithful to the self-logic of the violin as it is to the self-logic of the piano' (2007, p.ix).<sup>48</sup>

Before embarking on the translation, then, it is important to consider the source text, in this case a compilation of ḥadīth. Alarming little attention has been given to the translation of ḥadīth in the existing literature in Translation Studies, with scholarship almost exclusively focusing on translations of the Quran. While this is disappointing from the perspective of the research at hand, it is not surprising given the centrality and supremacy of the Quran for Muslims. Despite this, many translations of the Quran rely on ḥadīth in para-text, often in the form of footnotes in order to make sense or provide context/meaning to the translation, so the need for study into the translation of ḥadīth is long overdue, and somewhat bound into the translation of the Quran. Accordingly then, one shall consider positions on translations of the Quran before progressing on to discussion of ḥadīth translation.

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<sup>48</sup> Ciardi goes on to argue that languages have their own logic, and therefore prefers to think of the process as 'transposition' rather than 'translation' to overcome the notion that a word-for-word equivalent from one language to another can ever be achieved.

Laleh Bakhtiar, in her translation of the Quran, prefaces her translation with a discussion of her translation approach. She notes, ‘The Quran is not a historical text, frozen in the time period of its revelation’ (2009, p.xiv), thereby justifying a literal translation that does not require parenthetical phrases for explanation, nor does it make room for translation influenced by transient influences such as political, denominational or doctrinal ones. This is not to say that the Quran was not responding to its context, Causes for revelation (*asbāb al nuzūl*), and the Quran’s referencing events contemporary to its period of revelation, clearly indicates otherwise, but Bakhtiar is of the opinion held by many scholars of Islam, such as Fazlur Rahman (1979, p.257) and Nasr Abu Zayd (1995, pp.203-206), who argued that the Quran needs to be constantly reinterpreted for the times and circumstances in which it is being read. Thus the historicity of the source text, which is usually imposed on translations through parenthetical explanations or footnotes, is rejected, allowing for the reader’s own subjectivity to guide their reading of the Quran in their own context; reading the Quran afresh. She does, however, capitulate to the fact that sometimes words may not appear in the original Arabic text, but may be required to make sense in English, therefore she goes to the effort of italicising them in order that such additional words are identifiable.

Bakhtiar’s argument that the Quran should not be read historically in order to allow the reader to experience and process its messages from their own socio-historical positionality without the interference of the social, political, economic, historical context of the Quran, is somewhat flawed, given that the Quran so often is obviously responding to and negotiating the circumstances faced by its first audience. Additionally, there is the ongoing problem of reading the Quran in an atomistic manner, rather than from an ethical standpoint. While it is not the focus of this chapter to discuss readings of the Quran, it is critical to understand the interplay between the Quran and the ḥadīth in making sense of each, given that the ḥadīth are what so often give the Quran context and explanatory commentary. The ḥadīth, quite unlike the Quran, cannot be divorced from its historical context, nor should this be sought; it is deeply historical, and without understanding of the context and the characters involved, much of what is being relayed could be lost in translation. Indeed, it is the ḥadīth that often provide context to the Quran, and ‘Ā’isha’s ḥadīth in particular are often providing such context for other ḥadīth. On numerous occasions in *al-Ijāba* her utilising of context, often further bolstered by recourse to Quranic verses, is the method by which she corrects the Companions. Context is of great significance when attempting to understand either the Quran or the ḥadīth. Fazlur Rahman

bemoaned the atomistic approach to understanding the Quran where piecemeal readings are done at the expense of attempting to engage in readings motivated by the overall *Weltanschauung* of the Quran, what he refers to as the ‘underlying unity’ (1982, p.6), the core messages and objectives of the Quran. This overall moral compass that is provided by the Quran is what should guide the reading of the Quran, but considering the interplay between the Quran and the ḥadīth, it is this moral compass that should also be guiding the reading of ḥadīth too, given that the Quran is the text with ultimate authority. It was the view of Fazlur Rahman, among others, that the core message of the Quran was the unity of God, and the imperative to strive for the establishment of social justice. If the sacred texts do not aid in the establishment of social justice, then either the authenticity of such statements must be questioned, or the process of interpretation that they have undergone must be scrutinised to identify the shortcomings and mistakes that have led to an incongruous reading to occur. Therefore it is important for the translation to be guided by this objective for the unity of God and the establishment of social justice, and for the expression of this objective to be best achieved in the translation so that if the literal translation has to be compromised in order to express this in a more comprehensible manner in English, then this will be given priority.

Additionally, it is worth noting here the effort of Megrab (1997, p.232) in identifying Beaugrande and Dressler’s seven standards of textuality as a means by which to develop a criteria to aid in translating ḥadīth into English in a manner which keeps the religious and sensitive tone. The seven standards are a list of criteria that are a requisite in achieving a successfully communicative text. In the case of translation then, there are two texts to be considered and it is the role of the translator to masterfully transfer the communication of the source to the target language. The seven standards of textuality are:

1. Cohesion: This is related to the ways in which connectivity between the actual words of a text (the surface text) is produced and is usually language specific. Though it is language specific, it is not generally seen as a source of difficulty in translation by translation theorists.
2. Coherence: Coherence is concerned with the ordering of concepts and relations in the source text. Neubert and Shreve (1992, p.94) define coherence as the connection of individual information elements with a certain logical structure. Megrab notes that when

translating ḥadīth, this coherence should be maintained as much as is possible, as to do otherwise will result in a failure to communicate the point in translation.

3. Intentionality: This is concerned with the intention of the original producer of the source text, and the translator's role in conveying this in the target language. Given that ḥadīth, and in particular the ḥadīth of 'Ā'isha with which this research is concerned, are largely instructive or explanatory, it is not only important to understand 'Ā'isha and her intentions but to utilise these when attempting to understand and translate the words of the Prophet himself. She, in effect, becomes the attentive translator's tool in better understanding the intentions of the Prophet and in the translation of his words as well. This is very much in line with the previous argument to let the core objectives of the Quran be the motivation when making decisions in the translation process too. An additional consideration with regards to ḥadīth collections which are accompanied by the commentary of the compiler, as is the case with *al-Ijāba*, is the role and intention of the compiler. Al-Zarkashī authored this text in a given socio-political context with his own objectives in mind, some of these may be in agreement with the needs and religious demands of today's context, and in line with contemporary understandings of the world, while others may be irrelevant or even in tension with our demands. It is therefore the role of the translator to navigate the intrusions of the compiler of the ḥadīth and his interpretations and interventions, in light of the intentionality of 'Ā'isha and the Prophet Muḥammad.

Megrab notes that, in this regard, the translator has to balance between two options: to 'manage' or to 'monitor'. In the former, the translator does their utmost to transmit the message in a way that would achieve in the reader of the target text, the same outcome as the Prophet had desired in his primary receiver. He notes, however that while this is an effective way of translation, it can be criticised for the potential interference of the translator's subjectivity. In the latter, the translator maintains loyalty to objectivity and therefore literal translation, but this can result in a translation that has compromised the communicative goal of the source text.

Megrab uses the following ḥadīth as an example and can be utilised to consider the importance of taking both coherence and intentionality into consideration when translating:

If the translation does not maintain the coherence of the source text, it will lose the condition relation, and thereby alter the meaning to one that is not intended. Removing the condition relation may result in the following translation, 'He who wishes for his brother what he wishes for himself truly believes in God'. In a translation which gives priority to literal commitment over commitment to the message of the original text, one may find the following result, 'Not one of you believes until he wishes for his brother what he wishes for himself'. Neither of these statements can be said to be faithful translations. The former's removal of the condition relation would make it seem that it is the act of wishing for their brother what they wish for themselves that makes someone a true believer in God, when of course, this is only one aspect. And in the latter, where the condition relation is reinstated, but priority is given to literal translation, it is clear it is insufficient still in conveying the intention of the original text, as it still appears to give the same message as the first translation, thereby restricting the act to kinship. A more accurate translation would be, 'None of you [truly] believes, until he loves for his brother [in faith], what he loves for himself'. Thus, the consideration of coherence and intention together allow for the insertion of words not literally present in the source text, but certainly intended in the message being communicated.

4. Acceptability: Tied in with considering the intention of the producer, the translator also has to take into consideration the acceptability of the message by the receiver. i.e the receiver's response to the message in the original language, should be similarly achieved in the response of the one receiving the message in translation.
5. Informativity: Neubert and Shreve argue that informativity is a function of what is delivered by the text, and the role of the translator is to create a linguistic surface that would allow a reader of the translated text to receive the same knowledge content as that received by the one conducting the message in the source language. Megrab observes that the ḥadīth often utilise rhetorical devices which in the source language may add a poetic or aesthetic charm, but which is not delivered into the target language when retained, while also sacrificing a comprehensible delivery of its message. Megrab, sensibly argues that in this case it is preferable to accept the loss of the rhetorical device, in order to profit from the gain of

delivering the message of the statement. This is particularly applicable to the ḥadīth which make no claim of inimitability or poetic standard as is made by the Quran and which therefore suffers far more loss in translation. An example of such translation can be found in ḥadīth 2 of Chapter Five where ‘Ā’isha’s anger is described in metaphorical terms that would not work well in English if literally translated. The Arabic states:

فطار شقة منها في السماء وطار منها في الأرض

Translated literally this would be rendered, ‘A fissure went up from her to the sky and down to the earth’. While the imagery is powerful in the Arabic, it loses its potency in English. Instead in the English translation I have chosen to translate this statement as ‘Ā’isha being ‘visibly enraged’ thus capturing the essence of what she was feeling and conveying the immensity of what she was reacting too.

6. **Situationality:** Neubert and Shreve define situationality as the location of a text in a discrete sociocultural context in a real time and place. In other words, it is concerned beyond the linguistic text, and considers the situation of occurrence. Again, ‘Ā’isha becomes important not only in providing corrections, but her statements can contribute to providing the situation of occurrence for other prophetic traditions too. Mikchi considers situationality as the central issue in translatability. He argues that if a translation is going to be successful, there must be a situation that requires it, but notes that the situationality of the source text is not going to be replicated in the situationality of the translation piece. This being the case, then, he contends that the translation should be adjusted accordingly. For the translation of *al-Ijāba*, I have preferred to retain the original situationality, and then use footnotes to provide explanation of the context.
7. **Intertextuality:** This considers the relationship of the source text and other related texts, in this case the ḥadīth and its relationship to the Quran. Given that ‘Ā’isha regularly refers to the Quran as a support to her correctives, the intertextual relationship between the Quran and the ḥadīth are made evident in the process, but also once again, her statements lend themselves to better understanding of ḥadīth beyond the given collection too.

Though not discussing ḥadīth texts, Dickins, Hervey and Higgins (2016, p.15), addressing the translation of Arabic into English, identify a scale for translation, with bias towards the source language—in this case Arabic—on one extreme, and bias towards the target language—in this case, English—on the other extreme. There are five points along the scale going from literal, to faithful, then balanced in the middle, before moving across to idiomising, and then to free translation. A literal translation is one seeking to remain as close to the source language, and may present as grammatically or stylistically odd, even losing much of its coherence in the target language. A faithful translation still retains a bias towards the source language but is clearly understandable in the target language albeit not necessarily most comprehensively expressed. A balanced translation attempts to keep consideration of the source and target languages equal; it may allow for the substitution of some source language words with synonyms in the target language and some adjustments for grammatical validity in the target language so that the translation isn't entirely literal, but has not diverted greatly from the source text. An idiomising translation respects the message of the source text but prioritises flow and 'naturalness' in the target language. It is my experience that the translation of *al-Ijāba* will vary between faithful, balanced, and idiomising, depending on the needs presented by the sentence at hand.

Dickins et al. also highlight the issue of translation loss, offering an analogy with the concept of 'energy loss' in engineering, whereby it is recognised that the transfer of energy through a machine inevitably incurs some loss. The job of an engineer is not to eliminate this inevitability entirely, but to seek to minimise it as much as is possible. This, then, would be the task of the translator too; to minimise the loss of meaning in translation to the best of one's ability. I would posit further that the whole question of loss in translation and what is considered a loss is an interesting one. Is loss only considered so when words are not literally translated? And are words that are additional in the target language and not found in the source text—which Laleh Bakhtiar goes to the trouble of italicising in her translation of the Quran—considered a type of loss to the original text too? Is loss always so intrinsically tied to the syntax of a sentence? I would argue this is not the case, and that if the meaning has been effectively transmitted, then the loss in a literal translation is made up for in the gain of clearly expressing the intended message of the source text in the target language.

Indeed, this is not an issue only now realised, but one that has been raised previously regarding the transmission of ḥadīth. The earliest scholars and learned amongst the faithful, questioned

whether ḥadīth, when they were in their oral form alone, could only be accepted when they could be proven to be verbatim the words of the Prophet, not just an approximation of the words that he stated; there was the issue of *riwāyah bi-l ma'na*, transmission of meaning. There were many from the earliest generation of Muslims, who approved of such transmissions. Imām al-Tirmidhī writes, ‘As for one who has established and memorised the chain of narration, but changed the wording, then this is permissible according to the scholars, as long as the meaning has not been changed’ (Ibn Rajab, 2008, p.145). Evidence for the permissibility of such transmission of ḥadīth is supported by statements regarding the behaviour of the Companions. Zarrārah b. Awfa stated, ‘I met a number of the Companions of the Prophet, and they would differ in their wording, but be united in the meaning [conveyed]’ (ibid. p.147). The Companions themselves, including well-established names such as Ibn Mas‘ūd, Abū Dardā’, Anas b. Mālik, are well noted for making statements attributed to the Prophet and then suffixing their statements with, *أو نحو هذا، أو شبيهه*, *أو كما قال*, the like thereof/something to that effect (ibid. p.149). Of course, such dispensation came with conditions. The narrator was expected to be knowledgeable in Arabic, able to discern the discrete and layered meanings of the language, while the statements being narrated, if they are regarding the permissible and impermissible in Islam, then the narrator should have no confusion as to what is designated as permissible and what is not, so as to not fall into the peril of incorrectly designating an act permissible or otherwise. Knowing that even in the transmission of ḥadīth in their original language, permitted some lenience regarding the wording, as long as the meaning was maintained, then in translation such dispensation becomes even more critical.

Such dispensations are important given that ḥadīth are uniquely problematic to translate. Unlike the Quran, which is one unified text that allows for self-referencing in order to corroborate and to ensure consistency in how a particular word or phrase may be translated, the ḥadīth texts are a conglomeration of individual statements, each one of which will have been transmitted by a number of varying individuals, each of whom may have expressed statements in their own unique register. The ḥadīth, then, do not necessarily lend themselves to intra-textual referencing to corroborate meaning and to create consistency in the manner that the Quran does. Though this doesn’t preclude the possibility in its entirety, it does mean each statement has to be considered individually and intra-textual referencing requires more consideration. Perhaps this, in addition to the secondary status of the ḥadīth to the Quran, is why there is virtually no literature on translating ḥadīth, while literature on translating the Quran is profuse.

It is worth reiterating once more that the ḥadīth are approached as texts for translation but were, of course, originally oral statements, so a loss in addition to the possibility of approximate transmissions has also already taken place on an intralingual level. While still in Arabic, converting the oral statements into written ones takes away from the visual cues that oral statements have at their disposal; body language, gestures, or facial expression. Furthermore, there is the intent of the writer who captures these airborne words, and sets them in ink onto paper; with what objective does he write these words? Who is their target audience? What message does the writer wish to communicate to the audience thereby? Then there are the same questions to consider again when translating from the Arabic to English. A probing into the authorial intent as well as the intended target audience and their reception of the works, at both points of writing and translation should be undertaken.

In an attempt then, to reduce the losses in translation, a number of issues have been taken into consideration. Firstly, as previously addressed, I am conscious of ḥadīth literature needing to be contextualised and given as much expression as is legitimately possible without betraying the original statements. Secondly, with particular reference to *al-Ijāba*, while I cannot with certainty assert that its author, al-Zarkashī, had specific objectives that led him to produce the work, there are certainly objectives that his text can be utilised towards: to re-centre ‘Ā’isha’s voice, to foreground the power of her statements and the strength of her correctives. It would be my intention, as the translator of the text to achieve this. It becomes clear from a reading of the text that gender is a striking factor; ‘Ā’isha is a sole woman, refuting an entirely male cohort of Companions. As a female translator and as someone committed to the establishment of social justice, I would be sensitive to gendered language and interpretations of the text too, and so for these reasons, I will take a feminist hermeneutical approach to translation which is sensitive to gendered readings of the tradition, in particular readings or expressions that are inherently gendered in a manner that could be construed as lending religious legitimacy to sexist interpretations/translations of the text. Or as wadud states, ‘Instead of trying to change the immutable words, we grapple with and challenge the inherent sexist biases of the historicity of words. As agents we surmise what are particulars and what are universals to establish general mechanisms for achieving the fullest justice of our time’ (2006, p.206).

The translation will also be considerate of the character of ‘Ā’isha herself, made more possible by the analysis of the reconstructions of ‘Ā’isha, which has been presented in Chapter One.

While I am aware that to claim to have an entirely authentic and true representation of 'Ā'isha would be an audacious and even contentious one, considering key events and occurrences in her life and the multiple narratives around them, are an attempt at seeing 'Ā'isha in a more holistic way and utilising this information in the translation process is a means to ensuring that she retains her own agency, as the subject of the translation, and does not become what Edward Said called a 'representation or object without history' (1978, p.11).<sup>49</sup> In other words, presenting her words without providing the context and without considering her own personality and the experiences that made her, would make for a translation that is inadequate in purveying the totality of her intention. Furthermore, one must be acutely aware that the act of translation is never in and of itself an act of neutrality. Sherry Simon (1996, p.viii) notes that translation is a mode of engagement with a given text, and that this engagement means that translators are *ipso facto* involved in a politics of transmission, in perpetuating or contesting values which sustain the status quo. This translation too is committed to a manner which best expresses the challenging and mobilising nature of the text.

It may be then, at this juncture, that original preoccupations with seeking to avoid accusations of subjectivity become less of a priority, and that a recognition and embrace of the inescapability of subjectivity and one's positionality takes root. Hans-Georg Gadamer rejected the objectivity school of understanding hermeneutics, and accepted subjectivity as an asset in the process, not a hindrance. In fact, Wachterhauser asserted that, 'Only if we are deeply formed by a tradition are we capable of modifying those traditions in meaningful ways. There is a sense in which anyone who wishes to make a contribution to some sphere of human understanding must have already been formed by that tradition of inquiry...We belong to history long before it belongs to us' (Dostal, R. 2002, p.63). Thus the positionality of this translator as a believing Muslim woman invested in just readings of the sacred text, to bring about understandings that are faithful to the teachings of the Quran, and to the fulfilment of the

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<sup>49</sup> I.e. it is important for the conscientious translator to be aware of the power dynamic between the translator and their reader, and the translated, in this case 'Ā'isha. The translator and their audience have to be aware not to collude in a manner that undermines the representation of the translated. For more on this see, Batchelor, K. 2009. *Decolonizing Translation: Francophone African Novels in English Translation*. Manchester: St. Jerome Publisher.

achievement of the full agency of women, is one that can be harnessed as an advantage, rather than falsely denied as being of any significance or influence in the process.<sup>50</sup>

Gadamer (2013, pp.313-317) speaks of the limits of people's understandings of their own contexts, coloured by their individual effective histories, as their individual horizons. These horizons are the limits to which their vision can extend, these can be narrowed or expanded. Indeed, new horizons can be opened up, but the fact remains, there are limits to these horizons. In terms of a hermeneutical approach to tradition or history, Gadamer argues that one is not communicating between two separate, closed horizons but from inside a historic horizon within which the individual is situated. Gadamer states, 'When our historical consciousness transposes itself into historical horizons, this does not entail passing into alien worlds unconnected in anyway with our own; instead they together constitute the one great horizon that moves from within and that, beyond the frontiers of the present, embraces the historical depths of our self-conscious' (1989, p.303). This very notion of horizons is continued by Gadamer when considering the relationship between the translator and the source text; each is in a conversation with the other.

Building on Gadamer's approach to understanding history, I argue that we cannot transpose ourselves to a previous time, disregarding ourselves, but rather we go to this historic moment with our full selves. And while Gadamer may have been saying as much while being primarily concerned with the hermeneutics of language, he considered the task of the translator as different by only a small degree from the general task presented for hermeneutics by all texts. What Gadamer (2013, pp.402-406) does assert though, when it comes to the translation of a text, is that the hermeneutical process is doubled, as the process occurs first between the text/original author and the translation, and then between the translator/translated text and the reader of that text. It is then the translator's duty to keep the hermeneutical distance between

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<sup>50</sup> Barbara Godard (1986, p.7) writes, 'The feminist translator affirming her critical difference, her delight in interminable re-reading and re-writing, flaunts the signs of her manipulation of the text. Womanhandling the text in translation means replacing the modest, self-effacing translator. The translator becomes an active participant in the creation of meaning.' Many feminist translators view the translation process and the harnessing of language so as to centre the female lived experience, paramount in dismantling patriarchy as the normative mode of life and living, hence acknowledging and embracing one's positionality. For more on this, see, von Flotow, L. 1991. *Feminist Translation: Contexts, Practices and Theories. Traduction, Terminologie, Rédaction*. 4(2), pp.69-84

the source text and the target text narrowed, while recognising that the gap cannot be entirely overcome.

Gadamer draws attention to the limitations of translatability, and notes that some words/expressions do not lend themselves to neat translations in the target language. Where this has occurred in the translation of *al-Ijāba*, footnotes have been used to explain concepts in English. For example, *taqwa* is often translated as ‘fear of God’ but encompasses much more than simply fear; it includes mindfulness, consciousness, and an intimate awareness of being held within the gaze of God.<sup>51</sup> Also, where a single word may have been used in the English translation in order to keep the target text from becoming verbose, an attempt to relay the depth of the meaning may also be expressed in the footnotes. For example, as mentioned earlier, in one tradition the intensity of ‘Ā’isha’s response to a statement of Abū Hurayra is described as: *faṭāra shiqatu minha fī al-samā’ wa shiqatu minha fī al-ard*, which is translated simply as ‘visibly enraged’, but is clarified in footnotes as literally meaning ‘A fissure emanated from her up to the sky, and from her down through the earth’. The literal makes for too verbose, too florid a translation in the target text. It is hoped that by engaging the footnotes to some of the translation in this manner, that something of the ‘superficial’, ‘flat’ nature that Gadamer charges translations with is remedied. Gadamer also supports the idea that to merely reconstruct a translation by taking words from one as building blocks to recreate the same word pattern into the target language as in the source language, is to only recreate the formal/superficial structure of the text, and that for the translator to really overcome a shallow translation, the translator must penetrate the deeper meanings of the source text, and then relate this meaning to the situation in which the target text is being produced. Only then, can it be hoped that a text be rendered in such a way so as to allow for the reader of the target text to be enabled to experience a proper understanding of the original source text.

Furthermore, to allow for better readability and flow, the decision has been taken to make the translation more literary in style. Having considered the types of losses that can take place in the transmission of ḥadīth and in their translation, it becomes evident that literal loss of words is the least damaging and worrisome part in the process of translation, as long as such loss is suffered in the pursuit of achieving accuracy of transmitting the meaning of the message, without taking too much liberty with the literal wording. By way of example, instead of

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<sup>51</sup> For more, see the entry for ‘Taqwa’ in, Esposito, J. 2003. *The Oxford Dictionary of Islam*. Oxford: Oxford University Press.

repeatedly translating قال as 'said', I am using the context and my knowledge of the individuals involved, in conjunction with the intended message and impact of the statement to use more relevant and less repetitive terms like 'responded' or 'replied,' or more expressive terms like 'shouted' or 'exclaimed', where such responses are indicated by the text. In fact, there are a number of phrases or words in addition to قال that are repeatedly used in the original Arabic text, which when translated into English make for a clumsy, repetitive read, and which is stylistically at odds with well written prose in English. Arabic sentences tend to be longer than English ones, often connected through the basic connectives, و، ف، ثم or by secondary connectives such as حيث، اذ، etc. This, in addition to the lack of use of punctuation in classical Arabic, means that in the translation process, judgements have to be made with regard to the splitting of sentences and textual restructuring to allow for grammatical cohesion in the target language which results in a more cogent read.

While I had initially committed to as-literal-a-translation-as-possible, the aforementioned considerations have justified a move away from such a stance. This is particularly so when considering that the text to be translated is most likely already some steps removed from the original oral statements. Beeston warns that the Quran and ḥadīth, what he refers to as the Tradition literature, was often forged much later than its first oral manifestation and recording, and as such absorbs the language of its own context into that of the oral tradition. He argues that the Tradition literature, 'was at first transmitted orally and only written down at a later stage; and although later scholars who handled it then laid stress on verbal accuracy, it is manifest that the contemporaries of the Prophet had no such idea, but concerned themselves only with the content of the record, not with its precise linguistic form of expression. We can see this in the fact that traditions are sometimes recorded by later scholars in several forms which, while conveying the same ultimate sense, differ in verbal expression' (Beeston, 2006, p.4). In other words, variance in expression has always been inherent to the process of transmitting these statements, as has simultaneously striving for a loyalty to conveying the core message, even in the source language of Arabic. Therefore, allowing for some liberty in the breakdown of sentences, in less repetitive expressions which allow for flow in reading and expression of non-verbal cues, and in grammatical restructuring, in the target language of English, is still very much in the same tradition of transmission of these ḥadīth as it is in Arabic.

Anna Livia writes on the role of the translator, ‘In their dual role as linguistic interpreters and cultural guides, translators must decide what to naturalise, what to explain and what to exoticise’ (2003, p.154). Therefore, while it is desirable to translate *al-Ijāba* in a manner that lends more fluency in the target language, it will not be homogenised into the culture of the target language; it will retain its distinct historical and cultural location, and yet as the translator of the text, one is acutely aware that this does not mean that the translation piece will be an exactly equivalent one. Rather, it is creating its own distinct text reflecting those aspects of the original text as deemed most congruent with the possible intentions of the original author al-Zarkashī, the intentions and objectives of ‘Ā’isha, the context and historicity of the moment, and the objectives of this research. It can be seen as creating a ‘third space’ that Homi Bhabha (2004, p.54) writes of: the product of an encounter between different cultural, linguistic, political, and even theological positions, a process that not only delivers those involved to a new intellectual space, but also transforms the subjects involved. The translation will shed new light on ‘Ā’isha and advocate for the relocation of the female voice to the very centre of knowledge production and generation in Islam, as well as positioning *al-Ijāba* as a text that challenges the notion of a closed ḥadīth canon and an agent by which to keep it open, while also interrogating the positions of specific Companions of the Prophet and the legal positions that have been arrived at and reified in legal theory on the basis of preferential treatment granted to the statements of these Companions over those of ‘Ā’isha.

It is hoped that by having a style of translation that is as close to the original literal meanings, while allowing flexibility to somewhat accommodate the emotion, atmosphere, and other non-verbal cues that would also have been present, as well as producing a translated text that is more readable for its literary style, would mean that not only can ‘Ā’isha’s voice be centred in a manner that is authentic and closely reflective of her personality, but that also makes for a more satisfying reading experience. Furthermore, in creating a text that allows for a wider readership and does not restrict itself to only a scholarly elite, it is hoped that it will lend itself to the democratisation of religious engagement.

The translation of texts has been noted as a historically important aspect of any movement of ideas, and as having made distinct contributions to the spiritual life of the times and a site from which dominant norms could be challenged and resisted (Simon, S. 1996, p.40-46). It is this translator’s intent too to amplify the voice of ‘Ā’isha and to centre it in discourses challenging the current status quo as well, in particular patriarchal interpretations of the religion. If these

intentions are to be fully realised in the translation of this text, then it must be one that is as inclusive in its audience as is possible. And if the voice of ‘Ā’isha is to become as powerful and as amplified as is possible, then it must be given avenues to the ears of as many Muslims as is possible, not confined once more to a scholarly elite.

When translating the text, both the 1939 edition by Sa‘īd al-Afghānī, and the 1999 critical edition of *al-Ijāba* were used in case of any variance between the two editions.

### Selecting the Text

While a complete translation of *al-Ijāba* remains an ambition of this researcher, for the purposes of this project a number of sections have been selected for analysis. The chapters translated are those in which ‘Ā’isha is addressing the statements of ‘Umar b. al-Khaṭṭāb, ‘Abdullah b. ‘Abbās, ‘Abdullah b. ‘Amr b. al-‘Āṣ, Abū Hurayra, Abū Sa‘īd al-Khudri and Zayd b. Thābit, due to their seniority and status amongst Muslims in general, and the authority they are ascribed in narrating ḥadīth. An additional translation is made of the chapter regarding Shaybah b. ‘Uthmān which is interesting for its being entitled *Ruju‘ Shaybah b. ‘Uthmān ilayha—Shaybah b. ‘Uthmān’s deference to her*, as opposed to ‘Ā’isha’s Correction of Shaybah, as is al-Zarkashī’s formula for the headings of all the other chapters. Additionally, the only chapter in which ‘Ā’isha is refuting a particular female companion, Faṭīma bint Qays, is also included. The case of Faṭīma is intriguing due to its concern with the treatment of a woman newly divorced and the obligations of her ex-husband towards her in the immediate aftermath, which has implications in the precedent it could set for Muslim women and their experience following a divorce. More excitingly though, it also provides a scenario in which ‘Ā’isha is engaging with the words of Faṭīma, a female engagement with a female claim, thus not only providing a precedent for women’s voices being central to the formation and epistemological understanding of the religion, but also provides a case study for how a statement perceived as problematic is dealt with when it emanates from a woman as compared to how problematic statements made by male Companions have been handled, and how their gender has been considered, or not, in the process.

Furthermore, the topics covered in the translated section are a good reflection of the topics covered overall by *al-Ijāba*. The table below presents all of the chapters of the book dealing with her correctives and the themes presented in each, with the translated Companions and

their topics highlighted in order to clearly illustrate the representational value of the selected translation with regard to the rest of the text.

Chapter Title	Topics
Her Correction of ‘Umar b. al-Khaṭṭāb	<ul style="list-style-type: none"> <li>• Punishment of the deceased for the exaggerated lamentations of the mourning.</li> <li>• Purification after sexual intercourse.</li> <li>• Gifting the wife as an act of charity.</li> <li>• Perfuming the pilgrim, <i>Muḥrim</i>.</li> <li>• The Prophet’s prediction that Zaynab would be the first of his wives to pass away after him.</li> <li>• ‘Umar’s forbidding prayer after ‘<i>Asr</i> until sunset.</li> <li>• On the issue of <i>ḥijāb</i>.</li> </ul>
Her Correction of ‘Alī b. Abī Ṭālib	The issue of <i>mash</i> <sup>52</sup>
Her Correction of ‘Abdullah b. ‘Abbās	<ul style="list-style-type: none"> <li>• What is forbidden for the pilgrim on the smaller pilgrimage, <i>Umrah</i>.</li> <li>• On when such a pilgrim should circumambulate the Ka‘ba.</li> <li>• Excessively long durations in prayer.</li> <li>• The legal status of praying after ‘<i>Asr</i>.</li> <li>• Regarding the shroud of the Prophet.</li> <li>• Dispute over whether the Prophet saw God directly or not.</li> <li>• The form of the <i>Witr</i> prayer.</li> <li>• Discussion of verse 214 in <i>Sūrah al-Baqarah</i></li> </ul>

<sup>52</sup> *Mash* literally means to wipe over. In this context it is referring to particular circumstances in which a Muslim may pass their wet hand over their shoes/socks instead of washing the feet to perform *wuḍū’*. See, Pella, C, ‘al-Mash ‘Alā ‘I-Khuffayn’, *EI2*.

Chapter Title	Topics
Her Correction of ‘Abdullah b. ‘Umar	<ul style="list-style-type: none"> <li>• Punishment of the deceased for the exaggerated lamentations of the mourning.</li> <li>• Perfuming the pilgrim, <i>Muḥrim</i>.</li> <li>• When the Prophet performed ‘<i>Umrah</i> in his lifetime.</li> <li>• The reward for following a funeral procession.</li> <li>• The permissibility for women to wear leather socks, <i>khuff</i>.</li> <li>• Whether a kiss nullifies one’s ablution, <i>wuḍū’</i></li> <li>• Death and the Believer</li> <li>• Adhān of Bilāl vs. Adhān of Ibn Umm Maktūm at the predawn prayer, <i>Fajr</i>.</li> <li>• The number of days in a month.</li> <li>• Can the dead hear the living: The Prophet’s addressing the enemies’ dead at Badr.</li> </ul>
Her Correction of ‘Abdullah b. ‘Amr b. al-‘Āṣ	<ul style="list-style-type: none"> <li>• The legal ruling on whether or not women must undo their braids when doing <i>ghusl</i>.</li> </ul>
Her Correction of Abū Hurayra	<ul style="list-style-type: none"> <li>• The legal ruling on whether one who has awoken in a state of sexual impurity <i>janābah</i>, can fast or not.</li> <li>• Regarding the status of the house, woman, and riding beast as carriers of bad luck.</li> <li>• Was a believing woman punished for her maltreatment of a cat?</li> <li>• The status of the child born out of wedlock</li> <li>• Punishment of the deceased for the exaggerated lamentations of the mourning.</li> <li>• On the legal status of the <i>Witr</i> prayer.</li> <li>• ‘Ā’isha’s direct criticism of Abū Hurayra’s verbosity in narrating ḥadīth.</li> <li>• The requirement for the one who has bathed the deceased in preparation for the funeral, to perform ablution, <i>wuḍū’</i> upon completion.</li> <li>• Regarding poetry.</li> <li>• Death and the Believer</li> <li>• A woman nullifies the prayer if she walks in front of the person engaged in prayer.</li> <li>• The impermissibility of wearing only one shoe.</li> </ul>

Chapter Title	Topics
Her Correction of Marwān b. al-Ḥakam	<ul style="list-style-type: none"> <li>On the exegesis <i>tafsīr</i> of verse 17 in Sūrah al-Aḥqāf</li> </ul>
Her Correction of Abū Sa‘īd al-Khudrī	<ul style="list-style-type: none"> <li>The impermissibility of women travelling without a male guardian <i>maḥram</i>.</li> <li>A person is resurrected in the clothes in which they died.</li> </ul>
Her Correction of Ibn Mas‘ūd	<ul style="list-style-type: none"> <li>Whoever loves to meet Allāh, Allāh loves to meet them.</li> </ul>
Her Correction of Abū Mūsa al-Ash‘ari	<ul style="list-style-type: none"> <li>On the question of whether the prayer and breaking the fast, <i>Ifṭār</i>, should be hastened or delayed.</li> </ul>
Her Correction of Zayd b. Arqam	<ul style="list-style-type: none"> <li>Contractual agreements</li> </ul>
Her Correction of al-Barā’ b. al-‘Āzib	<ul style="list-style-type: none"> <li>When the Prophet performed ‘<i>Umrah</i> in his lifetime.</li> </ul>
Her Correction of ‘Abdullah b. al-Zubayr	<ul style="list-style-type: none"> <li>Separating the Ḥajj and the ‘<i>Umrah</i>.</li> <li>How much hair a female pilgrim needs to trim in order to come out of the state of pilgrimage, <i>iḥrām</i>.</li> </ul>
Her Correction of ‘Urwah b. al-Zubayr	<ul style="list-style-type: none"> <li>Going between Ṣafā and Marwa.</li> </ul>
Her Correction of Jābir	<ul style="list-style-type: none"> <li>Purification after sexual intercourse.</li> </ul>
Her Correction of Abū Ṭalḥa	<ul style="list-style-type: none"> <li>Angels do not enter a home in which there is a dog or idols.</li> </ul>
Her Correction of Abū Dardā’	<ul style="list-style-type: none"> <li>The timings within which <i>Witr</i> prayer can be performed.</li> </ul>
Shaybah b. ‘Uthmān’s referring to her authority	<ul style="list-style-type: none"> <li>On how to dispose of the fabric covering the Ka‘ba, the <i>Kiswah</i>.</li> </ul>
Her Correction of ‘Abdul Raḥmān b. ‘Awf	<ul style="list-style-type: none"> <li>Warning against ostentatious displays of one’s wealth.</li> </ul>
Her Correction of ‘Abdul Raḥmān b. Abū Bakr	<ul style="list-style-type: none"> <li>Thoroughness when making ablution, <i>Wuḍū’</i>.</li> </ul>
Her Correction of Fāṭima bint Qays	<ul style="list-style-type: none"> <li>The obligations of an ex-husband towards his wife following divorce.</li> </ul>
Her Correction of the Wives of the Prophet	<ul style="list-style-type: none"> <li>The wealth and property of the Prophet is inherited by the community as charity.</li> </ul>

Chapter Title	Topics
Her General Corrections	<ul style="list-style-type: none"> <li>• A woman does not nullify the prayer if she walks in front of the person engaged in prayer.</li> <li>• The funeral prayer takes place in the masjid.</li> <li>• Standing for the funeral processions.</li> <li>• The impermissibility of temporary marriages, <i>mut'ah</i>.</li> <li>• Discouraging men from standing while urinating due to concerns over personal hygiene.</li> <li>• Salat al-Ḍuḥa</li> <li>• Bathing, <i>ghusl</i> for Friday prayers.</li> <li>• Cleaning after relieving one's self <i>al-istinjā'</i> with water.</li> <li>• The Prophet's fasting on 10th Dhul-Ḥijjah</li> <li>• The Prophet's night prayers in and outside of Ramaḍān.</li> </ul>

*Table 1: al-Ijabāh Contents and Selection for Translation*

As the above table illustrates, the selected portion for translation not only constitutes a significant portion of the overall text, but also covers many of the recurring themes, and perhaps most pertinently for this study, all of the statements that concern women.

Finally, in the spirit of transparency and ease of referencing, the Arabic text for the ḥadīth translated will be provided.

## **Conclusion**

This chapter has clarified the methodology towards translating these ḥadīth; the acceptance and embracing of my positionality and subjectivity as a believing Muslim woman committed to translating the text with as much loyalty to the intentions of 'Ā'isha and the Prophet, as well as al-Zarkashī, and to the overall ethic of the Quran. It is also evident, that while in the first instance a literal translation may instinctively appear as the most effective approach to translation, there is a great deal more to consider in the translation of texts than simply transferring words from one language into another. Of these considerations there is the commitment to a translation that is sensitive to gendered language that can be read in ways that

exclude or negatively exceptionalise women. This ability of language to exclude is also considered in ensuring that the translations are not only easily understood in the language utilised but also granted a literary form that makes them informative and enjoyable, so as to make it widely accessible and useful. The content of *al-Ijāba* has been clearly outlined and those ḥadīth selected for this thesis have been justified. They are a good representation of all the themes covered in the collection, whilst also ensuring that all statements pertaining to women are translated for analysis.

Chapter Two elucidated the history of the ḥadīth tradition and explored some of the key principles in ḥadīth criticism. It also highlighted that the marginalising of much of ‘Ā’isha’s life and correctives are not solely as a result of the history and study of ḥadīth, but also the treatment of her statements in Islamic jurisprudence (*fiqh*). Therefore, the next chapter will now consider how the legal tradition formed and what role this played in the marginalisation of ‘Ā’isha’s interventions. This is tragic for the fact that many of her correctives serve to amend erroneous statements attributed to the Prophet that are of a juridical nature. Having now developed and presented the translation methodology to be applied for this thesis, Chapter Four will begin to present and analyse those statements of a juridical nature from *al-Ijāba*.

## Chapter Four: ‘Ā’isha the Jurist

The legal (*fiqh*) and the ḥadīth tradition have a mutual history with the legal tradition being birthed through the ḥadīth tradition. In fact, Siddiqi (1993, p13) notes that the word *fiqh* itself had been used synonymously with *ḥadīth*. An example of this is found in the works of Ibn ‘Abd al-Barr who cites a tradition and notes that the word *fiqh* was being used to denote ḥadīth. Much of the early period of Islamic law found itself comprised primarily of Prophetic traditions concerned with legal issues (*ḥadīth al-aḥkām*) (ibid, p.14). Therefore, any discussion on the approach of A’isha towards ḥadīth without a simultaneous consideration of the legal tradition, would be severely limiting. Whilst Chapter Two has expounded on the role of the ḥadīth tradition and its history in the marginalising of ‘Ā’isha’s correctives, this chapter will consider the role of the legal tradition. In this chapter, I illustrate how the fate of ‘Ā’isha as an authority resident and rooted in Medina meant that she was not taken up as a central authority for a legal school of thought in the manner that occurred in Basra and Kufa. Medina had its own intellectual trajectory, preferring to rely on the living tradition that coursed through its inhabitants as Companions and their descendants. Having not been taken up as the central authority for any of the four major Sunni legal schools of thought, ‘Ā’isha has been marginalised with respect to her opinions, contradictions and methodology.

Despite this, however, as a senior Companion and most beloved and astute wife of the Prophet, who was intelligent and engaged with her community, she appears to have developed a methodology in approaching the ḥadīth that could be harnessed and applied again today, giving rise to the possibility of an approach to the legal tradition as well as to ḥadīth that is liberatory and counter-hegemonic. Therefore, having considered the lost opportunity of ‘Ā’isha as a central authority for a legal school of thought, this chapter proceeds to an analysis of those ḥadīth in *al-Ijāba* concerned with jurisprudential matters, presenting the correctives along with a brief analysis for each. This analysis is then drawn upon to present the ‘Ā’isha’s emergent juristic framework.

### A Brief History of the Law (*Fiqh*)

The *fiqh* tradition as currently recognised in Sunni Islam, represented by four main schools of thought, the Ḥanafī, Mālikī, Shafī‘ī, and Hanbali schools, named after the scholars upon whose work they centred around, did not begin to come into formation until a few decades into the

second century of Islam. Even in their earliest formation they were largely organised by geographical location, rather than any strict adherence to particular notions regarding doctrine. Variances that occurred between them tended therefore, to be born out of differences in social conditions, customary laws and practice, and less out of principles and methods, or doctrinal disagreement.

According to Wael Hallaq, the leaders of the first community of believers after the death of the Prophet relied primarily on two sources of principles and laws to guide their conduct: the Quran and pre-Islamic Arab customary law. However, as Muslim conquests of lands grew, the limitations of these sources became apparent. During this early period, the Quran was collected and codified, transforming it from an oral and scattered 'text' to a written one. This project was carried out by the first and second caliphs, Abū Bakr and 'Umar b. al-Khaṭṭāb, and then finally concluded by the third Caliph, 'Uthmān b. 'Affān, who established one authoritative codified Quran in text and had all variants destroyed. Despite this endeavour to vulgate the Quran, it was still limited in what it offered as a legal source; it only offers some five-hundred legal verses, covering a relatively limited number of legal scenarios (Hallaq, W. 1997, p.10). As such then, the *Sunnah*, began to gain more prominence in the development of legal theory.

Whilst the practice of the Prophet had always been considered from the earliest Muslims, due to its importance established by the Quran itself, and by the very recalling of Prophetic practice by his Companions as a means to establishing Muslim praxis, what was understood by the term *Sunnah*, has varied over time. Hallaq asserts that the earliest use of the term as used by the Companions and in particular, the first two Caliphs, Abū Bakr and 'Umar, didn't refer to any particular or substantive matter but to any 'right and just practice' (ibid. p.12). However, by the end of the first century of Islam, with the expansion of the Islamic empire and the establishment of Damascus as its capital, an assimilation process took place via the work of judges and religious scholars. Story-tellers, whose subject matter was made up of ethico-legal content about the Prophet and his Companions, played an essential role too in successfully integrating local practices and norms prevailing in the newly conquered territories, into the authoritative sources of Islam; the newly introduced religion through conquest, by asserting an attribution to the Prophet or one of his Companions, the *Sunnah*. This resulted in a swelling in the number of statements ascribed to the Prophet, which in turn galvanised religious scholars into investigating the authenticity and validity of such statements and those purported to report them, inaugurating two fundamental concepts; the *ḥadīth*, and their *isnād*, chain of narrators.

This process of investigation and authentication continued over the next two centuries, finally fine-tuning to an established science of ḥadīth that encapsulated the *Sunnah* within it.

Brown (2009, p.151) also elucidates the history of the *Sunnah* stating that *Sunnah* and ḥadīth are not synonymous and have distinct histories, albeit one that converges. He writes that in the first century and a half after the Prophet, Muslims understood the *Sunnah* to encapsulate the practices and beliefs of the Muslim community as passed down from the Companions, while the ḥadīth were concerned with reports from the Prophet, which may or may not have been acted upon by Muslims in daily life. He then further differentiates between the two stating, ‘Shu‘ba b. al-Ḥajjāj was thus considered a master of Ḥadīths but not of *Sunna* while Sufyān al-Thawrī (d. 161/778) was considered a master of both’, and that ‘Mālik believed that the practice of the people of Medina which he felt had been transmitted *en masse* from the time of the Prophet, was a much more reliable source for discovering the Prophet’s Sunna than a solitary ḥadīth narrated by one *isnād*’. Thus, the ḥadīth literature as it has now emerged has had its own particular historical journey, which then intertwines with that of the development of Islamic jurisprudence.

As the processes around ḥadīth became more sophisticated, and the expansion and establishment of the legal system of the Islamic empire became more in want of Islamic validation that the Quran alone could not provide, religious jurists increasingly began to rely on ḥadīth, and to imitate the validation process in ḥadīth, by seeking to project their legal conclusions retrospectively back to the second generation of Muslims, the Successors or *Tabi‘īn*, and through them to the first generation of Muslims, the Companions, and through them to the Prophet himself. This was a venture that began around the end of the first century of Islam and continued into the third century (Hallaq, p.17).

Mapping the formation of the schools of Islamic law is a difficult task, not least because there is no one agreed upon account, neither by Western academics nor Muslim scholars. As Melchert (1997, p.xvii) writes, ‘There is no easy way to tell when the schools of law came to be. None of the schools of law is associated with anything like a datable charter. Neither is any of the Sufi orders or other institutions of Islam: the Muslims recognise no authority that might issue such charters, beyond the consensus of the community’. Nonetheless scholars such as George Makdisi (1991), Joseph Schacht (1979), Rume Ahmed (2012), Wael Hallaq (2005), and others have attempted to develop histories for the formation of the legal schools of law.

There are some areas of agreement, or at the very least, little disagreement, and these are what will be focused upon to try to create an understanding of the processes that led to the four dominant schools of law in Sunni Islam as is pertinent to our understanding of how ‘Ā’isha and her statements were configured.

Under Umayyad rule, in the second century of Islam, religious law and Islamic jurisprudence were to be formalised. As explained by Schacht, the ancient schools of law had originally relied heavily on the notion of the ‘living tradition of the school’, represented by the constant doctrine of its authoritative representatives (1964, p.29). In other words, there was a belief that the practice of the Muslim community was one that encompassed within it the continuous carrying forward of the practice of the Prophet himself through the caliphs and scholars, a view similar to that expressed above, held by Mālik. The *Sunnah* was thus both synchronous in how it absorbed the prevailing customs, laws and practices of local regions, and increasingly retrospective in how it sought to attach itself theoretically to an ideal established by Prophetic practice. Schacht is useful in exploring this genealogy that is forged between second century scholars of Islamic law back to the Prophet. However, because Schacht asserts this from a position of suspicion and epistemic distrust of Muslim scholarship, and hence projects untrustworthiness upon their endeavour to do so, it is important to take heed of criticisms formulated by scholars such as Motzki (2002) and Azami (1996) when considering how Schacht uses this notion of retrospectively connecting back to the Prophet to analyse specific chains of narration.<sup>53</sup>

As Motzki (2002, p.xi) states and deftly demonstrates in his *The Origins of Islamic Jurisprudence*, ‘Schacht’s conceptions, in substantive points, are no longer tenable or are greatly in need of modification’. Indeed, it has been well evidenced that classical Muslim scholars were well aware of the increase in retrospective *isnād* building and were mindful and active in seeking to address any inauthentic statements, albeit with some shortcomings. Nonetheless, for the purpose of exploring how legal schools of thought were built around particular scholars and Companions of the Prophet, Schacht’s (1964) analysis proves useful. In this regard, Melchert (1997, p.xvii-xviii) notes that Schacht’s views on when and how the

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<sup>53</sup> A particularly robust response to Schacht on this point can be found in, Brown. J. 2007. Critical Rigor vs. Juridical Pragmatism: How Legal Theorists and Ḥadīth Scholars Approached the Backgrowth of Isnāds in the Genre of ‘Ilal Al-Ḥadīth. *Islamic Law and Society* 14(1).

schools of Islamic law came to formalise and personalise under the name of particular jurists is not too dissimilar to the view held by Ibn Khaldūn (d. 806/1408). Ibn Khaldūn, when discussing the origins of the schools of Islamic law in his seminal work, *al-Muqaddima*, begins with the jurists of Iraq whom he credits with skilfulness at analogy (*qiyās*) and those of the Hijaz, whom he credits with superior knowledge of ḥadīth. Amongst the scholars of Iraq, Abū Ḥanīfa was deemed foremost and so the legal school to emerge from there was the one attached to him and his students. In the Hijaz, the same process coalesced around Mālik. As for the Shafīʿī school of law, then Ibn Khaldūn argued that he blended the two schools of Iraq and the Hijaz to formulate his own. So, while Schacht has been well refuted in his argument regarding retrospective chain building in ḥadīth, his assertions referring to the development and formalisation of the schools of thought appear well founded and corroborated. It is useful for what it provides in terms of information regarding the Companions that emerge as central authorities for each school, or as in the case of ʿĀʿīsha, those Companions who do not.

As mentioned previously, the main centres of learning where the dominant schools of thought were able to develop were geographically dispersed; they were based in Makkah, Medina, and Kufa and Basra.<sup>54</sup> In Kufa the doctrine of the school that developed there was retrospectively attributed to the second generation scholar, Ibrāhīm al-Nakhaʿī, a companion of the first generation Muslim, Ibn Masʿūd who had been a Companion of the Prophet. But proximity to a second-generation scholar was not enough, and so association with ‘Companions of Ibn Masʿūd’, was asserted instead until eventually, ‘Companions of’ was replaced with an explicit reference to Ibn Masʿūd himself. As noted by Schacht (1964, p.31), a great deal of Kufan doctrine is attributed to Ibn Masʿūd via Ibrāhīm al-Nakhaʿī, even though the historical Ibrāhīm is not known to ever have been in actual direct contact with the historical Ibn Masʿūd, though later it was asserted that members of the original group of ‘Companions of Ibn Masʿūd’ were in fact maternal uncles of Ibrāhīm’s, hence connecting the two authorities.<sup>55</sup>

As such then, Ibn Masʿūd became what Schacht refers to as the ‘eponym of the doctrine of the school of Kufa’. In like manner the other centres of learning had also developed their own

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<sup>54</sup> See, Hallaq, H. 2009. *An Introduction to Islamic Law*. Cambridge: Cambridge University Press, p.37, for an explanation of where each school was formed and in what geographical directions each travelled.

<sup>55</sup> A poetic illustration of a genealogy for the Ḥanafī school was penned by Ibn ʿĀbidīn who wrote *fiqh* ‘was planted by ʿAbdallah b. Masʿūd, irrigated by ʿAlqama, harvested by Ibrāhīm al-Nakhaʿī, threshed by Ḥammād, milled by Abū Ḥanīfa, kneaded by Abū Yusuf, and baked by Shaybānī. The Muslims are nourished by this bread’ (Hallaq, W. 2004, p.320).

incremental retrospective reach for authority. Schacht (1964, p.32) writes, ‘The corresponding eponym of the Makkans was Ibn ‘Abbās, another Companion of the Prophet, and references to him, too, alternate with references to the Companions of Ibn ‘Abbās. The two main authorities of the Medinese among the Companions of the Prophet were the caliph ‘Umar and his son ‘Abd Allah b. ‘Umar. Each ancient school of law, having projected its doctrine back to its own eponym, a local Companion of the Prophet, claimed his authority as the basis of its teaching’. With each centre of learning and thereby each developing legal school of thought staking its claim to an authority amongst the Companions, any opposition to their position would need to be met by a position supported by a Companion of at least equal, though ideally, superior authority. In Kufa, for example, this happened by opposition movements putting forward ‘Alī as their authoritative source. He was not only more senior than Ibn Mas‘ūd, he was also accessible as a likely authority for his having established Kufa as his headquarters while Caliph.

This development of the schools of thought, albeit a brief outline, makes stark the lack of invocation of ‘Ā’isha as a central authority by any school. This may be because Medina, where she lived, adjudicated, taught, and passed away, relied on the lived tradition, the *Sunnah*, which it is believed coursed through the practice of its inhabitants through generational inheritance of prophetic and Companions’ practice, and as such did not develop its legal tradition in the manner of the Iraqi schools, who could not rely on the same privilege and needed to establish those links to the Prophet that Medina took for granted. In taking this link for granted though, an opportunity for the centring of ‘Ā’isha is lost, as this meant that ‘Ā’isha retained a central and legitimate position within the tradition but did not benefit from attaining legal authority as a jurist, or central figure for a legal school of thought. But perhaps this was due to more than mere bad luck. ‘Ā’isha had already engaged in a civil war by this point and had repeatedly taken up opposing stances to those of other prominent Companions. It is possible that her omission was deliberate and that the establishment of the schools of law and their subsequent impositions, such as the belief in the equal reliability and trustworthiness of all the Companions, acted as a sanitisation process. Thereby cleansing opinions too variant with other opinions that were more expedient in the socio-political context in which the schools were developing and operating. This will be considered some more now.

## ‘Ā’isha and the Legal Tradition

Medina is where ‘Ā’isha had resided since childhood, through her marriage to the Prophet, and beyond his passing away, until she too died having lived a life invested in the spiritual growth and religious understanding of her immediate community. While the schools of law developed at high speed and with great strength in Kufa and Basra, opposition from Medina rooted itself in the tradition, and found itself becoming the centre of activity for the Traditionist movement, *Ahl al-ḥadīth*. Schacht (1964, p.34) described the movement of the Traditionists as ‘the most important single event in the history of Islamic law in the second century of the hijra,’ and few would be found to dispute this. The Traditionist movement was a response in opposition to the legal schools of thought. While the legal schools of thought were based on the living tradition, the Traditionist movement argued that this was not sufficient as a basis upon which to rest religious verdicts. They instead propagated and advocated for ear/eye-witness accounts of statements and actions of the Prophet, orally passed on through an uninterrupted chain of reliable and trustworthy narrators. As such then, while Traditionists were dispersed across the great centres of the Islamic empire, Medina became the spiritual centre for the movement. It is not far-fetched to posit that the intellectual trajectory of Medina’s religious scholarly class seeking to present an opposition to the legally minded approach of the other scholarly centres, would have assisted in the lack of establishing ‘Ā’isha as a central and primary authority figure of a legal school of thought. With her legacy so intertwined in the living tradition of Medina and its community, its scholars’ resistance to the position of non-Medinan scholars, inadvertently contributed to her marginalisation. Firstly, the Traditionist commitment to a valid chain of narration to the Prophet invested its authority in the chains of narration and in the statements of the Prophet, rather than in the intellectual authority of a single Companion. This not only had the effect of obscuring the particular superiority of ‘Ā’isha in her knowledge, but also allowed for the ascent of less learned Companions as long as their statements were supported with a strong continuous (*tawāṭur*) chain of narration. Secondly, Traditionists disliked human reasoning and personal opinion, and as is seen in some of the ways in which ‘Ā’isha’s assertions have been explained away, this left much of her legacy vulnerable to marginalisation.

Even with provisions within the development of the principles of Islamic jurisprudence, *Uṣūl al-Fiqh*, for the consideration of opinions and rulings of Companions, the *Ra’y/Fatwā al-Ṣaḥāba*, there is still not enough for the recovery of ‘Ā’isha as a central authority distinguished

from others; she remains an opinion amongst others. The only Companions who warrant a discussion on possible superiority amongst their peers are the four Rightly Guided Caliphs, *Khulafā' al-Rashidūn*, Abū Bakr, 'Umar, 'Uthmān, and 'Alī, and furthermore in some discussions that of these four, it is the first two who are most preferred (Kamali, 2003, p.319). Interestingly though, despite their proximity to the Prophet and affirmed emotional and spiritual relationship with him, neither Abū Bakr nor 'Umar narrates many ḥadīth.

Spellberg (1994) argues that al-Zarkashī's work was effectively too little, too late in redeeming and resurrecting 'Ā'isha's voice, verdicts, and even status. The next section will consider a section of ḥadīth from *al-Ijāba*, noting the method applied by 'Ā'isha in responding to various Companions, and also the jurisprudential considerations of each and how her legal positions have been considered before considering a possible proto-*uṣūlī* approach to the ḥadīth regarding legal matters that is also emerging. In the following section, and in Chapter Five, I have worked closely with my translation of *al-Ijāba*. Each section is presented in the Musnad style as observed by al-Zarkashī, i.e. in accordance to which Companion is being responded to by 'Ā'isha. Within each section, groups of translations are presented with brief explanatory discussions of the ḥadīth that illustrate a common criteria from the validation or impugment of narrators, as established in the science of ḥadīth. Each group is then discussed to draw together what has been learned, culminating in the extraction of an emergent juristic framework based on 'Ā'isha's correctives in this chapter.

## **'Ā'isha's Responses to 'Umar b. al-Khaṭṭāb**

### **Impugment due to Imaginary Indulgence (*wahm*)**

#### **'Ā'isha's Corrective with Reference to the Quran to Support her Stance**

Ḥadīths 1 and 7 both report 'Ā'isha as accusing 'Umar of having imagined a tradition. Though both traditions could be invalidated on the basis of carelessness, *ghaflah*, the presence of 'Ā'isha's specific accusations of *wahm*, means they are categorised as such. In ḥadīth 1 'Ā'isha is seen correcting 'Umar by providing the full statement of the Prophet, with additional support for her statement by the sentiment of the Quran on the issue.

### **Ḥadīth One**

Al-Zarkashī states:

Al-Bukhārī and Muslim records the tradition of ‘Abdullah b. Abū Mulayka who said:

عَبْدُ اللَّهِ بْنِ عَبْدِ اللَّهِ بْنِ أَبِي مُلَيْكَةَ، قَالَ تُوِّفِّتِ ابْنَةُ لِعُمَانَ بِمَكَّةَ وَجِئْنَا لِنَشْهَدَهَا، وَحَضَرَهَا  
ابْنُ عُمَرَ وَابْنُ عَبَّاسٍ وَإِنِّي لَجَالِسٌ بَيْنَهُمَا - أَوْ قَالَ جَلَسْتُ إِلَى أَحَدِهِمَا. ثُمَّ جَاءَ الْآخَرُ،  
فَجَلَسَ إِلَيَّ جَنِّبِي فَقَالَ عَبْدُ اللَّهِ بْنُ عُمَرَ لِعَمْرٍو بْنِ عُمَانَ هُوَ مُوَاجِهُهُ: أَلَا تَنْهَى عَنِ الْبُكَاءِ،  
فَإِنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ، 'إِنَّ الْمَيِّتَ لَيُعَذَّبُ بِبُكَاءِ أَهْلِهِ عَلَيْهِ. فَقَالَ ابْنُ عَبَّاسٍ  
قَدْ كَانَ عُمَرُ - رَضِيَ اللَّهُ عَنْهُ - يَقُولُ بَعْضُ ذَلِكَ، ثُمَّ حَدَّثَ قَالَ صَدَرَتْ مَعَ عُمَرَ - رَضِيَ اللَّهُ  
عَنْهُ - مِنْ مَكَّةَ حَتَّى إِذَا كُنَّا بِالْبَيْدَاءِ، إِذَا هُوَ بِرُكْبٍ تَحْتَ ظِلِّ سَمْرَةٍ فَقَالَ اذْهَبْ، فَانظُرْ مَنْ  
هُوَ لِأَنَّ الرُّكْبُ قَالَ فَانظُرْتُ فَإِذَا صُهَيْبٌ، فَخَبَرْتُهُ فَقَالَ ادْعُهُ لِي. فَرَجَعْتُ إِلَى صُهَيْبٍ فَقُلْتُ  
ارْتَحِلْ فَالْحَقُّ أَمِيرَ الْمُؤْمِنِينَ. فَلَمَّا أُصِيبَ عُمَرُ جَعَلَ صُهَيْبٌ يَبْكِي يَقُولُ وَأَخَاهُ، وَأَصْحَابَهُ.  
فَقَالَ عُمَرُ يَا صُهَيْبُ أَتَبْكِي عَلَيَّ وَقَدْ قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، 'إِنَّ الْمَيِّتَ لَيُعَذَّبُ  
بِبَعْضِ بُكَاءِ أَهْلِهِ عَلَيْهِ'. قَالَ ابْنُ عَبَّاسٍ فَلَمَّا مَاتَ عُمَرُ ذَكَرْتُ ذَلِكَ لِعَائِشَةَ فَقَالَتْ رَحِمَ اللَّهُ  
عُمَرَ، وَاللَّهِ مَا حَدَّثَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ إِنَّ اللَّهَ لَيُعَذَّبُ الْمُؤْمِنَ بِبُكَاءِ أَهْلِهِ عَلَيْهِ.  
وَلَكِنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ، 'إِنَّ اللَّهَ لَيَزِيدُ الْكَافِرَ عَذَابًا بِبُكَاءِ أَهْلِهِ عَلَيْهِ'.  
وَقَالَتْ حَسْبُكُمْ الْقُرْآنُ {وَلَا تَزِرُ وَازِرَةٌ وِزْرَ أُخْرَى}. قَالَ ابْنُ عَبَّاسٍ عِنْدَ ذَلِكَ وَاللَّهُ هُوَ أَضْحَكَ  
وَأَبْكَى. قَالَ ابْنُ أَبِي مُلَيْكَةَ وَاللَّهُ مَا قَالَ ابْنُ عُمَرَ شَيْئًا

A daughter of ‘Uthmān b. ‘Affān passed away in Makkah, so we went to attend her [funeral prayer]. Ibn ‘Umar and Ibn ‘Abbās were [also] present. I was sitting between the two of them (or he said ‘I sat beside one of them. Then another man came and sat beside me’). ‘Abdullah b. ‘Umar said to ‘Amr b. ‘Uthmān, ‘Will you not stop the people from crying, for indeed the Messenger of God said, ‘The deceased is punished for the crying of his family over him’.’ Ibn ‘Abbās responded, ‘Umar used to say likewise’, then he narrated, ‘I accompanied ‘Umar on a journey from Makkah until we reached al-Baydā’. He was mounted [on his horse] under the shade of a tree and said, ‘Go and see who those travellers are’. So, I went and saw that [one of them] was Suhayb. I informed [‘Umar] and he said, ‘Call him to me’. I returned to Suhayb and said, ‘Depart and follow the Leader of the Believers’. [Later],

when ‘Umar was stabbed, Suhayb came weeping saying, ‘Oh my brother! Oh, my friend!’ [To which] ‘Umar responded, ‘Suhayb, do you cry over me when the Messenger of Allah said, the deceased is punished for some of the weeping of his relatives?’ Ibn ‘Abbās said, ‘When ‘Umar died, I mentioned this to ‘Ā’isha. She said, ‘May God have mercy on ‘Umar. By God, the Messenger of Allah did not say that.’ And in Muslim’s narration she is reported to have additionally said, ‘The Messenger of Allah did not say that the deceased is punished for the crying of anyone, but rather, he said, ‘God increases a disbeliever in punishment for the crying of his relatives over him’. ‘Ā’isha continued, ‘The Quran is sufficient for you as God has stated, ‘No soul shall bear the burden of another’ (35:18)’. Ibn ‘Abbās thereupon said, ‘It is God who makes one laugh or cry’. Ibn Abū Mulayka said, ‘By God, Ibn ‘Umar didn’t say anything after that’.

Al-Zarkashī goes on to note that Muslim also records this tradition from Abū Mulayka, in which there is the additional statement of ‘Ā’isha, whereby she states, ‘By God, you are narrating on the authority of two people [‘Umar and Ibn ‘Umar] who cannot be deemed as liars, but rather it is a case of mistaken hearing’. Furthermore, al-Zarkashī states, ‘Ā’isha is recorded by Abū Manṣūr al-Baghdādi as having said, ‘Ibn ‘Umar imagined (*wahala*) it’.

Similarly, this ḥadīth is narrated in Muslim on the authority of Hāshim on the authority of his father who said it was mentioned to ‘Ā’isha that Ibn ‘Umar was claiming that the Prophet had said that the deceased is punished by his/her family’s crying. She responded with ‘He misunderstood (*wahila*)!’ and went on to correct it as above.<sup>56</sup> As such, she has given both context and a Quranic verse in defence of her opposition and yet, curiously, Imām al-Nawawī (2002, p.730) in his commentary of Ṣaḥīḥ Muslim, argues that Ibn ‘Umar and ‘Umar b. al-Khaṭṭāb could not have been mistaken because they heard the statement from the Prophet, and that if she had heard it at a later date, towards the end of his life, then surely she would have clarified this. When she heard this from the Prophet is less important than the fact that she did at all, and that much she has stated, whilst also giving the Quranic verse as an evidence too in support of her position. In an attempt to reconcile both statements, then, he argues that the statement of Ibn ‘Umar and ‘Umar is regarding making a display of one’s grief, or that the

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<sup>56</sup> Muslim, Chapter: Funerals, ḥadīth No. 2154.

deceased leaves behind a request that their family members do so—a practice that is still prevalent in many cultures to inform people of the importance of the one who has passed to those left behind.

However, it is well established and recorded in al-Bukhārī and Muslim too, that when the Prophet’s son Ibrāhīm passed away, he cried. Anas b. Mālik reported, ‘The Prophet was holding his son, Ibrāhīm, kissing him and smelling him. Then we entered upon him and a short while later Ibrāhīm passed away and the Messenger of Allah’s eyes filled [with tears] and began to flow. Ibn ‘Awf said, ‘You, Messenger of Allah [are crying]?’ And he responded, ‘Oh, Ibn ‘Awf, this is a mercy, and it will be followed by another one’. Then the Prophet said, ‘Indeed the eyes shed tears, and the heart is grieved, but we do not say anything except that which pleases our Lord, though indeed at your departure oh Ibrāhīm, we are deeply saddened’.<sup>57</sup> Similarly, in al-Bayhaqī’s *Sunan*, ‘Ā’isha relates how her father, Abū Bakr, spoke to no one and made his way directly to her home upon hearing about the Prophet’s worsening condition when he was on his deathbed. When Abū Bakr saw the Prophet lying lifeless, ‘Ā’isha recalls her father kissing his old friend and crying.

Prophetic statements and practice, as well as actions of Companions and the verse of the Quran all support the position of ‘Ā’isha in her rebuttal of ‘Umar and Ibn ‘Umar’s statements.

## Ḥadīth Seven

Al-Zarkashī states:

Muslim narrates on the authority of Anas who said:

كَانَ عُمَرُ يَضْرِبُ الْأَيْدِيَّ عَلَى صَلَاةٍ بَعْدَ الْعَصْرِ

‘Umar would bind his hands [on his chest] in prayer after the ‘Asr prayer.’

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<sup>57</sup> Al-Bukhārī, Chapter: Funerals, Section; The Saying of the Prophet; ‘Indeed we are deeply saddened at your departure’, ḥadīth No. 1303, and Muslim, Chapter: Virtues, ḥadīth No. 2315.

Muslim also records on the authority of Ṭāwūs, on the authority of ‘Ā’isha, who said, ‘Umar is mistaken (*wahama ‘Umar*); the Messenger of God prohibited prayer as the sun is rising and as it sets’. Ibn ‘Abd al-Barr asserts on the authority of ‘Ā’isha that Ibn ‘Umar and others said likewise. It was also the position of Zayd b. Khālīd al-Juḥanī because [on one occasion] ‘Umar saw him praying two units after ‘Asr. ‘Umar walked over to him and hit him with a whip. Zayd said to him, ‘Oh leader of the faithful, whip away, for by God I will never abandon them [the two units of prayer] after I have seen the Prophet offer them.’ ‘Umar replied to him, ‘Oh Zayd, if it wasn’t for the fact that I fear that people will assume these a stairway to praying unto the night, I wouldn’t punish [on this basis].’

### ‘Ā’isha’s Corrective Due to Her Superior Knowledge of the *Sunnah*

Ḥadīths 2, 3, 4 and 7 are all correctives established on ‘Ā’isha’s intimate relationship with the Prophet, allowing her a more nuanced understanding of his practice. Ḥadīth 7 has been presented above so will not be repeated in this section.

### Ḥadīth Two

Al-Zarkashī states:

Al-Ṭaḥāwī in *Mushkil al-Āthār* Ṣāliḥ b. ‘Abdul Raḥmān stated to us, that Mu‘ammar b. Abu Ḥuyayyah said I heard ‘Ubayd b. Rifā‘a al-Anṣārī saying:

مَعْمَرُ بْنُ أَبِي حَيَّيَةَ قَالَ: سَمِعْتُ عُبَيْدَ بْنَ رِفَاعَةَ الْأَنْصَارِيَّ يَقُولُ: كُنَّا فِي مَجْلِسٍ فِيهِ زَيْدُ بْنُ ثَابِتٍ، فَتَذَاكُرُوا الْغَسْلَ مِنَ الْإِنْزَالِ، فَقَالَ زَيْدٌ: مَا عَلَيَّ أَحَدُكُمْ إِذَا جَامَعَ، فَلَمْ يُنْزَلْ إِلَّا أَنْ يَغْسَلَ فَرْجَهُ وَيَتَوَضَّأَ وَوَضُوئُهُ لِلصَّلَاةِ، فَقَامَ رَجُلٌ مِنْ أَهْلِ الْمَجْلِسِ، فَأَتَى عَمْرًا فَأَخْبَرَهُ بِذَلِكَ، فَقَالَ عَمْرٌ لِلرَّجُلِ: اذْهَبْ أَنْتَ بِنَفْسِكَ، فَأَتَنِي بِهِ حَتَّى تَكُونَ أَنْتَ الشَّهَدَ عَلَيْهِ، فَذَهَبَ فَجَاءَهُ بِهِ، وَعِنْدَ عَمْرٍ نَاسٌ مِنْ أَصْحَابِ رَسُولِ اللَّهِ مِنْهُمْ عَلِيُّ بْنُ أَبِي طَالِبٍ وَمُعَيْزُ بْنُ جَبَلٍ، فَقَالَ لَهُ عَمْرٌ: أَيُّ عُدِي نَفْسَهُ تَفْتِي النَّاسَ بِهَذَا؟ فَقَالَ زَيْدٌ: أَمَا وَاللَّهِ مَا ابْتَدَعْتَهُ وَلَكِنْ سَمِعْتُهُ مِنْ أَعْمَامِي رِفَاعَةَ بْنِ رَافِعٍ، وَمِنْ أَبِي أَيُّوبَ الْأَنْصَارِيِّ.

فقال عمر لمن عنده من أصحاب رسول الله: ما تقولون؟ فاختلفوا عليه فقال عمر: يا عبد الله قد اختلفتم وأنتم أهل بدر الأخيـار، فقال له علي: فأرسل إلى أزواج النبي فإنه إن كان شيء من ذلك ظهرن عليه، فأرسل إلى حفصة فسألها، فقالت: لا علم لي بذلك، ثم أرسل إلى عائشة، فقالت: إذا جاوز الختان الختان، فقد وجب الغسل، فقال عمر عند ذلك: لا أعلم أحداً فعله، ثم لم يغتسل إلا جعلته نكالاً

We were in a gathering in which Zayd b. Thābit was [present], and they mentioned bathing (*ghusl*) due to ejaculation. So Zayd said, ‘It is not incumbent on any of you to bathe upon intercourse if there is no ejaculate (*yunzil*). Instead the private parts should be washed and ablution (*wuḍu*) should be performed as is done for the prayer’. A man from the gathering rose and went to ‘Umar and informed him of this. ‘Umar replied to the man, ‘Go and get him so that you may bear witness [to what he has said].’ The man went and returned with Zayd. Accompanying ‘Umar were some of the Companions of the Prophet, including ‘Alī b. Abī Ṭālib and Mu‘ādh b. Jabal. ‘Umar said to him, ‘Which enemy of his own self has given this verdict?’ Zayd responded, ‘By God, I have not invented this, but rather I heard it from my paternal uncles, Rifā‘a b. Rāfi‘ and Abū Ayyūb al-Anṣārī’.

‘Umar said to those who were with him, from among the Companions of the Messenger of God, ‘And what do you say?’ But they disagreed [on the matter], to which ‘Umar responded, ‘Oh Servants of God, you have differed, and you are from the People of Badr, the best of generations!’ ‘Alī then said to him, ‘Go to the wives of the Prophet, for if there is something to be known, they will clarify it’. He went to Ḥafṣa and asked her, but she had no knowledge of this, so he went to ‘Ā’isha and she informed him, ‘If the two private parts meet, then bathing becomes mandatory’. ‘Umar replied, ‘I do not know anyone who does this, and then does not bathe, except that I will make an example of him.’

This tradition is interesting not only for the acknowledgement of the status of ‘Ā’isha as the ultimate authority amongst the Companions, but also for the discrepancies that emerged between them and how they dealt with these. When Zayd’s statement is brought to ‘Umar’s

attention he is perturbed by the content of the statement, its *matn*, despite it being made by a noble and well-respected Companion.<sup>58</sup> ‘Umar takes a number of steps to verify his claim. First, he seeks to verify it by interrogating who it is Zayd heard it from. Having established that Zayd in turn had heard it from reliable and trustworthy Companions, ‘Umar seeks to corroborate the statement further by seeking the opinions of those in audience. When they fail to return a unanimous decision but instead descend into disagreement too, he is advised by ‘Alī to take this to the wives of the Prophet for the final word, which is found with ‘Ā’isha, and overrides the statement of Zayd and his two sources, despite their own honourable status amongst the Muslim community both in their time and ever since. This is an important example too of the rank and status amongst the Companions that clearly established a hierarchy based on understanding and knowledge, at the top of which were situated the wives of the Prophet, and from amongst whom ‘Ā’isha was most exceptional and most knowledgeable.

### Ḥadīth Three

Al-Zarkashī states:

Al-Ḥāfiẓ Abū Bakr al-Bazzār states in his *Musnad*, ‘Abdullah b. ‘Amr b. Umayyah reported on the authority of his father that:

قال عبد الله بن عمرو بن أمية، عن أبيه أن عمر أتى عليه في السوق وهو يسوم  
بمرط فقال: ما هذا يا عمرو؟ قال: مرط أشتريه فأصدق به، فقال له عمر: فأنت أنت إذا،  
أتى عليه بعد، فقال: يا عمرو ما صنع المرط؟ قال: تصدقتُ به، قال: على من؟ قال: على  
رفيقة مُزينة، قال: أليس زعمت أنك تصدق به؟ قال: بلى، ولكني سمعت رسول الله يقول: ما  
أعطيتموهن من شيء، فهو لكم صدقة، فقال عمر: يا عمرو لا تكذب على رسول الله، فقال:  
والله لا أفارقك حتى نأتي أم المؤمنين عائشة فقال: يا عمرو لا تكذب على رسول الله،

<sup>58</sup> Zayd b. Thābit was one of the primary scribes of the Prophet during his lifetime, writing down the Quran as it was revealed, and writing letters on behalf of the Prophet to rulers and other powerful people. He had a mastery of arithmetic as well as literacy and was considered an expert in the issue of inheritance and calendrical calculations. His honesty, diligence, intelligence and piety meant he was held in high esteem and bestowed with many high-ranking positions. Abū Bakr employed him as an official accountant of sorts, while ‘Umar tasked him with the responsibility of overseeing the fair distribution of food supplies in Egypt. Most importantly, he was appointed by ‘Uthmān as the main overseer of the project to codify the Quran into a single unified text. For more see, Lecker, M. *EI2*.

فاستأذنا علي عائشة، فقال عمرو: أنشدك الله أسمعته رسول الله يقول: ما أعطيتموهن  
 من شيء، فهو لكم صدقة، قالت: اللهم نعم، اللهم نعم، فقال عمر: أين كنت عن هذا؟  
 ألهاني الصفق بالأسواق

‘Umar came across him in the market while he was haggling over a garment. He asked him, ‘What is this ‘Amr?’ He replied, ‘A garment I shall buy and then give in charity.’ ‘Umar responded, ‘You live up to your name!’ At a later time ‘Umar came across him [again] and asked him, ‘‘Amr, what became of the garment?’ He replied, ‘I gave it in charity.’ ‘To whom?’ ‘Umar enquired. He said, ‘To my wife.’ ‘Umar questioned him, ‘Didn’t you claim you were giving it away in charity?’ ‘Amr replied, ‘Indeed, I heard the Messenger of God say, ‘Whatever you bestow upon them [womenfolk], that is charity for you’.’ ‘Umar remarked, ‘‘Amr, do not lie about the Messenger of God!’ ‘Amr retorted, ‘By God, I will not leave you until we go to ‘Ā’isha [to decide on the matter].’ ‘Umar repeated his warning, ‘‘Amr, do not lie about the Messenger of God!’ They sought permission to enter upon ‘Ā’isha, [whereupon] ‘Amr said, ‘I implore you by God, did you hear the Messenger of God say, ‘Whatever you bestow upon them [womenfolk], that is charity for you’?’ She responded, ‘By God, yes! By God, yes!’ ‘Umar said to himself, ‘Where were you on this [matter]? I was distracted by the business of the markets.’

Once again, as in the previous ḥadīth, it is the *matn* of the ḥadīth that has unsettled ‘Umar, and the status of ‘Amr is not sufficient cause to dismiss enquiry. ‘Amr in turn is not deterred by the seniority of ‘Umar and his disbelief in the statement. Verification and interrogation of each of their positions leads to seeking out the authority of ‘Ā’isha who verifies that it is indeed a statement of the Prophet’s. No further validation is sought.

#### **Ḥadīth Four**

Al-Zarkashī writes:

Al-Bayhaqī records in his *Sunan* on the authority of Mu‘ammar on the authority of Ibn ‘Umar, who said:

قال ابن عمر سمعت عمر يقول: إذا رميتم وحلقتم، فقد حل لكم كل شيء إلا النساء والطيب،  
قال سالم: وقالت عائشة: كل شيء إلا النساء، أنا طيبت رسول الله لحله

I heard ‘Umar say, ‘When you have done the stoning and shaved [your heads] then everything is permissible for you except women and perfume.’ Sālim said that ‘Ā’isha said, ‘Everything except women. I perfumed the Messenger of God as he came out of the state of ritual consecration (*taḥlīl*)’.

Al-Zarkashī strengthens this report by narrating a similar tradition from different chains. See also Ḥadīth 6 from the section on ‘Ā’isha’s refutations of ‘Abdullah b. ‘Umar below.

#### ‘Ā’isha’s Responses to ‘Abdullah b. ‘Abbās

#### ‘Ā’isha’s Corrective Due to Her Superior Knowledge of the *Sunnah*

Ḥadīths 1 and 7 are examples of ‘Ā’isha’s authoritative knowledge of the *Sunnah*. While in Ḥadīth 1 she is directly responding to a statement made by Ibn ‘Abbās, in Ḥadīth 7 it is Ibn ‘Abbās himself who is suggesting seeking her counsel on the issue of the Witr prayer, for her better understanding on matters pertaining to the religion.

#### Ḥadīth One

Al-Zarkashī states:

Al-Bukhārī and Muslim record on the authority of ‘Amra bint ‘Abd al-Rahmān that Zayād b. Abū Sufyān wrote the following to ‘Ā’isha:

أَنَّ زِيَادَ بْنَ أَبِي سُفْيَانَ كَتَبَ إِلَيَّ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - إِنَّ عَبْدَ اللَّهِ بْنَ عَبَّاسٍ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ مَنْ أَهْدَى هَدْيًا حَرَمَ عَلَيْهِ مَا يَحْرُمُ عَلَى الْحَاجِّ حَتَّى يُنْحَرَ هَدْيَهُ. قَالَتْ عَمْرَةٌ فَقَالَتْ عَائِشَةُ - رَضِيَ اللَّهُ عَنْهَا - لَيْسَ كَمَا قَالَ ابْنُ عَبَّاسٍ، أَنَا فَتَلْتُ قَلَائِدَ هَدْيِ رَسُولِ اللَّهِ

صلى الله عليه وسلم بيدي، ثُمَّ قَلَدَهَا رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ بِيَدَيْهِ، ثُمَّ بَعَثَ بِهَا مَعَ أَبِي فَلَمْ يَحْرَمْ عَلَى رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ شَيْءٍ أَحَلَّهُ اللَّهُ حَتَّى نُحْرِمَ الْهَدْيُ

‘Abdullah b. ‘Abbās has said whoever has acquired their sacrificial animal, all that is impermissible for the one in a state of pilgrimage (*al-Hāj*), is impermissible for this individual too, until the sacrificial animal has been slaughtered (i.e on the 10<sup>th</sup> of Dhul-Hijjah). I have sent my sacrificial animal, so please write to me with your instruction.’

‘Amra said that ‘Ā’isha replied, ‘It is not as Ibn ‘Abbās has stated. I twisted the garlands of the Messenger of God’s sacrificial animals, which he then placed around their necks with his own hands, and then sent them with Abū Bakr. But nothing was made impermissible upon the Messenger of God from that which God has made permissible, until the Day of Sacrifice’.

Ibn Ḥajr (n.d, Vol.1, p.978) notes in his explanation of this ḥadīth as recorded by al-Bukhārī, in his *Fatḥh al-Bārī*, that al-Ṭahāwī records a similar tradition in which another Companion has made the same claim as Ibn ‘Abbās, to which she amusingly responds, ‘And does he have a Ka‘bah around which he circumambulates too?’ This style of witty questioning as a response to ridiculous claims made in the name of the Prophet is a familiar reaction from ‘Ā’isha. She responds to claims about touching the deceased as a cause for requiring *ghusl*, to the need to undo braids for *ghusl* to be valid and to the insistence that women not travel without a male guardian, with brassy but important questioning that disclose the untenable nature of the commands being made. While these interventions are amusing and revealing for what they offer by way of correctives, they also represent the importance which ‘Ā’isha afforded critical discernment of facts. Further still, she beckons her community to think and critically question positions that are being asserted, no matter the source and seniority of the claimants.

To my knowledge, there is no disagreement in the *fiqh* tradition with this position of ‘Ā’isha and her intervention in this instance. In terms of al-Zarkashī’s treatment of the case, he further fortifies it by presenting a number of similar ḥadīth through a variety of strong chains of narration.

## Hadīth Seven

Al-Zarkashī states:

Muslim records in his *Ṣaḥīḥ* on the authority of Qatādah, on the authority of Zurārah b. Abū Awfa:

عَنْ زُرَّارَةَ، عَنْ سَعْدِ بْنِ هِشَامٍ: أَنَّهُ طَلَّقَ امْرَأَتَهُ فَاتَى الْمَدِينَةَ لِيَبِيعَ بِهَا عَقَارًا لَهُ بِهَا فَيَجْعَلُهُ فِي السَّلَاحِ وَالْكَرَاعِ، فَذَكَرَ الْحَدِيثَ وَأَنَّهُ لَقِيَ ابْنَ عَبَّاسٍ فَسَأَلَهُ عَنِ الْوِتْرِ، فَقَالَ: أَلَا أُنبِّئُكَ بِأَعْلَمِ أَهْلِ الْأَرْضِ بِوِتْرِ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ؟ قَالَ: نَعَمْ قَالَ: عَائِشَةُ. فَأْتَاهَا فَاسْأَلَهَا ثُمَّ ارْجِعْ إِلَيَّ فَأَخْبِرْنِي بِرَدِّهَا عَلَيْكَ، قَالَ: فَأَنْتِ عَلَى حَكِيمِ بْنِ أَفْلَحٍ فَاسْتَلْحَقْتَهُ إِلَيْهَا فَقَالَ مَا أَنَا بِقَارِبِهَا إِنِّي نَهَيْتُهَا أَنْ تَقُولَ فِي هَاتَيْنِ الشَّيْعَتَيْنِ شَيْئًا فَأَبَتْ فِيهِمَا إِلَّا مُضِيًّا فِيهِ، فَأَقْسَمْتُ عَلَيْهِ، فَجَاءَ مَعِيَ، فَدَخَلْنَا عَلَيْهَا، فَقَالَ: يَا أُمَّ الْمُؤْمِنِينَ أَنْبِئِينِي عَنِ وِتْرِ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ. فَقَالَتْ كُنَّا نَعُدُّ لَهُ سِوَاكَهُ وَطَهْرَهُ فَيَبِيعُهُ اللَّهُ مَا شَاءَ أَنْ يَبِيعَهُ مِنَ اللَّيْلِ فَيَتَسَوَّكُ وَيَتَوَضَّأُ، ثُمَّ يُصَلِّي ثَمَانِي رَكَعَاتٍ لَا يَجْلِسُ فِيهِنَّ إِلَّا عِنْدَ الثَّامِنَةِ، فَيَجْلِسُ وَيَذْكُرُ اللَّهُ وَيَدْعُوهُ ثُمَّ يَنْهَضُ وَلَا يَسْلَمُ ثُمَّ يُصَلِّي التَّاسِعَةَ فَيَقْعُدُ، فَيُحَمِّدُ اللَّهَ، وَيَدْعُوهُ ثُمَّ يَسْلَمُ تَسْلِيمًا يُسْمِعُنَا، ثُمَّ يُصَلِّي رَكَعَتَيْنِ، وَهُوَ قَاعِدٌ فَتَلِّكَ إِحْدَى عَشْرَةَ رَكَعَةً يَا بَنِيَّ فَلَمَّا أَسَنَّ نَبِيُّ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ وَأَخَذَ اللَّحْمَ أَوْتَرَ بِسَبْعٍ وَصَلَّى رَكَعَتَيْنِ وَهُوَ جَالِسٌ بَعْدَمَا سَلَّمَ، فَتَلِّكَ تَسْعُ يَا بَنِيَّ

On Sa'd b. Hishām's own authority, that he divorced his wife and came to Medina to sell his property there in order to purchase weapons and horses instead. He remembered a ḥadīth while he was in the presence of Ibn 'Abbās, so asked him regarding the Witr prayer. Ibn 'Abbās responded, 'Shall I tell you who is the most knowledgeable regarding the Witr prayer of the Messenger of Allah?' Ibn Hishām said yes, and Ibn 'Abbās responded, 'Ā'isha. Go to her, and ask of her, then come back and inform me of her response to you.' Ibn Hishām said I then approached Hākim b. Aflah and asked him to take me to her, but Hākim responded, 'No, I will not approach her. I dissuaded her from speaking on the conflict between the two sides [of 'Alī and those who opposed him] but she rejected my advice and went ahead

into the conflict.’ I compelled him though by taking an oath, so he went with me and we entered upon her. Ibn Hishām asked, ‘Mother of the Believers, inform me of the Witr prayer of the Messenger of Allah.’ She replied, ‘I used to prepare for him his tooth stick (*miswāk*) and ablution water, and God would arouse him from sleep at whatever time of night He willed, and he would use the tooth stick and water for ablution. Then he would pray nine units of prayer without sitting, except for in the eighth unit. He would then make remembrance of God and supplicate to Him. After that, he would rise without uttering the salutation, and pray the ninth unit before sitting again and praising and supplicating to God. He would then say the salutation audibly and proceed to stand to pray two more units, so that there were eleven in total, my son. But as he got older and put on weight, he would perform seven units for the Witr prayer, followed by the two units and he would remain seated after saying the salutation, so it was a total of nine, my son.’

On the issue of how many units of prayer the Prophet performed for the Witr prayer, al-Zarkashī acknowledges that a number of traditions exist, reported on the authority of ‘Ā’isha and recorded as authentic giving different numbers of units prayed by the Prophet. In a tradition recorded by Muslim, ‘Ā’isha is reported to have said, ‘The Messenger of God prayed thirteen units of night prayer and then prayed five units for Witr.’<sup>59</sup> Al-Zarkashī justifies this apparent discrepancy by asserting that each report is correct and a reflection of the varying factors that will have influenced how many units the Prophet may have prayed: time restraints, illness, age, etc. With the Witr not being an obligatory prayer, the number of units prayed are naturally flexible.

### ‘Ā’isha’s Corrective with Reference to the Quran to Support her Stance

Ḥadīths six and eight both demonstrate ‘Ā’isha’s intimate knowledge of the Quran in different ways. The former is an illustration of her recourse to the Quran when spurious claims are made about the Prophet, in this case whether he saw God directly or not. In the discussion on this ḥadīth an indirect impugment of Ibn ‘Abbās, and anyone else espousing his stance on the

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<sup>59</sup> Muslim, Chapter: Prayer of Travellers, Section; Night prayers and the number of units offered by the Prophet at night, and that the *Witr* is one unit, and a one-unit prayer is correct, ḥadīth No. 1720.

matter, occurs when ‘Ā’isha denounced anyone taking up this wayward stance as having lied. While the latter ḥadīth is an example of her knowledge of Muslim history and context, as well as her knowledge of the Arabic language and how best it be engaged to relay the Message of God with integrity.

## Ḥadīth Six

Al-Zarkashī states:

Al-Tirmidhī records in his exegesis of the Quran, from Salām b. Ja‘far on the authority of ‘Ikrimah that,

قال عكرمة، قال ابن عباس: رأى محمد ربه، فقلت: أليس الله يقول: (( لا تُدْرِكُهُ الْأَبْصَارُ )) فقال: ويحك، ذاك إذا تجلّى بنوره الذي هو نوره، وقد رأى محمد ربه مرتين

Ibn ‘Abbās said, ‘Muḥammad saw his Lord.’ So, I [‘Ikrimah] said, ‘Did God not state, ‘No vision can grasp Him, but His grasp is over all vision: He is above all comprehension yet is acquainted with all things?’<sup>60</sup> Ibn ‘Abbās responded, ‘Shame on you! That is when He manifests as the essence of His Divine light. Indeed, Muḥammad did see his Lord twice.’

There is no direct response from ‘Ā’isha to Ibn ‘Abbās’s statement but al-Zarkashī illustrates firstly how the statement of Ibn ‘Abbās has been strengthened by various chains, but that equally strong chains with a contradictory stance on whether or not the Prophet saw God are also available on the authority of ‘Ā’isha, who is unequivocal about the fact that the Prophet did not in fact see God at all in his lifetime. In fact, she is quite stern in her warning to those who hold a view contrary to her own on the issue. Al-Zarkashī records the ḥadīth of Masrūq, recorded by both al-Bukhārī and Muslim, whereby he asks ‘Ā’isha if the Prophet had indeed seen God. She responded ‘You have made my hairs stand on end by what you have uttered. Who has said to you that Muḥammad saw his Lord, for he has certainly lied.’ She went on to recite from the Quran, ‘No vision can grasp Him, but His grasp is over all vision: He is above

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<sup>60</sup> Quran, al-An‘ām, 6:103.

all comprehension, yet is acquainted with all things’ then stating, ‘Rather he saw Gabriel in his natural form twice.’ In another tradition, she is reported to have said about those who claim the Prophet saw God that, ‘...they have uttered a great falsity against God’. She was then respectfully challenged on her stance, as to what then the Quran was referring to when it says, ‘and he [Muḥammad] has seen him on a clear horizon’ and ‘...he [Muḥammad] certainly saw him on another descent’. She explained, ‘I am the first of this community of Muslims (*Ummah*) to question the Messenger of God about this and he said, ‘It was in fact Gabriel, whom I did not see in his natural form on any occasion other than these two’...’ The ḥadīth continues with her reciting the verse she mentions in the previous ḥadīth.

‘Ā’isha’s position on this point is supported by that of other Companions too, to the extent that Ibn al-Qayyim (2009, p.316) claimed that there was consensus amongst the Companions that the Prophet had not in fact seen God, and that when Ibn Abbās said that he had, he meant with his heart, not his eyes.

### Ḥadīth Eight

Al-Zarkashī states:

She refuted Ibn ‘Abbās’s recitation of the verse one hundred and ten of Sūrah Yusuf which he recited as:

وَوَظَنُوا أَنَّهُمْ قَدْ كَذَّبُوا

Al-Bukhārī in his chapter on Quranic Exegesis records on the authority of Ibn Abū Mulaykah that Ibn ‘Abbās had recited the verse:

حَتَّىٰ إِذَا اسْتَيْسَسَ الرُّسُلُ وَظَنُوا أَنَّهُمْ قَدْ كَذَّبُوا جَاءَهُمْ نَصْرُنَا فَنُجِّيَ مَنْ نَشَاءُ وَلَا يُرَدُّ بَأْسُنَا عَنِ الْقَوْمِ الْمُجْرِمِينَ

‘...until, when the messengers despaired and were certain that they had been denied, *kudhibū* [lit. lied to], there came to them Our victory, and whoever We willed was saved. And Our punishment cannot be repelled from the people who are criminals’<sup>61</sup>

<sup>61</sup> Quran, Yūsuf, 12:110.

Then he [Ibn ‘Abbās] went on to recite the verse:

حَتَّىٰ إِذَا اسْتَيْسَرَ الرَّسُلُ وُظِنُوا أَنَّهُمْ قَدْ كَذَّبُوا جَاءَهُمْ نَصْرُنَا فَنُجِّيَ مَنْ نَشَاءُ وَلَا يُرَدُّ  
بِأَسْنَانِ عَنِ الْقَوْمِ الْمُجْرِمِينَ

‘They were touched by poverty and hardship and were shaken until [even their] messenger and those who believed with him said, ‘When will the help of Allah come?’’<sup>62</sup>

Abū Mulaykah says, ‘I met ‘Urwah b. al-Zubayr and mentioned this to him. He said, ‘Ā’isha said, ‘Allah forbid! By Allah, never did Allah make a promise to His Prophet, except that the Prophet would be sure of it occurring before he died. But trials always descended on the Prophets until they feared that those around them would start to accuse them of lying’ so she would recite it *كُذِّبُوا kudhibū*.

The variation in the pronunciation of the word *كُذِّبُوا* with or without the emphatic *dh* sound necessarily affects the meaning of the word.<sup>63</sup> In Ibn ‘Abbās’s reading it would imply that the Prophets began to doubt the promise of God and wondered if perhaps they had been denied, though literally the term means ‘lied to’. ‘Ā’isha’s reading, however, implies that the fear was that the Prophets would be accused of lying by their followers for the delay of the promises made to them. Whilst the discrepancy in pronunciation of the word was acknowledged in the earlier generations, with the reciters of the Hijāz, Basra, and Shām all reciting it in accordance with ‘Ā’isha’s recitation, while those from Kufa adopted Ibn ‘Abbās’ reading. Interestingly, Muhammad Asad, Yusuf Ali, Maramduke Picktall, Talal Itani and Abdel Haleem all relay the verse in Arabic as recited by Ibn ‘Abbās but offer translations in line with ‘Ā’isha’s recitation. Yusuf Ali (2006, p.668) is the only one who offers an explanation, stating that there is an alternative reading of the verse held on strong authority and his translation is based on it.

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<sup>62</sup> Quran, al-Baqarah, 2:214.

<sup>63</sup> For more on textual variants in early manuscripts of the Quran, see, Small, K.E, 2012. *Textual Criticism and Qur’an Manuscripts*. Maryland: Lexington Books.

## ‘Ā’isha’s Responses to ‘Abdullah b. ‘Umar

### Impugnment due to Bad Memory (*Sū’ al-Ḥifdh*)

Ḥadīth 1, 3, 7, 8 and 9 condemn the statements of Ibn ‘Umar on the basis of poor memory or mistakenness on his part, though ‘Ā’isha is also clear that he is not a liar by any means but that on these occasions he has erred.

#### Ḥadīth One

Al-Zarkashī writes:

Al-Bukhārī and Muslim both report on the authority of ‘Amrah bint ‘Abdul Rahmān that she heard the following from ‘Ā’isha:

عَنْ عَمْرَةَ بِنْتِ عَبْدِ الرَّحْمَنِ، أَنَّهَا سَمِعَتْ عَائِشَةَ، وَذَكَرَ، لَهَا أَنَّ عَبْدَ اللَّهِ بْنَ عُمَرَ، يَقُولُ إِنَّ  
الْمَيِّتَ لَيُعَذَّبُ بِبُكَاءِ الْحَيِّ. فَقَالَتْ عَائِشَةُ يَغْفِرُ اللَّهُ لِأَبِي عَبْدِ الرَّحْمَنِ أَمَا إِنَّهُ لَمْ يَكْذِبْ وَلَكِنَّهُ  
نَسِيَ أَوْ أخطأَ إِنَّمَا مَرَّ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عَلَى يَهُودِيَّةٍ يُبْكِي عَلَيْهَا فَقَالَ إِنَّهُمْ  
لَيَبْكُونَ عَلَيْهَا وَإِنَّهَا لَتُعَذَّبُ فِي قَبْرِهَا

It was mentioned to ‘Ā’isha that ‘Abdullah b. ‘Umar had stated that the deceased is punished for the crying of the living. ‘Ā’isha responded, ‘May God forgive Abū ‘Abdul Rahmān, assuredly he has not lied, but he has forgotten or been mistaken. In fact, the Messenger of God passed by some Jews who were crying over a deceased Jewish woman, when he said, ‘They are crying over her, all the while she is being punished in her grave’.

The cause of punishment for the deceased in this instance was not the mourning of those who had been succeeded, but the misdeeds of the deceased herself. This ḥadīth is in keeping with ‘Ā’isha’s refutation of ‘Umar b. al Khaṭṭāb in the first ḥadīth of his section, and the fourth ḥadīth given in her refutations of Abū Hurayra, wherein she explains on both occasions how such a statement is incorrect due to the lack of context they provide, and also on the basis of the Quranic principle that ‘no soul shall bear the burdens of another soul’.

On this particular ḥadīth, al-Zarkashī states that it appears that the identity of the deceased was not known to Ibn ‘Umar, hence he made a generalisation based on the statement, thereby extending a specific instance to all such situations generally. Similar to this is the instance when the Prophet witnessed a trader cheating customers by lessening the items they received without their knowledge, to which he said, ‘The trader is corrupt’, meaning, specifically, the trader he had just observed, not all who are engaged in the occupation of trade. However, there were some Companions who narrated this as a general statement, unaware of the specificity in which the statement was made. Al- Zarkashī notes that Fakhr al-Dīn al-Rāzī (d.1795/1210) considers this a cause for impugment by way of mistakenness in narration (*ghalaṭ fi-l-riwāya*).

### Ḥadīth Three

Al-Zarkashī states:

Al-Bukhārī records on the authority of Mansūr, on the authority of Mujāhid who said,

عَنْ مَنْصُورٍ، عَنْ مُجَاهِدٍ، قَالَ دَخَلْتُ أَنَا وَعُرْوَةُ بْنُ الزُّبَيْرِ الْمَسْجِدَ، فَإِذَا عَبْدُ اللَّهِ بْنُ عُمَرَ جَالِسٌ إِلَى حُجْرَةِ عَائِشَةَ، وَالنَّاسُ يُصَلُّونَ الضُّحَى فِي الْمَسْجِدِ، فَقَالَ بِدْعَهُ، فَقَالَ عُرْوَةُ: يَا أَبَا عَبْدِ الرَّحْمَنِ كَيْفَ اعْتَمَرَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ أَرْبَعٌ عُمَرُ، إِحْدَاهُنَّ فِي رَجَبٍ، فَكَرِهْنَا أَنْ نَكْذِبَهُ وَنَرُدَّ عَلَيْهِ، وَسَمِعْنَا اسْتِئْثَانَ، عَائِشَةَ فِي الْحُجْرَةِ، فَقَالَ عُرْوَةُ: أَلَا تَسْمَعِينَ يَا أُمَّ الْمُؤْمِنِينَ إِلَى مَا يَقُولُ أَبُو عَبْدِ الرَّحْمَنِ؟ قَالَتْ: وَمَا يَقُولُ؟ قَالَ: يَقُولُ إِنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ اعْتَمَرَ أَرْبَعَ عُمَرَاتٍ إِحْدَاهُنَّ فِي رَجَبٍ. قَالَتْ يَرْحَمُ اللَّهُ أَبَا عَبْدِ الرَّحْمَنِ، مَا اعْتَمَرَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ إِلَّا وَهُوَ مَعَهُ وَمَا اعْتَمَرَ فِي رَجَبٍ قَطُّ

‘Urwah b. al-Zubayr and I entered the masjid and found ‘Abdullah b. ‘Umar sitting at the chamber of ‘Ā’isha. There were people praying the *Duḥa*<sup>64</sup>

<sup>64</sup> The *Duḥa* prayer (*Ṣalāh al-Duḥa*) is a supererogatory prayer (*nafl*) outside of the five daily prayers, that is performed between *Fajr* and *Dhuhr*, the first two prayers of the day. It is also known as *Ṣalāh al-Awābīn*, the prayer of the oft-returning, because commitment to the prayer is a sign of one’s continual returning to God. In a tradition recorded by Muslim, the Prophet is reported to have said, ‘In the morning a charity (*ṣadaqa*) is required from every single joint of yours. Every utterance of *Subḥān Allah* is a charity, every utterance of *Alḥamdulillāh* is a charity, every utterance of *Lā Ilāha Illa Allah* is a charity,

prayer in the masjid too, so we asked him regarding this prayer of theirs. He simply replied, ‘Innovation!’ ‘Urwah then asked him, ‘Abū ‘Abdul Rahmān, how many times did the Messenger of God perform ‘Umrah?’ He replied, ‘Four times, one of which was in Rajab.’ We felt uncomfortable to deny what he said and to challenge it, but then we heard the sound of ‘Ā’isha cleaning her teeth in her room, so ‘Urwah called out, ‘Did you hear, oh Mother of the Believers, what Abū ‘Abdul Rahmān declared?’ ‘And what was it that he said?’ she responded. They explained, ‘He said that the Messenger of God performed ‘Umrah four times, one of which was done in the month of Rajab.’ She replied, ‘May God have mercy on Abū ‘Abd al- Rahmān, the Messenger of God did not perform ‘Umrah except that he was with him, but the Prophet never performed ‘Umrah in the month of Rajab, ever.’

Al-Zarkashī strengthens ‘Ā’isha’s position using other chains and by narrating another ḥadīth whereby Abū Dāwūd, al-Nisā’ī and Ibn Mājah record on the authority of Mujāhid who said, ‘Ibn ‘Umar was asked how many times the Messenger of God performed ‘Umrah and he responded ‘twice’. ‘Ā’isha then said, ‘Ibn ‘Umar knows well that the Messenger of God performed ‘Umrah three times, with the additional fourth ‘Umrah that was done during the Final Ḥajj.’ Once again calling into question the sharpness of Ibn ‘Umar’s memory in recalling ḥadīth.

## Ḥadīth Seven

Al-Zarkashī states:

Al-Ṭabarānī records in his *Mu’jam al-Waṣṭ*, on the authority of Mūsa b. Ṭalḥa,

بلغ عائشة أن ابن عمر يقول: إن موت الفجأة سخطة على المؤمنين، فقالت: يَغْفِرُ اللهُ لابن عمر، إنما قال رسول الله: موت الفجأة تخفيف على المؤمنين وسخطة على الكافرين

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every utterance of *Allahu Akbar* is a charity, every commanding good is a charity, and every forbidding evil is a charity, and all of this can also be achieved through praying two rak’ahs of *ṣalāh al-Duḥa’* (*Riyāḍ al-Ṣālihīn*, Chapter: Remembrance of God, ḥadīth No.1432).

It came to ‘Ā’isha’s attention that Ibn ‘Umar had said, ‘A sudden death is a loss to the believer’. She retorted, ‘May God forgive Ibn ‘Umar. In fact, the Messenger of God said, ‘A sudden death is a relief for the believer and a loss for the disbeliever’.’

Similar to what occurs in Ḥadīth One of this section, Ibn ‘Umar has heard only a part of a Prophetic statement, and without its context has given it a universal application, one which ‘Ā’isha is quick to delimit by providing the circumstances in which the Prophet made his statement.<sup>65</sup>

### Ḥadīth Eight

Al-Zarkashī states:

Al-Bukhārī records from Ibn ‘Umar that,

عَنْ سَالِمِ بْنِ عَبْدِ اللَّهِ، عَنْ أَبِيهِ، أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ: إِنَّ بِلَالَ يُوَدِّنُ بِلَيْلٍ، فَكُلُوا وَاشْرَبُوا حَتَّى يُؤَدِّنُ ابْنُ أُمِّ مَكْتُومٍ

The Messenger of God said, ‘Bilāl makes the call to prayer (*adhān*) while it is still night, so eat and drink until Ibn Umm Maktūm makes the call’.

Al-Bayhaqī records in his *Sunan*, on the authority of Hāshim, on the authority of his father that ‘Ā’isha said that the Messenger of God said, ‘Ibn Umm Maktūm is a blind man, so when he makes the call to prayer continue to eat and drink until Bilāl gives the call to prayer.’ She said, ‘Bilāl was a man who could see the sunrise. Ibn ‘Umar is incorrect (*ghalaṭa*).’

Al-Zarkashī strengthens the stance of ‘Ā’isha through a number of other chains transmitting the same tradition. This is the second ḥadīth in which Ibn ‘Umar’s statement has been discounted for his having erred (*ghalaṭa*). Additionally, this ḥadīth could also be seen as the simple application of logic on ‘Ā’isha’s part as there are other ḥadīth in which it is stated that

<sup>65</sup> See Chapter Five for more examples of such correctives.

sometimes Bilāl would make the call to prayer first, while other times Ibn Umm Maktūm would, and it was not clear whose call should be responded to. The call to prayer at dawn is pronounced on the first signs of sunrise, thus entirely dependent on the vision of the *mu'adhin*. In this case Bilāl had perfect vision, whereas Ibn Umm Maktūm was a blind man. 'Ā'isha's pointing out of these bare facts suggests a reasoned argument to follow the *adhān* of Bilāl.

### Ḥadīth Nine

Al-Zarkashī states:

Abū Manṣūr al-Baghdadi reports:

أُخْبِرَتْ عَائِشَةُ بِقَوْلِ ابْنِ عَمْرِو: إِنَّ الشَّهْرَ تِسْعَ وَعِشْرُونَ، فَأَنْكَرَتْ ذَلِكَ عَلَيْهِ، وَقَالَتْ: يَغْفِرُ اللَّهُ  
لَأَبِي عَبْدِ الرَّحْمَنِ، مَا هَكَذَا قَالَ رَسُولُ اللَّهِ وَلَكِنْ قَالَ: إِنَّ الشَّهْرَ قَدْ يَكُونُ تِسْعًا وَعِشْرِينَ

'Ā'isha was informed about Ibn 'Umar's statement, 'A month is twenty-nine days,' and she refuted this, saying, 'May God forgive Abū 'Abdul al-Rahmān, the Messenger of God did not say that, rather he stated, 'a month may be twenty-nine days'.'

It appears that a number of Companions in their commitment not to miss a day of fasting in Ramadan took to fasting thirty days to err on the side of caution. In response to this the Prophet informed them that the lunar calendar month may be twenty-nine days and if it is confirmed as such then twenty-nine days of fasting are sufficient and the extra day of fasting was an unnecessary precaution (Ibn Ḥajr, n.d, Vol.1, p.1058).

As with the above Ḥadīth Eight, this corrective of 'Ā'isha's is a combination of both a statement of fact as witnessed by her from the Prophet, and an application of logical reasoning on the basis of what is known of the moon's orbit and the number of days that can take.

## ‘Ā’isha’s Corrective with Reference to the *Sunnah* to Support her Stance

Both Ḥadīths 2 and 6 are correctives by way of ‘Ā’isha’s superior knowledge of the *Sunnah* due to her position in the life of the Prophet.

### Ḥadīth Two

Al-Zarkashī states:

Al-Bukhārī and Muslim record on the authority of Ibrāhīm b. Muḥammad b. al Muntashir, on the authority of his father who said:

عَنْ إِبْرَاهِيمَ بْنِ مُحَمَّدِ بْنِ الْمُنتَشِرِ، عَنْ أَبِيهِ، قَالَ سَمِعْتُ ابْنَ عُمَرَ يَقُولُ: لَأَنْ يُصَبَّحَ مَطْلِيًا  
بِقَطْرَانِ أَحَبُّ إِلَيَّ مِنْ أَنْ أُصَبَّحَ مُحْرِمًا أَنْضَخَ طِيْبًا، قَالَ فَدَخَلْتُ عَلَى عَائِشَةَ، فَأَخْبَرْتُهَا  
بِقَوْلِهِ، فَقَالَتْ: طَيَّبْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ثُمَّ طَافَ فِي نِسَائِهِ ثُمَّ أُصَبَّحَ مُحْرِمًا

I heard Ibn ‘Umar saying, ‘That I should be daubed with a trickle of water is preferable to me than to be a *Muḥrim*<sup>66</sup> doused in perfume.’ Then I entered upon ‘Ā’isha and informed her of what Ibn ‘Umar had said. She responded, ‘I perfumed the Messenger of God, and he would visit his wives, and he would then enter into *iḥrām*<sup>67</sup>’.

‘Ā’isha saw no reason for a *muḥrim* not to apply perfume on themselves and their clothes before entering into the state of *iḥrām* and continuing to benefit from the effects of the perfume

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<sup>66</sup> A *muḥrim* is one who is in a state of *iḥrām*, a holy state indicating one’s intention and engagement in performing the Ḥajj or ‘Umrah pilgrimage.

<sup>67</sup> *Iḥrām* is the technical term denoting an individual’s temporary consecration whilst performing pilgrimage. This is achieved by any Muslim by making the intention to perform either Ḥajj or ‘Umrah. There are six designated points (*mīqāts*) from which the pilgrim is expected to make their intention and for men to don their garments constituting two plain white pieces of seamless cloth. Having done this, remaining in a state of *iḥrām* requires the pilgrim to refrain from certain worldly activities; clipping the nails, sexual intercourse, shaving/trimming hair, applying perfume, argumentation and hunting. The opposite of *iḥrām* is *iḥlāl*, the act of declaring oneself out of the state of *iḥrām*, and now permitted to engage in those things that were temporarily not sanctioned. This is usually done by the symbolic act of men shaving their heads and women trimming their hair, if they so wish to, though simply intending to exit the state of *iḥrām* is sufficient.

on their skin and clothes even once they have entered into that state. She is reported by Ibn Abī Shaybah in his *Muṣannaḥ* as preferring to daub her head and clothes in perfume before entering into *iḥrām*, while al-Ṭahāwī mentions in his *Sharḥ Ma‘ānī al-Āthār*, that ‘Ā’isha liked to cover her hair in musk and ‘*anbar* before entering *iḥrām*.

Though it is an accepted condition whilst in *iḥrām* that one not apply any perfume or use perfumed products, ‘Ā’isha saw no reason to disallow the application of perfume before formally entering into a state of pilgrimage and becoming beholden to its particular conditions.

This ḥadīth can be compared with Ḥadīth 4 in her corrective of ‘Umar b. al-Khaṭṭāb, where the same issue of perfuming the pilgrim was addressed in the same manner. In both instances ‘Ā’isha is safeguarding against an excessive attitude towards the religious rites and rituals; which if one becomes too prescriptive regarding it, can become a distraction from the spiritual activity at hand.

## Ḥadīth Six

Al-Zarkashī states:

Al-Dārquṭnī records in his *Sunan* on the authority of ‘Alī b. ‘Abdul al-‘Azīz, on the authority of ‘Āṣim b. ‘Alī, on the authority of Abū Owais, Hāshim b. ‘Urwah reported on the authority of his father:

عن عائشة: أنه بلغها قول ابن عمر: في القبلة الوضوء، فقالت: كان رسول الله يُقبَّلُ وهو صائمٌ ثم لا يتوضأُ

On the authority of ‘Ā’isha, a statement of Ibn ‘Umar reached her, whereby he had said, ‘A kiss requires the replenishing of *wuḍū’*.<sup>68</sup> ‘Ā’isha responded,

<sup>68</sup> *Wuḍū’* is the minor/partial act of purification, whilst *ghusl* (see, footnote 79) is the major/full act of purification. Purification plays a vital role in Muslim praxis and is the topic of much discussion in juristic (*fiqhi*) treatises. It was established as a requirement before the offering of prayer, by the verse of the Quran, ‘O you who believe! When you intend to offer *Al-Ṣalāh* (the prayer), wash your faces and your hands (forearms) up to the elbows, rub (by passing wet hands over) your heads, and (wash) your feet up to ankles...’ (al-Mā’ida, 5:6). It requires, therefore, the washing of the hands, mouth, nostrils, arms, and feet, with a wiping over the head, though there is some variation on this. For more, see, Chaumont, *EI2*.

‘The Messenger of Allah would kiss while he was fasting and would not renew his *wuḍū’*.’

Elsewhere it is also reported on the authority of ‘Ā’isha that the Prophet ‘kissed one of his wives then went out to pray, and he did not do *wuḍū’*.’<sup>69</sup>

Ibn ‘Umar’s position is not one without support as indeed the formal position of the Shafi‘ī school of thought is one that upholds that touching the opposite sex, whether with lustful intentions or not, necessitates the replenishing of *wuḍū’*. This is concluded on the basis of a literal reading of the verse, ‘If you have touched women (*lāmastum al-nisā’*) and you don’t find water, then go to high clean soil and rub your faces and your hands (therewith). Indeed, Allah is Benign, Forgiving.’<sup>70</sup> Al-Shafi‘ī interpreted the word *lāmasta* literally as ‘to touch’, whereas other scholars such as Abū Ḥanīfa interpreted it as ‘sexual intercourse’. The latter interpretation is in keeping with other instances in the Quran where *lāmasta* is used. For example, in chapter Āl ‘Imrān, verse 47, on the news that Mary is to give birth to Jesus, it states, ‘She said, ‘My Lord, how shall I have a son when no man has touched (*lāmasta*) me?’ Additionally, elsewhere, God says, ‘But do not touch your wives while you are in retreat in the mosques, those are limits set by Allah.’<sup>71</sup> In both of these verses the word *lāmasta* is widely interpreted as sexual intercourse. This is corroborated by other companions like Ibn ‘Abbās who said that whenever *lāmasta* is mentioned in the Quran in reference to touch between men and women, then it is referring to sexual intercourse.

The fact that ‘Ā’isha has also mentioned in another ḥadīth that the Prophet would pray in her room while she was lying in front of him, and he would push her feet out while prostrating and then pull them back in when sitting, evidence the fact that merely touching a woman does not invalidate the *wuḍū’*.<sup>72</sup>

### ‘Ā’isha’s Response to ‘Abdullah b. ‘Amr b. al-‘Āṣ Impugnment due to Carelessness

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<sup>69</sup> Al-Tirmidhī, Chapter: Purification, Section; On not needing to replenish *wuḍū’* after kissing, ḥadīth No. 86.

<sup>70</sup> Quran, al-Nisā’, 4:43.

<sup>71</sup> Quran, al-Baqarah, 2:187.

<sup>72</sup> This ḥadīth is mentioned also in Chapter Five, on ‘Ā’isha’s correction of Abū Hurayra.

There is only one ḥadīth in this section and ‘Ā’isha can be seen to correct Ibn al-‘Āṣ both on the basis of the practice of the Prophet and on the illogical nature of his demand and the difficulty it would pose for female believers in particular.

### Ḥadīth One

Al-Zarkashī writes:

Muslim records in his *Ṣaḥīḥ*, on the authority of ‘Ubayd b. ‘Umayr:

عَنْ عُبَيْدِ بْنِ عُمَيْرٍ، قَالَ: بَلَغَ عَائِشَةَ أَنَّ ابْنَ عَمْرٍو يَأْمُرُ النِّسَاءَ إِذَا اغْتَسَلْنَ أَنْ يَنْقُضْنَ رُؤُوسَهُنَّ فَقَالَتْ يَا عَجَبًا لِابْنِ عَمْرٍو هَذَا يَأْمُرُ النِّسَاءَ إِذَا اغْتَسَلْنَ أَنْ يَنْقُضْنَ رُؤُوسَهُنَّ أَفَلَا يَأْمُرُهُنَّ أَنْ يَحْلِقْنَ رُؤُوسَهُنَّ لَقَدْ كُنْتُ أَغْتَسِلُ أَنَا وَرَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ مِنْ إِنَاءٍ وَاحِدٍ وَلَا أَزِيدُ عَلَى أَنْ أُفْرِغَ عَلَى رَأْسِي ثَلَاثَ إِفْرَاطٍ

It came to ‘Ā’isha’s attention that Ibn ‘Amr had instructed the womenfolk to undo their braids when they perform their *ghusl*<sup>73</sup>. She remarked, ‘How strange Ibn ‘Amr’s instruction! He orders the women to undo their braids when doing their *ghusl*! Why doesn’t he just order them to shave their heads! The Messenger of God and I used to bathe from the one same vessel, and I would not exceed pouring it over my head three times.’

This same ḥadīth is also narrated in Muslim, but the claim is made by Ibn ‘Umar.<sup>74</sup> The response from ‘Ā’isha is also the same. Al-Nisā’ī narrates this same ḥadīth also but with the

<sup>73</sup> *Ghusl* is the major/full act of purification which requires the whole body, including the hair to be washed. It was mandated by the revelation of the verse, ‘O you who have believed, do not approach prayer while you are in a state of drowsiness until you know what you are saying or in a state of sexual impurity (*janābah*), except those passing through [a place of prayer], until you have washed [your whole body]. And if you are ill or on a journey or one of you comes from the place of relieving himself or you have contacted women and find no water, then seek clean earth and wipe over your faces and your hands [with it]. Indeed, Allah is ever Pardoning and Forgiving’. (Quran, al-Nisā’, 4:43). *Ghusl* is performed by the living following sexual intercourse, menstruation, postpartum bleeding, or irregular bleeding in women, and is performed on the dead before the funeral prayer. For more see, Bousquet, G.H, *E12*.

<sup>74</sup> Muslim, Chapter: Menstruation, Section; Ruling regarding braids of the one doing *ghusl*, ḥadīth No. 331.

addition of her saying, ‘...And I did not undo my hair’<sup>75</sup>. Al-Zarkashī further corroborates the position of ‘Ā’isha by narrating that Umm Salamah was also in agreement and had in turn narrated a ḥadīth recorded in Muslim whereby she reported questioning the Prophet saying, ‘Oh Messenger of God, I am a woman with many braids, do I need to undo them for the purification bath after menses?’ The Prophet responded, ‘No, it is sufficient that you sprinkle water over your head three times, and that water will do in purifying you.’<sup>76</sup> Some have argued that a woman is not obliged to undo her braids unless it prevents the water from reaching every single strand of hair and the roots. Even if a woman were to undo all her braids, a sprinkling of water three times over the head, as the Prophet instructed Umm Salamah, and as ‘Ā’isha attests to doing in the given statement, it is unlikely that every strand of hair and the root would be covered. Thus, it would appear that the issue is one of difficulty for women and having to wash their hair frequently and granting them some relief in this regard.

### ‘Ā’isha’s Response to Abū Sa’īd al-Khudrī

Al-Zarkashī only records one ḥadīth in this section. It is interesting not least for its corrective of Abū Sa’īd al-Khudrī but also as an illustration of how scholarly interventions in interpreting this report, which can only be described as patriarchal, have lessened the original impact of ‘Ā’isha’s response and thereby distorted the impact of her retort.

### Impugnment due to Opposition from Reliable Authorities (*Mukhālif al-Thiqāt*)

Al-Zarkashī states:

Abū Ḥātim b. Ḥibbān records in his *Ṣaḥīḥ*, on the authority of ‘Amrah bint ‘Abd al-Raḥmān:

أَنَّ عَائِشَةَ أَخْبَرَتْ أَنَّ أَبَا سَعِيدٍ الْخُدْرِيَّ قَالَ: نَهَى رَسُولُ اللَّهِ الْمَرْأَةَ أَنْ تُسَافِرَ إِلَّا وَمَعَهَا ذُو  
مَحْرَمٍ، قَالَتْ عَمْرَةٌ: فَالْتَفَتَتْ عَائِشَةُ إِلَيَّ بِبَعْضِ النِّسَاءِ وَقَالَتْ: مَا لِكُلِّكَ ذُو مَحْرَمٍ

<sup>75</sup> Al-Nisā’ī, Chapter: *Ghusl*, Section; A woman’s leaving her braids in whilst performing *ghusl*, ḥadīth No. 416.

<sup>76</sup> Muslim, Chapter: Menstruation, Section; Ruling on the braids of she who is performing *ghusl*, ḥadīth No. 744.

‘Ā’isha was informed that Abū Sa‘īd al-Khudrī said, ‘The Messenger of God forbids a woman from travelling unless she is accompanied by a *maḥram*.’<sup>77</sup>  
‘Amrah said, ‘Ā’isha then turned to the womenfolk and said, ‘Not all of you has a *maḥram*!’

Ibn Abū Shaybah (2008, Vol.5. p.93) also narrates in his *Muṣannaf*, that it was mentioned to ‘Ā’isha that a woman cannot travel without a *maḥram*, and she responded, ‘Not all women have a *maḥram*.’<sup>78</sup>

A perusal of internet fatwa sites run by a range of schools illustrates how widespread the view is that women should not travel unaccompanied by a male relative. Reasons given vary from the fear of ‘corruption’ of a lone woman travelling, to the weakness and fragility of women making it a requirement for them to need a male chaperone whilst travelling. This of course poses a great obstacle in the mobility of women. An obstacle that ‘Ā’isha has clearly identified and raises by turning to the women in her audience to state the obvious: not all women have a male companion at their disposal. Surely such a response is to highlight the untenable nature of the demand that is being made in Abū Sa‘īd al Khudrī’s assertion. It is not unusual for ‘Ā’isha to pose the problem by posing a question or, as in this case, stating the obvious. Such an approach can be seen in her responses to Abū Hurayra in Ḥadīths 7 and 10 by way of further examples. However, instead of addressing the difficulty she has exposed, scholars, including al-Zarkashī, engage patriarchal interpretations to keep ‘Ā’isha’s reaction in line with the outcome they want to support.

Al-Zarkashī comments on the ḥadīth saying that the position of al-Bayhaqī is sufficient on the matter. Al-Bayhaqī wrote in his *Sunan* that Abū Ḥātim comments, ‘‘Ā’isha was not casting doubt over the truth of what Abū Sa‘īd said, but rather what she intended by saying ‘Not all of you has a *maḥram*’, is that not all of you have a *maḥram* to travel with, so therefore you should

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<sup>77</sup> The term *maḥram* applies to both men and women and refers to someone who is not permitted in marriage, either through blood ties, such as a siblings, or through marriage such as a father-in-law to a daughter-in-law, or through having been breastfed by the same woman, whether there is any blood tie or not. However, in this particular instance, *maḥram* has come to denote a legal guardian or escort whilst a woman is travelling. Who qualifies as a *maḥram* is defined by the aforementioned stipulations and includes her husband.

<sup>78</sup> See also, al-Dakhīl, F. 1989. *Mawsū‘ah Fiqh ‘Ā’isha; Hayātuha wa Fiqhuha*. Beirut: Dār al-Nafā’is. p.542.

have god consciousness (*taqwa*) and not travel alone, until you can do so with the company of a *maḥram*.’

He then continues to attempt to strengthen this stance by giving the opinion of al-Ṭaḥāwī, who argued in his *Ma‘ānī al-Athār*, ‘Those who do not stipulate a *maḥram* for Ḥajj, use this statement of ‘Ā’isha as evidence, but there is no evidence that can overrule the statement of the Prophet, ‘It is not permissible for a woman to travel a distance of more than three days, unless she has a *maḥram* with her.’ While it is possible that the Prophet may have made such a statement, it overlooks previously outlined problems, where a statement of the Prophet based on a particular circumstance then becomes generalised into a universal maxim. It is highly probable that if the Prophet made such a comment it would have been contingent on the context in which these words were uttered, not meant for eternal adherence. In fact the Prophet is recorded by al-Bukhārī to have said to ‘Adiyy b. Ḥātim, ‘If you live long, you will see women travel from Hirah (a city in Iraq) to circumambulate the Ka‘bah fearing none but Allah.’<sup>79</sup> Other such statements of an eschatological hue also make mention of women travelling without supervision in complete safety. This only serves to further strengthen the argument that the Prophet’s prohibition of independent travel for women was contingent on the unsafe circumstances prevailing in his time, which he expected to be resolved within the lifetime of his companions, if not his own, as illustrated by his remark to ‘Adiyy b. Ḥātim, and furthermore by the example of ‘Ā’isha herself.

Moreover, it is noted that the verse of the Quran demanding that all Muslims make the pilgrimage of Ḥajj to Makkah, does not differentiate between men and women. Chapter Āl ‘Imrān verse 97 states ‘And [due] to Allah from the people is a pilgrimage to the House - for whoever is able to find thereto a way’. Al-Ṭabarī (1994, Vol. 2 p.294) in his exegesis of this verse gives the ḥadīth whereby a man asked the Prophet what is meant by ‘whoever is able to find thereto a way’, and the Prophet replied, ‘Money and transport’. He even gives Ibn ‘Abbās a more precise monetary response to the question being, ‘300 dirhams’. Ibn Kathīr (1999, Vol.2, p.81) in his exegesis of this verse provides the statements of the Prophet whereby he adjured Muslims, ‘Prioritise the Ḥajj for none of you knows what may prevent them’, and ‘Whoever has intended to perform Ḥajj, then do so quickly’. In none of the responses of the Prophet to what is meant by this verse, does he add the criteria of a *maḥram* for female Muslims

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<sup>79</sup> Al-Bukhārī, Chapter: Book of Virtues, Section; The Signs of Prophethood in Islam, ḥadīth No. 3595.

who have both means and wealth to fund their Ḥajj. Al-Shafi‘ī (2001. Vol.3, p.269) thereby also writes in his *al-Umm*, ‘If all that is found of conditions from the Prophet is wealth and means and a woman has both, and travels with trustworthy women, travel on safe pathways, then such a woman is amongst those from whom Ḥajj is required, in my opinion and God knows best, even if she does not have a *maḥram* with her as the Prophet did not place conditions other than wealth and means.’

It is established that ‘Ā’isha performed Ḥajj on her own, after the Prophet passed away, during the caliphate of ‘Umar b. al-Khaṭṭāb. In response to this, al-Zarkashī writes, ‘Indeed, it was said to Abū Ḥanīfa that ‘Ā’isha did travel without a *maḥram*, and he responded, ‘The people were the *maḥram* of ‘Ā’isha, so she could travel with any one of them, and there is no woman other than her that is like this’’. It seems the old adage of when in doubt, raise the exceptionalism of the woman rather than the exceptionalism of the Prophetic tradition in question is invoked. If ‘Ā’isha has deemed it safe enough, now that Muslims are no longer being persecuted but are in fact by her time at the helms of power and governance, then surely the precedent she is setting is for all women thereafter. Furthermore, there seems to be no methodology behind when a woman like ‘Ā’isha is made exceptional and when she is the example for all other women, other than the arbitrary whims of a society’s patriarchal standards.

### ‘Ā’isha’s Response to Zayd b. Thābit

This section also features only a single ḥadīth. Similar to the previous ḥadīth correcting Abū Sa‘īd al-Khudrī, this ḥadīth too presents restrictions specific to female believers.

### Impugment due to Opposition from Reliable Authorities, *Mukhālif al-Thiqāt*

Al-Zarkashī writes:

Al-Bazzār states in his *Musnad*, Muḥammad b. al-Muthanna said...on the authority of ‘Ikrimah that,

أن ابن عباس وزيد بن ثابت اختلفا في التي تطوف يوم النحر الطواف الواجب، ثم تحيض، فقال زيد: تُقيم حتى يكون آخر عهدها بالبيت، وقال ابن عباس: تنفر إذا طافت يوم النحر، فقالت الأنصار: يا ابن عباس إنك إذا خالفت زيدا، لم نتابعك، فقال ابن عباس: سلوا عن ذلك صاحبكم أم سليم، فسألوها فأخبرت بما كان من حال صفية بنت حيي، فقالت عائشة: إنها لحابستنا، فذكرت ذلك للنبي فأمرها أن تنفر

Ibn ‘Abbās and Zayd b. Thābit disagreed on the ruling regarding a woman who has performed the requisite circumambulation of the Ka‘bah (*tawāf*) on *Yawm al-Naḥr* (the 3rd day of Ḥajj) and her menses begin. Zayd said, ‘she should stay in her home until her menses are complete’. Ibn ‘Abbās, however said, ‘She should hurry to perform her *tawāf* on *Yawm al-Naḥr*’. The Anṣār present said, ‘Oh Ibn ‘Abbās, if you continue to conflict with Zayd, we will not follow you.’ Ibn ‘Abbās responded, ‘Ok, go and ask your companion on the matter, Umm Salīm’. So, they went and questioned her, and she informed them of what had happened to Safiyyah bint Huyyay. She reported that ‘Ā’isha said, ‘She prevented us’ (i.e. came on her period), so she mentioned this to the Prophet, and he ordered to her to be hasty’.

As is mentioned later in Chapter Five, Mernissi identifies a phobic attitude prevalent amongst pre-Islamic Arabs towards menstruation. ‘Ā’isha and Umm Salamah become ardent defenders of the Muslim community, urging them not to regress into old conventions and attitudes towards menses. Here, once again, the topic of a menstruating woman and the implications when this occurs during a particular point in her Ḥajj is the subject of conversation. Zayd b. Thābit and Ibn ‘Abbās have opposing opinions on the matter, while the people are siding with Zayd’s position, which is also most comfortable according to customary attitudes towards menses and the menstruating woman. While ‘Ā’isha does not directly respond to the dispute, it is her established position that is used to corroborate the stance of Ibn ‘Abbās—namely that the onset of a period need not deprive a woman from completing what could be a once in a lifetime opportunity to complete a valid Ḥajj because of a bodily function that is outside of her control.

However, al-Zarkashī gives additional support to the given ḥadīth, by mentioning a similar tradition narrated by a different chain on the authority of ‘Abdul Razāq, on the authority of

Mu‘ammar, on the authority of Ibn Ṭāwūs on the authority of his father, that Zayd b. Thābit and Ibn ‘Abbās were disputing on this matter, whereby Ibn ‘Abbās advocated that the woman should speedily complete the ṭawāf, while Zayd disagreed. The ḥadīth states, ‘...so Zayd went to ‘Ā’isha and asked her. She said, ‘she should [complete her ṭawāf with] haste’. Zayd left, and smiling he said, ‘There is no statement [on the matter] except hers’. Abū ‘Umar said ‘This is uprightness. Zayd informed Ibn ‘Abbās, and it is for us to emulate them’.

The Companions prove their status well deserved in this display of submission to what is the most authoritative position. This does not become a battle of wills and egos but a determination to arrive at the correct position, knowing that ‘Ā’isha’s opinion will be the most definitive of all.

### **Shaybah b. ‘Uthmān’s Consulting ‘Ā’isha**

This is an exceptional section for its not being a corrective but an example of ‘Ā’isha’s verdict being sought out.

al-Zarkashī states:

Al-Bayhaqī records in his *Sunan*, on the authority of ‘Alī al-Madinī on the authority of ‘Alqamah b. ‘Alqamah on the authority of his mother, who said,

دخل شيبه بن عثمان على عائشة، فقال: يا أم المؤمنين إن ثياب الكعبة تجتمع علينا فتكثر، فنعمدُ إلى آبار فنحفرها فنعمقها، ثم ندفنُ ثياب الكعبة فيها كيلا يلبسها الجنب والحائض، فقالت عائشة: ما أحسنت وبئس ما صنعت، إن ثياب الكعبة إذا نُزعت منها، لم يضرها أن يلبسها الجنب والحائض؛ ولكن بعها واجعل ثمنها في المساكين، وفي سبيل الله وابن السبيل

Shaybah b. ‘Uthmān entered into the presence of ‘Ā’isha and said, ‘Mother of the Believers, we have collected a lot of the [discarded] cloth from the Ka‘bah so we intend to prepare some wells and bury it deep within in order that no person in a state of sexual or menstrual impurity may wear it’. ‘Ā’isha advised, ‘You have not done well, in fact you have instead done a bad thing.

If the cloth of the Ka‘bah has been removed from it, there is no harm in one who is in a state of sexual or menstrual impurity to wear it. So, sell it, and whatever profit is made, spend it on the poor, and in the way of God, and on the wayfarer’.

This incident is exemplary of an attempt by Ibn ‘Uthmān to show unnecessary amounts of reverence for the Ka‘bah by seeking to dispose of its cloth in a manner that is most concerned with preventing its use by those in a state of sexual or menstrual impurity, rather than considering the wastefulness of the proposal he is making when there are still poverty stricken people on the streets, who could benefit from the cloth instead. In fact ‘Ā’isha displays real business acumen in suggesting the cloth be sold and the profits spent on the poor, knowing that the cloth of the Ka‘bah would be guaranteed to attract high bids, returning a large profit that could allow for generous expenditure on the poor, rather than simply ordering that the cloth be given to them.<sup>80</sup>

### **The Emergent Juristic Framework of ‘Ā’isha**

All of the ḥadīth of this chapter, apart from five, are explicitly concerned with juridical issues that fall within the remit of *fiqh*. As such it is possible to extract from these an emergent framework that ‘Ā’isha relies on in measuring the statements and predicaments brought before her. As with the ḥadīth, it becomes manifest that she has certain criteria upon which she relies when engaging in a juridical exercise. Whilst a detailed exploration of a possible framework for deducing juristic conclusions from the statements of ‘Ā’isha is not possible within the remits of this study, a brief outline will now be considered.

#### **1. Measuring Ḥadīth against the Quran**

‘Ā’isha is repeatedly seen to measure statements against the Quran, constantly seen returning to the Quran as her primary yardstick in the measure of how to enact one’s life as a Muslim. Ḥadīths one of her refutations of ‘Umar b. al-Khaṭṭāb and of ‘Abdullah b. ‘Abbās are prime examples of such, as well as her refutation of ‘Abdullah b. ‘Abbās’ claim in ḥadīth six, that the Prophet saw God directly.

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<sup>80</sup> See also Ḥadīth 3 of the chapter on ‘Ā’isha’s Corrective of Abū Hurayra for a similar discussion on the merits of inward submission to God over acts of outward piety. And also, previous ḥadīth on the perfuming of one entering into a state of *iḥrām*.

## 2. Measuring Ḥadīth against the *Sunnah* as she witnessed it.

‘Ā’isha is shown repeatedly and unabatedly rejecting ḥadīth for which she found no sound basis, especially if they run counter to the Quran and to her knowledge of the ḥadīth and *Sunnah*. In addition to this, she is also shown to ensure ḥadīth are transmitted in their entirety in terms of wording and contextualisation, such that misunderstandings do not develop, as is the case in the first ḥadīth she refutes of ‘Abdullah b. ‘Umar in this section. She is careful to note on this occasion, and in others that she is not impugning Ibn ‘Umar nor his father, but that a mistake has been made, and that part of the rectification of this mistake is to provide clarification by way of the context that is missing.

## 3. *Istiḥsān* and *Maṣlaḥa*

The principle of *istiḥsān*, as a means to arriving at juristic conclusions is one that is found across the various schools of thought. However, as Hashim Kamali (2004, p.562) illustrates, the term is construed in slightly differing ways by various scholars, whilst all seek to attain its linguist meaning of striving to achieve what is good, preferable or beautiful. Kamali states, ‘Whereas the Mālikī jurist Ibn al-‘Arabī (d. 534/1328) has simply described *istiḥsān* as acting on the stronger of two evidences, (*aqwa al-dalīlayn*), the Ḥanafī jurist al-Jaṣṣās (d. 370/980) defined it as departure from a ruling of deductive analogy (*qiyās*) in favour of another ruling which is considered preferable. The preference so exercised is prompted by the desire to achieve a more equitable solution because of the rigidity or unfairness that is brought about by strict adherence to the existing law. Ibn Taymiyya’s (d. 728/1328) definition of *istiḥsān* seeks to relate this doctrine more closely to the textual sources and consensus (*ijmā’*). *Istiḥsān* is thus defined as ‘the abandonment of one legal ruling for another which is considered better on the basis of the Quran, Sunna or *ijmā’*.’ This principle in turn is heavily reliant on the principle of seeking benefit or interest for the wider Muslim community (*maṣlaḥa*), and is articulated as so in the Mālikī school of thought. As Kamali (ibid. p.563) notes, the Ḥanafī scholar, Sarakshī considered ‘the attainment of ease and convenience in legal injunction’, the hallmark of *istiḥsān*.

Though developed as principles of Islamic legal theory, centuries after ‘Ā’isha, it is evident that similar objectives were guiding ideals in her own approach to extracting rulings and deciphering truths. Each one of the aforementioned interventions of ‘Ā’isha in this chapter alone, can be seen to be acting in ways that allow for ease and a practicable approach to the

application of Islam, but is particularly evident in her responses to ‘Amr b. al-‘Āṣ, Abū Sa‘īd al-Khudrī, and Zayd b. Thābit. In the latter example in particular, this is all the more notable. In normal circumstances the first sight of menstrual bleeding would excuse a Muslim woman from continuing with her ritual acts of worship such as fasting and praying, but in the instance of performing Ḥajj, where for so many people life presents only a single opportunity to fulfil this pillar of the faith, to have this corrective from ‘Ā’isha is vital. This is especially so given that this was before medical interventions which could aid in the delaying of a period, or for those women for whom these medical interventions prove futile even now. While being excused from acts of worship is usually a welcome reprieve in the day to day of Muslim women’s lives, to be so suddenly severed from the opportunity of completing the Ḥajj, would be an unbearable strike for a Muslim woman for whom it may well be unlikely another chance will arise. As such then to allow for her to hastily finish the ṭawāf, is a thoughtful and fair-minded permission, and one that ‘Ā’isha is keen to protect.

Whilst there is no formal theory of jurisprudence put forth by ‘Ā’isha, there is little to dispute that a framework is emerging through the collation and study of her positions and correctives that could be seen as ‘Ā’isha’s principles for jurisprudence. In works outside of *al-Ijāba*, statements of ‘Ā’isha’s can be found whereby she is engaging in other juridical tools, such as deductive analogy (*qiyās*) and the strong use of logic that is aware of women’s lived experiences resulting in different outcomes to those which have become standard for the male dominated branch of study. Even in *al-Ijāba*, as mentioned earlier in this chapter, when ‘Ā’isha’s response to Abū Sa‘īd al-Khudrī’s insistence that women cannot travel without a male chaperone and her response to ‘Amr b. al-‘Āṣ’s assertion that one must braid their hair when performing *ghusl*, both expose the difficulty and limitations they pose for women.

A future study exploring the potential development of a *fiqh* approach based on the conclusions of ‘Ā’isha and applying her methodology to juridical interpretation on contemporary issues, whilst centring the female lived experience as a central episteme in this approach, would make for an illuminating and much needed topic of research.

## **Conclusion**

This chapter has sought to give a brief overview of the history and development of Islamic jurisprudence and built on the history and development of the discipline of ḥadīth from Chapter

Two, to illustrate how the respective development of each intersected with the other. The implication of this lay in both the trajectory of Medinan legal scholarship and its reliance on the lived tradition, and the codification of jurisprudence around the four main schools of thought that acted as a process by which to mine and organise traditions according to established juridical conclusions, often leading to the overlooking of ‘Ā’isha’s dissenting voice in favour of those more aligned.

The correctives of ‘Ā’isha presented in this chapter and organised on the basis of the conventional criteria of impugment and validation in ḥadīth, as well as the reoccurring techniques she engages in her arguments, provide an insight into her emergent juristic framework too. She displays a deep insight into the Quran and the Prophetic mission, she shows business acumen, sensitivity to the lived experiences of Muslims - particularly women - and harnesses all of her knowledge in deducing the most accommodating and advantageous conclusion for the Muslim community.

Whilst this chapter focused on her correctives concerning jurisprudential matters in a bid to extract her methodological approach to analysing juridical traditions, the next chapter seeks to extract her methodology in ḥadīth criticism. This chapter focused on her correctives of seven Companions, the next chapter considers her correctives of only one, Abū Hurayra, whose chapter in *al-Ijāba* is the most extensive. Chapter Five will analyse and present the translation of Abū Hurayra’s chapter from *al-Ijāba*, in the same manner as have been done for this chapter.

## Chapter Five: ‘Ā’isha the Ḥadīth Master

This chapter presents the section of *al-Ijāba* wherein ‘Ā’isha directs her critique towards Abū Hurayra as a case study for understanding her approach to impugment of Companions’ statements. Abū Hurayra remains the most contentious character in the history of ḥadīth. He is without doubt the most prolific narrator of ḥadīth among the Companions despite spending only three years in the company of the Prophet. His time with the Prophet was hardly intimate—he was never described as close—and he missed virtually all the major events, from the migration to the many battles which meant he lacked both authority and seniority.

The chapter in *al-Ijāba* dedicated to ‘Ā’isha’s correctives of Abū Hurayra is at once the most extensive chapter in the book and revealing of the kind of relationship the man had with ‘Ā’isha. More importantly, the traditions collected in the chapter reveal important aspects of her emerging methodology, particularly in considering how to evaluate the statements of Companions. They provide a foundation for extending the scope of impugment such that it includes Companions themselves, deemed by the dictum of orthodoxy as above critique; this is an important move for any attempt that seeks to centralise ‘Ā’isha’s ḥadīths. This chapter then, demonstrates not only how ‘Ā’isha’s methodology can continue to be witnessed through her correctives, but also the need and ways in which individual Companions can be critiqued.

Whilst the doctrine that the Companions are above critique and equally reliable is an important one for Sunni Muslims, as has been considered in Chapter Two, the necessity to prefer some over others has been unavoidable for the preferential treatment that the Prophet and the Quran have shown to some. *Tarjīḥ al-Ṣaḥāba*, the preference of some Ṣaḥāba over others is recognised and established. In fact, many ḥadīth collections have chapters dedicated to the virtues of the Companions (*faḍā’il al-Ṣaḥāba*) picking out particular individuals for praise, and many books doing likewise have been authored, often concentrating on one particular Companion and what distinguished them amongst their peers. There are many reports of ḥadīth regarding the Prophet’s conduct and those of his most senior Companions after his death, indulging in preferential treatment of the Companions. One such example is recorded in both al-Bukhārī and Muslim whereby ‘Amr b. al-‘Āṣ narrated that the Prophet appointed him as the commander of the army of Dhāt al-Salāsīl. Encouraged by this attainment, ‘Amr sought to capitalise on this opportune moment and reports asking the Prophet, ‘Which of the people is dearest to you?’ He said, ‘‘Ā’isha.’ I said, ‘Who among men?’ He said, ‘Her father.’ I said,

‘Then who?’ He said, ‘Then ‘Umar b. al-Khaṭṭāb’.<sup>81</sup> It is interesting to note how the Prophet first answers with ‘Ā’isha, and when implored who amongst men, he says *her* father, emphasising the link still to her. On the basis of this statement, Ibn Ḥazm stated in his *al-Aḥkām fī Uṣūl al-Aḥkām*, (1983, Vol.1, p138) that because the Prophet had preferred ‘Ā’isha above all others, including her father, Abū Bakr, ‘Uthmān, ‘Alī, and the Prophet’s own daughter, Faṭīma whom he is also known to have loved immensely, then she should be given preference over all others as a re-enactment and establishment of the Prophet’s practice.

In another instance, the Prophet is reported to have been standing upon Mount Uḥud when it began to tremble. He called out to the mountain to calm it saying, ‘Stand firm, O Uḥud, for there is no one on you but a Prophet, a most truthful one and two martyrs.’ At that moment, he was accompanied by Abū Bakr, ‘Umar and ‘Uthmān.<sup>82</sup> There are also more overt references to some Companions being superior to others on the basis of their knowledge of Islam. It was narrated that ‘Abdullah b. ‘Umar said that he heard the Prophet say, ‘I dreamt, a cup of milk was brought to me and I drank until I saw its moisture coming out of my nails. Then I gave the rest to ‘Umar b. al-Khaṭṭāb.’ When asked how he understood the dream, the Prophet replied, ‘[The moisture symbolises] knowledge.’<sup>83</sup>

The Prophet set the precedent for being cautious and discretionary about whom knowledge was to be accepted from; he was also circumspect about any information he received. For example, it is recorded by al-Bukhārī that the Prophet once remarked to ‘Ā’isha about some of those around him, ‘I do not think that so and so, and so and so, have understood anything of our religion.’<sup>84</sup> Whilst some had opined that the Prophet was referring to hypocrites amongst the Muslims who feigned their belief in Islam, others, such as Ibn Ḥajar al-Asqalānī (2012, Vol.3, p.2666), in his *Fatḥh al-Bārī*, argued that the Prophet was not referring to hypocrites alone. The point being that one should exercise caution when receiving knowledge on religious affairs from anyone.

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<sup>81</sup> Al-Bukhārī, Chapter: Virtues of the Companions of the Prophet, ḥadīth No. 3662; Muslim, Chapter: Book of *Zakāh*, ḥadīth No. 2384.

<sup>82</sup> Al-Bukhārī, Chapter: Virtues of the Companions of the Prophet, The Merits of Abū Bakr ḥadīth No. 3675.

<sup>83</sup> Al-Bukhārī, Chapter: The Interpretation of Dreams, Section; On Milk, ḥadīth No.7007.

<sup>84</sup> Al-Bukhārī, Chapter: On Etiquette, Section; Permissible Suspicion, ḥadīth No. 6068.

This develops into an obvious *modus operandi* amongst the earliest generations of Muslims: they exercise a clear preference to defer to the opinions of some Companions over those of others without doing harm to the reputations of those who have been overlooked, but in keeping the pursuit of authentic and most sound positions the objective. In his commentary, al-Zarkashī writes that Abū Mūsa al-Ash‘arī is recorded by al-Tirmidhī to have stated, ‘Whenever a ḥadīth was difficult for us—the Companions—we would ask ‘Ā’isha about it, and she would always be knowledgeable regarding it.’ Similarly, another Companion, Masrūq said, ‘I saw the most senior of Muḥammad’s Companions ask her regarding [religious] obligations.’

It follows, then, that the Companions were cautious in their acceptance of ḥadīth. Al-Tirmidhī records Asma’ bint al-Ḥakam al-Fazārī as saying, ‘I heard ‘Alī say, ‘I was a man who, if I heard a ḥadīth from the Messenger of God, God would benefit me thereby as much as He willed to benefit me. If a man from among his companions told me a ḥadīth I would ask him to swear to it. If he swore to it then I would believe him.’<sup>85</sup> In a similar vein, Abū Bakr is reported to have been sought out by an elderly woman who was claiming her right to inheritance as a grandmother. Remorsefully, Abū Bakr said to her, ‘I do not find anything for you in the Book of Allah.’ At which point al-Mughīra b. Sha‘bah stood and claimed that the Prophet would have granted her a sixth. Abū Bakr asked him if he had a witness to this claim. It was only when al-Mughīra was able to corroborate his statement by means of bringing other witnesses to this practice of the Prophet, that Abū Bakr accepted it. This is despite al-Mughīra b. al-Shu‘ba being a prominent Companion in his own right who served as an administrator under Abū Bakr’s leadership. Similarly, it is recorded in al-Bukhārī that Abū Mūsa al-Ash‘arī knocked on the door of ‘Umar b. al-Khaṭṭāb three times. Failing to receive a response on his third knock, he departed from ‘Umar’s door. ‘Umar later asked him why he had done so, to which he replied that he had heard the Prophet instruct the same: if a person does not respond to one’s greetings three times, then they should leave. ‘Umar demanded he bring evidence of this or else be prepared to face the consequences. Sa‘īd al-Khudrī, who narrates this occurrence, says, Abū Mūsa ‘came to us discoloured [from anxiety]’ causing those around him to seek after what had happened to him. When he revealed his concerns, he was able to find amongst the group one who was able to corroborate his statement before ‘Umar.<sup>86</sup>

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<sup>85</sup> Al-Tirmidhī, Chapter: The Book of Prayer, Section; What has been narrated regarding prayer with repentance, ḥadīth No. 406.

<sup>86</sup> Al-Bukhārī, Chapter: Seeking Permission, Section; To Greet and Seek Permission to Enter Three Times, ḥadīth No. 6245.

What these examples illustrate well is that there was a concern from the time of the Prophet himself that not every individual is capable of grasping, retaining and relating information regarding Islam. This was a concern that was inherited by those closest to him. In focusing on ‘Ā’isha’s critique of Abū Hurayra’s ḥadīth, the most extensive chapter in *al-Ijāba*, her methodology in critically interrogating Companion’s narrations can be elicited; a methodology that she likely adopted and adapted from the Prophet, who, as has already been noted, was concerned about the capacity various individuals had for understanding the faith. In keeping the discourse around ḥadīth open to critique, ‘Ā’isha’s approach should have resulted in the canon remaining open, fluid and less fixed.

Fatima Mernissi in her seminal work, *The Veil and the Male Elite*, focussed on Abū Hurayra but made claims regarding him based on only two ḥadīth collected by Imām al-Zarkashī, and another revealing his disdain for cats despite his eponym, Abū Hurayra, owner of the kitten. Mernissi makes bold assertions on the basis of these ḥadīth and statements of other Companions. She focuses primarily on problematising Abū Hurayra by contextualising him amongst his peers. This chapter acknowledges the efforts of Mernissi, but builds further upon her work by centring ‘Ā’isha’s critiques and what they reveal of her methodological approach in accepting and rejecting ḥadīth, whilst seeking a more robust critical interrogation of the ḥadīth of Abū Hurayra contested by ‘Ā’isha and his ability to claim authority in those instances where she contradicts him. Once again it becomes clear that whilst she rejects many statements made by Abū Hurayra, it is not an absolute impugment of him, as there are other instances when she corroborates and validates his positions over others. As such, then, it is not simply the case that she exceptionalises his statements, but that she clearly has a criteria by which she accepts and rejects ḥadīth, even if she does hold him in particular disdain with regards to his proliferate narrating of ḥadīth. In fact, one would argue that maintaining the discourse at the level of a partisan personal conflict between ‘Ā’isha and Abū Hurayra undermines and neglects the intellectual and scholarly model to be found in ‘Ā’isha because the framing of their conflict becomes focused on personalities and not the substance of the arguments put forth. It also neglects other instances wherein ‘Ā’isha corroborates and agrees with Abū Hurayra’s positions over those of others.

Abū Hurayra’s ḥadīth have also been presented in this chapter on the basis of which criteria of ḥadīth acceptance or rejection have been applied in ‘Ā’isha’s response to his statements, and

her commonly occurring techniques to correcting statements she disagrees with. Before addressing the ḥadīth, it is useful to have a brief introduction to the man, Abū Hurayra.

### **The Case of Abū Hurayra**

He was ‘Abdul Shams b. Sakhr al-Dawsi al-Yamānī, but his name was changed to ‘Abdullah or ‘Abd al-Raḥmān by the Prophet upon his conversion to Islam. He is, however, better known by his agnomen, Abū Hurayra, ‘Father of the little kitten’. Various stories exist on how he was to attain this title, though Muslim lore most popularly asserts that the Prophet himself bestowed this title on him having found him with a kitten up his sleeve.

He arrived in Medina in the year 7/629 while the Prophet was away on an expedition to Khaybar. There is some discussion as to whether he arrived in Medina already a Muslim, as held by Ibn Ḥajar, or if he accepted Islam after arriving in Medina, but before the conquest of Makkah, as recorded by Ibn S‘ad and al-Nawawī. He was among the People of the Bench (*Ahl al-Ṣuffā*), who were the poorest among the Muslim community, residing in the Prophet’s mosque in Medina. They were known for their poverty and were cared for by the Prophet, who would share any charity he received with them and would encourage other Muslims to give charitably to them too. He is said to have died in the year 57/677, 58/678, or 59/679, but with it being recorded that he led the funeral prayer of ‘Ā’isha, which took place in 58/678, it must be later in 58/678 or 59/679 (Juynboll, G.H.A, 2007, *EI3*).

Abū Hurayra spent less than four years in the company of the Prophet and is known to have witnessed none of the major battles whilst ‘Ā’isha accompanied the Prophet at Uḥud, al-Ḥudaybiyyah, al-Khandaq and others. Despite this Abū Hurayra was prolific in his narration of Prophetic traditions. This earned him the attention of both his peers, and scholars for centuries to come. He has been the subject of both bitter criticism and exalted praise. His position as the Companion to have narrated the most ḥadīth seats him in a position of great prestige, but also opens him up for much scrutiny. He has continued to be the subject of both apologia and the target of severe castigation not only among academics but also in popular literature. As Robson (*EI2*) notes, it is completely plausible, given the great number of traditions attributed to him that, ‘He may be little more than a convenient authority to whom inventions of a later period have been attributed.’ This being the case, his traditions justify further investigation, especially when material is available depicting not only a critique of his

statements, but particularly ‘Ā’isha’s critique of him. Other Companions such as ‘Umar b. al-Khaṭṭāb and ‘Alī are also known to have been critical of Abū Hurayra—some examples are shared below—but ‘Ā’isha’s critique has greater epistemological value for its ability to be read within her broader critiques, allowing for a methodology to be developed in critically analysing ḥadīth when: 1) the content of the ḥadīth, its *matn*, is problematic but the chain has been otherwise proven to be sound; and 2) when ḥadīth that lie outside of the canon but are just as sound as those within it provide a potentially alternative perspective to those that are within the canon and a resolution between the two contradictory positions is required.

## ‘Ā’isha’s Critique of Abū Hurayra

### Impugnment due to Bad Memory (*Sū’ al-Ḥifdh*)

Ḥadīths 1, 2, 3, 4 and 8 all illustrate ‘Ā’isha’s indictment of Abū Hurayra’s memory. However, the additional traditions given could validate the assertion of impugnment according to the condition of accusations of lying, *itihām bi al-kadhib*, as is particularly notable in the analysis of ḥadīth number 2, and the assertion of impugnment by way of *wahm*, as noted in the analysis of ḥadīth number 1, and the statement of Ibn Kathīr regarding Abū Hurayra’s propensity to conjure up traditions.

### Ḥadīth One

Al-Zarkashī states:

[‘Ā’isha] opposed his [declaring] the fast of a person in a state of sexual impurity as nullified. It is recorded by Muslim on the authority of Ibn Jurayj, on the authority of al-Mālik b. Abū Bakr b. ‘Abdul Raḥmān, on the authority of Abū Bakr b. ‘Abdul Raḥmān:

سمعت أبا هريرة يَقُصُّ ويقولُ في قصصه: من أدركه الفجرُ جنباً ، فلا يَصُمْ ، قال  
فذكرتُ ذلك لعبد الرحمان بن الحارث ، فذكره لأبيه ؛ فأنكر ذلك ، فأنطلق عبد الرحمان  
وانطلقتُ معه حتى دخلنا على عائشة وأُمِّ سلمة ، فسألتهما عبد الرحمان عن ذلك ، فقال:  
فكلتاهما قالت: كان النبيُّ يُصبحُ جنباً من غير حُلْمٍ ثم يصومُ ، فانطلقنا حتى دخلنا على  
مروانَ ، فذكر ذلك له عبدُ الرحمان ، فقال مروانُ: عزمتُ علقك إلا ما ذهبتَ إلى أبي

هُرَيْرَةَ فَرَدَّتْ عَلَيْهِ مَا يَقُولُ ، قَالَ : فَجِئْنَا أَبَا هُرَيْرَةَ وَأَبُو بَكْرٍ حَاضِرَ ذَلِكَ كَلَّةً ، فَذَكَرَ لَهُ  
عَبْدُ الرَّحْمَانَ ، فَقَالَ أَبُو هُرَيْرَةَ: أَهْمَا قَالْتَاهُ لَكَ؟ قَالَ: نَعَمْ ، قَالَ: هُمَا أَعْلَمُ ، ثُمَّ رَدَّ أَبُو  
هُرَيْرَةَ مَا كَانَ يَقُولُ فِي ذَلِكَ إِلَى الْفَضْلِ بْنِ عَبَّاسٍ ' قَالَ أَبُو هُرَيْرَةَ: سَمِعْتُ ذَلِكَ مِنَ  
الْفَضْلِ ، وَلَمْ أَسْمَعْهُ مِنَ النَّبِيِّ ، قَالَ: فَرَجَعَ أَبُو هُرَيْرَةَ عَمَّا كَانَ يَقُولُ مِنْ ذَلِكَ

I heard Abū Hurayra narrate a story: ‘If dawn arrives upon one who is in a state of sexual impurity (*junuban*) then he must not fast.’ I mentioned this to ‘Abdul Raḥmān b. al Ḥārith, who mentioned it to his father. The latter denied this. ‘Abdul Raḥmān and I went to ‘Ā’isha and Umm Salama, and ‘Abdul Raḥmān asked them regarding this. Both said, ‘The Prophet would reach the morning in a state of sexual impurity not caused by a dream and would proceed to fast.’ We then went to Marwān and ‘Abdul Raḥmān relayed this to him. Marwān said, ‘I adjure you to go back to Abū Hurayra and refute what he said.’ So, we went to Abū Hurayra, and Abū Bakr was present through all of this, while ‘Abdul Raḥmān relayed everything to him. Abū Hurayra said, ‘Did they both say this?’ He replied, ‘Yes!’ He said, ‘They know best!’ and then attributed [the statement] to al-Faḍl b. ‘Abbās, saying, ‘I heard that from al-Faḍl, I did not hear it from the Prophet.’ The narrator said, Abū Hurayra retracted what he had said.

In Muslim’s full narrative account of this incident, the ḥadīth does not stop there but goes on to clarify that the one who awakes in a state of sexual impurity is impacted likewise even in Ramadan.<sup>87</sup> Mernissi (1991, p.73) regarded this ḥadīth as intrinsic to an overall recurrent point of contention between the wives of the Prophet and the male Companions: impurity as a result of sexual relations or bleeding as a result of menses or labour. She refers to ‘Ā’isha’s rebuking of Ibn ‘Umar for stating women needed to undo their braids when performing the ritual bathing (*ghusl*) saying, ‘Why, when he was about it, didn't he order them to shave their heads? When I used to wash myself with the Prophet, we purified ourselves with the same bucket of water. I passed my wet hand over my braids three times, and I never undid them!’ Mernissi asserts that the vigilance displayed by ‘Ā’isha and the other wives on this issue was due to their acute

<sup>87</sup> Muslim, Chapter: Fasting, Section; Validity of the fast one upon whom *Fajr* arrives and he is in a state of sexual impurity (*janābah*) ḥadīth No. 2589.

awareness of the phobic views of pre-Islamic Arabs towards the sullyng caused by menstrual periods and sexual intercourse, which led to superstitions surrounding these acts. ‘Ā’isha’s rebuke, therefore, of Abū Hurayra may not be a personal attack on him, as much as it is a line of defence taken up by her and Umm Salamah to protect the Muslim community from regressing into familiar pre-Islamic customs and attitudes, which stigmatised women for their menses and imposed upon them excessive restrictions, implying an inherent impurity within women.

In his critique of Mernissi, Usman Ghani (2011, p.303), in reference to this tradition, argues that this ḥadīth is no indication of ‘Ā’isha refuting Abū Hurayra or declaring him a liar. Instead, Ghani asserts, ‘The books of Ḥadīth, that is *Bukhārī* and *Muslim*, do not mention explicitly that ‘Ā’isha rejected the narration from Abū Hurayrah, nor do they mention anywhere that he was under pressure.’ This is an untenable position for a number of reasons: firstly, the aforementioned ḥadīth is recorded by Muslim, and while it may be that there is no explicit mention of ‘Ā’isha refuting Abū Hurayra, there is evidence of doubt amongst those who hear it, regarding his narration in this tradition. It is apparent that when his statement is brought to the father of ‘Abdul Raḥmān b. al-Hārith, he is unsatisfied with the statement of Abū Hurayra on its own, leading his son and his companion to have this information corroborated by the wives of the Prophet. This seems to be a recurring instance in this chapter where many a time recipients of traditions narrated by Abū Hurayra seek verification of his statements from the wives of the Prophet. Furthermore, when they relay the day’s affairs to Marwān he insists that they return and refute Abū Hurayra, ‘*faradatta ‘alayhi*’. This exchange highlights the polemical discord that existed between the Companions too, which is all too often overlooked in favour of tending to the political discord that existed. Again, it becomes evident that an epistemic hierarchy has been adopted by the earliest community of Muslims after the Prophet’s passing, which prefers the position of ‘Ā’isha over that of other Companions; an epistemic position that allows for continued critical engagement with the statements of Companions, following the methodology embodied by the most learned of all the Companions, ‘Ā’isha.

It is simply not sufficient to consider ‘Ā’isha’s correction without considering the implications of the shift in Abū Hurayra’s attribution of the tradition’s source. In particular, what it reveals of the weakness in ḥadīth being uncritically accepted when criteria are applied loosely or not at all upon Companions. Indeed, previous scholars have scrutinised Abū Hurayra over such sudden changes. Ibn Kathīr, in his famed *al-Bidāyah wa al-Nihāyah*, writes, ‘Yazīd b. Hārūn

said, I heard Shu‘bah say, ‘Abū Hurayra would falsify [traditions] - he would narrate that which he heard from Ka‘b and not from the Messenger of Allah, but would not distinguish between the two’. Ibn ‘Asākir mentions this and considers Abū Hurayra’s response in the aforementioned ḥadīth an indication of this sort of falsification on his part (Abū Rayyah, 1993, pp.97-99).

It is interesting to note the jurisprudential implications of Abū Hurayra’s statement, were it to be taken as valid. Not only would it impose a hindrance for Muslim men in exercising their religious duties, but by extension, women ending their menses or postpartum bleeding would also be required to perform *ghusl* before being able to fast. In fact the 7<sup>th</sup>/14<sup>th</sup> century Shafī‘ī scholar, Imām al-Nawawī (2002, p.842) in his commentary on this ḥadīth, notes that the ḥadīth of ‘Ā’isha and Umm Salama are sufficient as ‘an evidence against any contrary [statement]’, and that it holds true regarding women at the end of their periods or postpartum bleeding. Whether or not ‘Ā’isha had considered this implication for Muslim women’s praxis is not articulated, but it once again evidences her practical and pragmatic approach to religious practice. But perhaps this is where the subjective position of the narrator comes into play; as a woman living in a household of women, engaged with the women of her community, women’s lives would be a natural and normative reference for her. Once more knowledge and consideration of lived practice and experience as a methodology in how to judge ḥadīth, as well as her knowledge of how the Prophet behaved in specific circumstances allow her to reject the statement. Knowledge of lived practice and seeking to keep the easiest option within the boundaries of what is permissible and available to the community of believers, particularly women, is a recurring theme in many of the ḥadīth found in *al-Ijāba*. Later, as the legal tradition of Islam developed, the principle of *istiḥsān*, juristic preference, that permits exceptions to strict and/or literal legal reasoning in favour of the public interest (*maṣlaḥah*) was formalised. It was developed to allow jurists to arrive at verdicts that preferred weaker precedents over stronger or more prevalent opinions, if it meant a more just outcome could be achieved. ‘Ā’isha’s approach clearly exemplifies this position of seeking the most just and easiest outcome.

In his commentary regarding this ḥadīth, al-Zarkashī quotes Ibn al-Mundhir as arguing that the two conflicting opinions of ‘Ā’isha and Abū Hurayra can be reconciled by the simple explanation that in the earlier period of Islam, the matter had been as Abū Hurayra asserted: Muslims were meant to abstain from sex during the nights while fasting during the days of the

month of Ramadan. However, later on this stipulation was adapted, and Muslims were permitted to have sexual relations during the nights of the fasting days. Neat enough of an explanation, but it fails on a number of points. Firstly, Abū Hurayra was a late convert to Islam and as such it does not make sense that he had made himself privy to earlier requirements and not later ones. Secondly, even if one accepts that he was unaware of the adapted position, it only supports the position of scholars like Abū Hanifa who asserted that caution should be exercised and juristic statements not taken from Abū Hurayra due to his not having a full grasp of the juridical aspects of the faith. ‘Ā’isha, alternatively, remains knowledgeable and reliable in the sphere of legal matters. This is discussed in more detail in Chapter Four on ‘Ā’isha and the Legal Tradition, and Chapter Seven on ‘Ā’isha’s emergent methodology.

## Ḥadīth Two

Al-Zarkashī states:

Abū Dāwud al-Ṭayālasī stated in his *Musnad* that Abū Hurayra said:

قيل لعائشة: إن أبا هريرة يقول: قال رسول الله: الشؤمُ في ثلاثة: في الدارِ والمرأةِ والفرسِ، فقالت عائشةُ: لم يحفظ أبو هريرة، أنه دخل ورسول الله يقول: قاتل الله اليهودَ في الدارِ والمرأةِ والفرسِ، فسمع آخرَ الحديث ولم يسمع أوله: يقولون: الشؤمُ في ثلاثة

The Messenger of Allah said, ‘Bad luck is found in three things: the house, the woman, and the horse.’ ‘Ā’isha responded, ‘Abū Hurayra has not remembered. He entered upon the Messenger of Allah as he was saying, ‘May Allah curse the Jews [for] saying, bad luck is found in three things: the house, the woman, and the horse.’ He heard the last part of the statement but not the first.’

Regarding this ḥadīth, Mernissi (1991, pp.75-77) is particularly severe. She notes that al-Bukhārī records the statement of Abū Hurayra but with the exclusion of ‘Ā’isha’s correction and goes on to repeat the statement twice more in his collection, via different chains of transmission as is customary practice in seeking to strengthen the transmission of a tradition.

Not only is the correction of ‘Ā’isha excluded from al-Bukhārī’s collection, but he exacerbates the situation according to Mernissi by including further misogynist traditions attributed to the Prophet, such as one in which the Prophet is reported to have said women are the greatest source of trouble for men, and that the majority population of the hellfire will be made up of women.

Al-Zarkashī records a similar ḥadīth with a different chain of narration recorded by Aḥmad in his *Musnad*, where he states:

‘Rūh reported to us, that Sa‘īd reported to us, on the authority of Qatāda, on the authority of Abū Ḥassān, that two men entered upon ‘Ā’isha and said, ‘Abū Hurayra is narrating that the Prophet of Allah would say, ‘Indeed foreboding is found in woman, riding beasts, and homes’.’ He said, ‘Ā’isha became visibly enraged and said, ‘By the One who revealed the Quran upon Abū al-Qāsim, he never said such a thing, but rather the Prophet of Allah would say, ‘The people of ignorance used to say, calamity lies in the woman, riding beast, and home’.’ Then she recited, ‘No calamity can ever befall the earth, and neither your own selves, unless it be [laid down] in Our decree before We bring it into being: verily, all this is easy for God.’<sup>88</sup>

The Arabic for the mood of ‘Ā’isha upon hearing Abū Hurayra’s report is rather more severe than the translation perhaps allows. It states, ‘a fissure emanated from her up to the sky, and from her down through the earth’ (*faṭāra shiqatu minha fī al-samā’ wa shiqatu minha fī al-ard*), in other words, a dramatically intense and deep emotion was felt and displayed. It is interesting to note that in this version of the tradition, ‘Ā’isha does not honour him with the excuse that he heard only part of the statement from the Prophet; instead she invalidates his statement and offers the correct stance, while visibly angered.

Al-Zarkashī further supports the ḥadīth of ‘Ā’isha by citing a different tradition in which the Prophet is reported to have said, ‘70,000 shall enter paradise without account, they are those who do not brand [themselves], do not practise exorcism (*ruqya*) and who trust entirely on their Lord.’ In most narrations of this ḥadīth, there is the additional ‘and do not believe in bad omens’. How then could the Prophet be said to be warning Muslims of the bad omens that reside within women, the riding animal and the home, whilst also mentioning the elevated

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<sup>88</sup> Quran, al-Ḥadīd, 57:22.

position of those who do not believe in bad omens, amongst those who will enter paradise without being held to account? Al-Zarkashī opines that ‘Ā’isha’s objection is regarding the generality with which Abū Hurayra’s position could be understood, when in reality it has very specific application. He cites Ibn al-Jawzī’s opposition to ‘Ā’isha’s rejection of Abū Hurayra’s statement because other reliable narrators have reported similar statements, and they cannot all be wrong. Instead, in an attempt to reconcile the two positions, such scholars argue that the specific instances that the Prophet may have referred to were those as explained by al-Khaṭṭābī who said that the statement does not mean that all women, houses and riding beasts are inherently a source of bad omens, but that each of these things that can potentially bring much joy to a man, can also become sources of anxiety and worry if the woman is barren, if the home has evil neighbours and if the riding beast cannot be used in God’s Path. Whilst this attempt at reconciling the Prophetic statements goes some way in mitigating some of the misogyny found in the initial statement, it does not do so entirely. If a couple cannot have children, how can it be assumed that the ‘bad luck’ is on account of the woman and not the man? It also fails to reconcile with another statement of the Prophet whereby he proclaimed, ‘Amazing is the affair of the believer, verily all of his affairs are good, and this is for no one except the believer. If something of good befalls him he is grateful and that is good for him. If something of harm befalls him he is patient and that is good for him’.<sup>89</sup> If that is so, then no woman, house, animal or any other such thing could be said to be a source of bad luck for the believer who finds in all their affairs an opportunity for good, and ultimately believes that everything is from God.

In another version of the ḥadīth recorded by Ibn Qutayba in his *Ta’wīl Mukhtalif al-Ḥadīth*, ‘Ā’isha is said to have responded in the strongest of terms when told by two men of what Abū Hurayra stated, exclaiming, ‘He lied! By the One who revealed the Quran upon Abū al-Qāsim, who is it that narrates such a thing from the Messenger of Allah!’ The tradition then continues as given above. This is no light response from ‘Ā’isha to a tradition that can only be considered misogynistic. In sum, this narration from Abū Hurayra is met with severe reprimand; she outright calls him a liar, accuses him of mishearing and refutes him using the Quran. This clearly anti-woman sentiment deeply enrages her. By all counts of ḥadīth criteria, his statement should be rejected, while hers, supported by the Quran, enriched by knowledge of the context and her seniority as a Companion, should be elevated over consideration of Abū Hurayra’s.

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<sup>89</sup> Muslim, Chapter: The Book of Asceticism and Heart Softening, ḥadīth No. 2999.

It is worth noting that ‘Ā’isha measures the statement against the Quranic verse reminding the faithful that all that comes to pass is only by the Will of God, a strong attempt at stripping the believers of their superstitious pre-Islamic beliefs. It is for this reason too, that al-Zarkashī cites many scholars as having supported the opinion of ‘Ā’isha, given that the Prophet was known to prohibit the seeking of evil omens and other such superstitious behaviours. Her constant invocation of the Quran makes this an obvious element to her methodology in approaching ḥadīth.

Just as Abū Hurayra’s statement alone is given by al-Bukhārī through different transmissions, al-Zarkashī cites the various scholars of ḥadīth who had collected the response of ‘Ā’isha too through differing chains of transmission. As well as Muslim and Aḥmad recording ‘Ā’isha’s response, al-Tirmidhī also records the ḥadīth via Ibn ‘Umar, and on the authority of Sahl b. Sa’d, ‘Ā’isha herself, and Anas b. Mālīk, illustrating how her position could just as easily be fortified in the same way that Abū Hurayra’s has been, and yet her position did not make it into the canonical collections of ḥadīth, whilst his did. If her position is not in the canon it is not because it cannot be as robustly supported in its chains of narrations, nor is it because it is in conflict with Quranic principles - it has clearly been shown to be closer to both Quranic principles and Prophetic teachings. Her exclusion is rather the outcome of an all-too-human process of collection and canonisation of ḥadīth that has the mark of patriarchy stamped upon it. If this is so, then the demand for a re-engagement of the canonical texts that forced them to be re-opened is in order. This move must, among other objectives, bring to the centre hitherto marginalised voices, such as that of ‘Ā’isha. Her statements made on the basis of clear engagement with the Quran, understanding of context, the Prophetic mission, coupled with the strength of the chains through which these statements have been reported, demonstrate the fact that they have a rightful place within the canon, to take their place alongside statements that have already found their way there with much less justification.

#### **Ḥadīth Four**

Al-Zarkashī states:

Al-Ḥākim records in his *Mustadrak*, in the chapter on Freeing Slaves, that ‘Urwah said:

بلغ عائشة أن أبا هريرة يقول: إن رسول الله قال: لأن أمتع بسوط في سبيل الله أحب إلي من أن أعتق ولد الزنى، وأن رسول الله قال: ولد الزنى شر الثلاثة، وإن الميت يعذب ببكاء الحي، فقالت عائشة: رحم الله أبا هريرة أساء سمعا، فأساء إجابة: أما قوله: لأن أمتع بسوط في سبيل الله أحب إلي من أن أعتق ولد الزنى، ينها لما نزلت {فَلَا اقْتَحَمَ الْعَقَبَةَ، وَمَا أَدْرَاكَ مَا الْعَقَبَةُ، فَكُ رَقَبَةً} [البلد: ١١-١٣]

قيل: يا رسول الله ما عندنا ما نعتق، إلا أن أحدنا له الجارية السوداء تخدمه، وتسعى عليه، فلو أمرناهن، فزنين، فجئن بأولاد فأعتقناهم، فقال رسول الله: لأن أمتع بسوط في سبيل الله أحب إلي من أن أمر بالزنى؛ ثم أعتق ولد،

وأما قوله: ولد الزنى شر الثلاثة فلم تكن الحديث على هذا، إنما كان رجل من المنافقين يؤدي رسول الله فقال: من يعذرني من فلان؟ قيل: يا رسول الله إنه مع ما به ولد زنى، فقال: هو شر الثلاثة والله تعالى يقول: {وَلَا تَزِرُ وَازِرَةٌ وِزْرَ أُخْرَى} [الأنعام: ١٦٤]

وأما قوله: إن الميت يعذب ببكاء الحي، فلم يكن الحديث على هذا ولكن رسول الله مر بدار رجل من اليهود قد مات، وأهله يبكون عليه، فقال: إنهم ليبكون عليه وإنه ليعذب، والله يقول: {لَا يُكَلِّفُ اللَّهُ نَفْسًا إِلَّا وُسْعَهَا} [البقرة: ٢٨٦]

It reached 'Ā'isha that Abū Hurayra said the Messenger of Allah said, 'That I should give a whip in the Path of Allah is more beloved to me than to free the child [born] of adultery'; the Messenger of Allah [also] said, 'The child [born] of adultery is the worst of [the] three.' [He also said], 'Verily, the deceased is punished for the wailing of the living.' 'Ā'isha responded, 'May Allah have mercy on Abū Hurayra! He listened poorly and thus explained poorly. As for his saying, 'That I should give a whip in the Path of Allah, is more beloved to me than to free the child [born] of adultery,' this was because when the verses, 'But he would not try to ascend the steep uphill road. And what could make thee conceive what it is, that steep uphill road? It is the freeing of a neck [from the bondage of slavery]'<sup>90</sup> were revealed, it was said to the Messenger of Allah, 'We do not have one that we could emancipate,

<sup>90</sup> Quran, al-Balad, 90:11-13.

but one of us has a Black slave girl who serves him. If we order them to fornicate, then they will bear us children whom we could then emancipate.’ The Messenger of Allah then said, ‘That I should give a whip in the Path of Allah, is more beloved to me than to free the child [born] of adultery.’

As for his saying, ‘The child [born] of adultery is the worst of [the] three’, then there is no such statement of the Messenger. Actually, a man from among the hypocrites was troubling the Messenger of Allah, so he said, ‘Who will relieve me of [this man]?’ It was [then] said, ‘Oh Messenger of Allah, among his other [blameworthy traits] is that he is a child of adultery’, to which the Messenger of Allah replied, ‘He is worst of the three’ and Allah Most High states, ‘No bearer of burdens shall be made to bear another's burden.’<sup>91</sup>

And, as for his saying, ‘Verily, the deceased is punished for the wailing of the living,’ then there is no such statement, but rather the Messenger of Allah was walking by the house of a Jew who had died, and his family members were lamenting over him. He said, ‘Verily they are crying over him, and he is being punished.’. And Allah says, ‘God does not burden any human being with more than he is well able to bear.’<sup>92</sup>

Al-Zarkashī contends that while this ḥadīth is not recorded by al-Bukhārī or Muslim, the recorder of this tradition, al-Ḥākim, states it meets the conditions of both Imāms. Al-Ḥākim further notes that the ḥadīth is also recorded by al-Bayhaqī in his *Sunan*. There are in this ḥadīth three contentious points asserted by Abū Hurayra, each of which is met with rebuke and refutation by ‘Ā’isha’s employment, once again, of Quranic verses, and an understanding of the statement of the Prophet through contextualisation of his words. The position of the child born out of wedlock is brought to ‘Ā’isha as elsewhere, whereby she was asked as to whether a person born out of wedlock could take up the role of Imām—i.e. leading the Muslims in prayer. It is recorded in Muslim that she responded by saying, ‘There is nothing from the sin of his parents upon him’, and then proceeded to quote the Quran, ‘No soul shall bear the

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<sup>91</sup> Quran, al-An‘ām, 6:164.

<sup>92</sup> Quran, al-Baqarah, 2:286.

burdens of another,<sup>93</sup> and, ‘the most honoured of you in the Sight of Allah, is the one with most *Taqwa*,<sup>94,95</sup> and, cited the Prophet, ‘The one who recites [the Quran] best from amongst you should lead the prayer, and if they are all equal in recitation, then the one best in manners, and if they are all equal in their manners, then the one who is eldest in age.’<sup>96</sup> All of these criteria established by the Prophet are achievements of the individual. For this reason, many jurists such as al-Nakha‘ī, al-Sha‘bī, al-Zuhrī, and al-Hassan al-Baṣrī took her position on the matter, and it was the accepted position in the Hanbali school of thought (Ibn Qudāmah, 1997, Vol.3, p.248). It is clear that time and again she is exhorting the Muslim community to rid itself of the previously held beliefs that sins and crimes can be transferred to or inherited by children, and to instead firmly reorient Muslims within the Quranic sanctioned innocence of every individual and their freedom from the burdens of others, no matter their proximity by blood or location. In a similar vein she argues that the deceased cannot be punished for the behaviours of those left behind for no soul is burdened with the responsibility of another over whom they have no influence.

Having only spent less than the last five years, with some sources citing a grand total of one year and nine months with the Prophet, Abū Hurayra could not have been privileged with first-hand experience of most of these instances, and as such would have been dependent on: a) his having heard from a reliable source himself; b) his having grasped the information accurately; and c) the accuracy of his memory when relaying the incident. It is clear from ‘Ā’isha’s response, ‘May Allah have mercy on Abū Hurayra, he listened poorly and thus explained poorly,’ that she is indicting his ability to listen and thus accurately relay. Abū Hurayra had been rebuked for this by a number of Companions, perhaps most notably by ‘Umar b. al-Khaṭṭāb. Abū Rayyah (1994, pp.173-174), writes in his *Aḍwā’ ‘ala al-Sunnah al-Muḥammadiyyah* of the severity with which ‘Umar is forced to deal with Abū Hurayra. He quotes from Ibn ‘Asākir who reported the tradition of al-Sā’ib b. Yazīd who in turn said that ‘Umar had rebuked Abū Hurayra for the many traditions he was narrating, saying, ‘Leave the

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<sup>93</sup> Quran, al-An’am, 6:164.

<sup>94</sup> *Taqwa* is often rather reductively translated as simply, ‘fear of God’ or ‘God consciousness’ but is a much more multi-faceted concept, encompassing both these translations, but also love of God, awareness of God’s watchfulness but to also be as if one sees God, to be directed by intentionality in achieving God’s Pleasure, and to be well pleased with God. For a more thorough consideration of the ways in which this term is invoked in the Quran, see, Ohlander, E. 2005. Fear of God (*taqwā*) in the Qur’ān: Some Notes on Semantic Shift and Thematic Context. *Journal of Semitic Studies*. 50(1). pp.137-152.

<sup>95</sup> Quran, al-Hujurāt, 49:13.

<sup>96</sup> Muslim, Chapter: The Mosques and Places of Prayer, Section; Who is most entitled to lead the prayer, ḥadīth No. 673.

sayings of the Messenger of Allah or I shall chase you back to Daws!’ a city in Yemen from where Abū Hurayra hailed. Other reports talk of ‘Umar’s threats to have Abū Hurayra whipped, beaten or exiled. Abū Rayyah states that as a result of ‘Umar’s strictness on the matter, Abū Hurayra did not become proliferate in narrating traditions until after the death of ‘Umar. Indeed, Abū Rayyah goes on to quote al- Zuhri who reported on the authority of Abū Salamah, who heard Abū Hurayra state, ‘I was not able to say ‘the Messenger of Allah said...’ until ‘Umar died. If I were to narrate these traditions to you and ‘Umar was alive, indeed, ‘Umar would say, ‘Occupy yourselves with the Quran, for indeed the Quran is the Word of Allah’’ (ibid, p.174). Because of such occurrences, Rashīd Riḍā’ upheld in his *Majalla al-Manār*, ‘Had ‘Umar lived until Abū Hurayra passed away, many of these traditions would not have reached us’ (1897, Vol.10, p.851). Ghani, in his defence of Abū Hurayra insists that one of the reasons Abū Hurayra narrates so much more than other Companions is because he lived a good fifty years longer than many of them, unintentionally corroborating the statement of Rashīd Riḍā’; had other senior Companions lived as long, and been able to maintain their restraint of Abū Hurayra, perhaps this would not have been the case. ‘Ā’isha lived almost as long as Abū Hurayra, and her endeavour to keep his and other Companions’ statements pertaining to the Prophet within the bounds of truth continued unwaveringly despite her own personal losses at the Battle of the Camel, her diminished political role and the deaths of so many of her co-senior Companions.

## Ḥadīth Eight

Al-Zarkashī states:

Abū ‘Arūba states on the authority of Abū Ṣāliḥ:

عن أبي هريرة قال: لأن يمتلئ جوف أحدكم قيحا خيرا له من أن يمتلئ شعرا، فقالت عائشة: لم يحفظ الحديث، إنما قال رسول الله: لأن يمتلئ جوف أحدكم قيحا ودما خيرا له من أن يمتلئ شعرا هُجيتُ به

Abū Hurayra said, ‘That one of you should fill his stomach with vomit and blood is better for him than to fill it with poetry.’ To which ‘Ā’isha responded, ‘He has not remembered the saying [of the Prophet]. In fact, the

Messenger of Allah said, ‘That one of you should fill his stomach with vomit and blood is better for him than to fill it with poetry with which he mocks [others].’

In her response to this claim of Abū Hurayra, ‘Ā’isha is able once more to provide context by providing the completed statement, demonstrating thereby that Abū Hurayra’s memory had indeed failed him. Al-Zarkashī concurs with the corrective of ‘Ā’isha, citing the opinion of various scholars who also supported her position that poetry which was disliked was that in which another was mocked or ridiculed. Furthermore, that the Prophet is narrated to have been fond of particular poets suggests strongly that this is indeed the sounder position. Muslim records in his *Ṣaḥīḥ*, ‘Amr b. Sharīd reported his father as having spoken of riding behind the Prophet one day, when the latter asked him if he knew of any poems by the poet Umayya b. Abū Ṣalat. When he replied in the affirmative, the Prophet asked him to recite, and so he proceeded to recite couplets, at the behest of the Prophet, until he said he had recited one-hundred couplets of his poetry.<sup>97</sup> The Prophet is recorded to have had an appreciation of pre-Islamic poets, whose words rang true to him. He is reported by al-Bukhārī in his *Ṣaḥīḥ* as having commented on the pre-Islamic poet, Labīd saying, ‘The truest words spoken by a poet were the words of Labīd, who said,

أَصْدَقُ كَلِمَةٍ قَالَهَا شَاعِرٌ كَلِمَةً لَبِيدٍ أَلَّا كُلُّ شَيْءٍ مَا خَلَا اللَّهَ بَاطِلٌ

‘Indeed, everything apart from Allah is vanity and falsehood’.<sup>98</sup> The Prophet was also known to have employed the skills of poets such as ‘Abdullah b. Rawwāḥa, Ka‘b b. Mālik, Ka‘b b. Zuhayr, and Ḥassan b. Thābit in the service of propagating Islam, in order to undermine the propaganda of the poets commissioned by his enemies to spread rumours against him in a bid to defame him. Thus, it seems most logical that if he were to admonish his community with regards to poetry, he would define a particular genre of poetry which he considered unhealthy. Having been the subject of such defamatory poetry, and his dear wife, ‘Ā’isha the centre of a terrible slander, the Prophet and the religion he advocated is staunch in its position against such speech and is instructive of its followers to verify information that reaches them, especially when sourced from one whose character is questionable. Indeed, the Quran asserts, ‘O you who

<sup>97</sup> Muslim, Chapter: Poetry, ḥadīth No.2255.

<sup>98</sup> Al-Bukhārī, Chapter: Book of Manners, Section; What kinds of poetry, singing and chanting are permitted, ḥadīth No. 6147.

believe! If a sinful person (*fāsiq*) comes to you with any news, verify it, lest you should harm people in ignorance, and afterwards you become regretful for what you have done.<sup>99</sup>

While the teachings of the Prophet and the Quran are explicit in their instruction to Muslims to avoid such defamatory accusations and slander, it does not single out poetry as particularly problematic; indeed, all forms of such speech are to be avoided. ‘Ā’isha with her history and experience of the slander against her that shook the Muslim community to its very core, is most likely to have been invested in those teachings of Islam that would restrain or seek to prevent such incidents from occurring again at any scale and against any individual. By contextualising and completing the statement made by Abū Hurayra, she prevents the weaponisation of ḥadīth in targeting certain modes of expression such that the mode of expression becomes vilified, instead of the actual immoral action that is being targeted.

### **Impugment due to Carelessness in Narrating Prophetic Traditions, *Ghafla***

Ḥadīths numbers 3, 5, 6 and 9 would explicitly fall under this category, though ḥadīth number 4 above, could also be considered an impugment of Abū Hurayra by ‘Ā’isha for his carelessness in narrating a prophetic tradition he had clearly not committed to memory correctly and was divulging to others with unfounded authority.

### **Ḥadīth Three**

Al-Zarkashī states:

Abū Bakr al-Bazār stated in his *Musnad*:

قيل لعائشة: أن أبا هريرة يروي عن النبي: أن امرأة عذبت في هرة، فقالت عائشة: إن المرأة  
كانت كافرة

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<sup>99</sup> Quran, al-Hujarāt, 49:6.

‘Alqama said: It was said to ‘Ā’isha, ‘Abū Hurayra narrates the Prophet [as saying], ‘A woman was punished because of her [treatment of] a cat’.’  
‘Ā’isha replied, ‘The woman was a disbeliever.’

Mernissi (1991, pp.71-72) presents this ḥadīth as evidence of Abū Hurayra’s fixation with cats and women. She claims he somewhat resented the agnomen bestowed upon him by the Prophet, and had a general sense of emasculation brought on by his social position: he had no skill with which to derive an income, partook in no trading activities or joined in military expeditions in all the years that the Prophet was alive. Instead, he preferred to spend time with the Prophet and would sometimes be of service in the women’s apartments. Mernissi, perhaps rather cynically, asserts, ‘This fact might clear up the mystery about his hatred of women, and also of female cats, the two seemingly to be strangely linked in his mind’ (ibid. p.72).

The statement of Abū Hurayrah, without ‘Ā’isha’s amendment, is reported on the authority of Asmā’ bint Abū Bakr in al-Bukhārī’s *Ṣaḥīḥ*, and by ‘Abdullah b. ‘Umar by both al-Bukhārī and Muslim in their *Ṣaḥīḥs*, strengthening its narration, just as the previous ḥadīth was indirectly strengthened by al-Bukhārī by his failing to mention the response of ‘Ā’isha. However, her response is recorded also by Aḥmad in his *Musnad*, on the authority of Abū Dāwūd al-Ṭayālisi, on the authority of ‘Alqama, who said, ‘We were with ‘Ā’isha when Abū Hurayra entered; she said, ‘Are you the one who narrated this report, ‘A woman entered the fire of hell because of a cat she had tied up and did not feed, nor did she give it water?’’ Abū Hurayra replied, ‘I heard it from the Prophet.’ She said, ‘Do you know who this woman was? The woman, regardless of what she did, was a disbeliever and the believer is more honoured in the sight of Allah than that He punish him or her regarding a cat, so when you narrate from the Prophet ponder and think carefully of how you narrate’. Ghani asserts that this illustrates that the dispute is semantic rather than about ‘Ā’isha’s contention over Abū Hurayra’s narration of traditions. Where Mernissi’s remarks seem to go beyond the plausible regarding this ḥadīth, Ghani’s are underwhelmingly apologetic.

Al-Zarkashī also records another transmission of ‘Ā’isha’s response, similar to the one recorded by Aḥmad given above. He quotes Abū Muḥammad Qāsim b. Thābit al-Sarqustī’s statement in his book, *Gharīb al-Ḥadīth*, via ‘Alqama too, though the final sentence from ‘Ā’isha states, ‘The believer is more honoured before Allah than to be punished because of a cat. As for the woman, she was a disbeliever. Abū Hurayra! If you are going to narrate from

the Messenger of Allah, then be watchful of how you narrate'. This is not a mere argument over semantics; this is about the carelessness that is bound to occur in the proliferate nature of Abū Hurayra's narrating of Prophetic traditions, a warning that is delivered to Abū Hurayra by other Companions too, such as 'Umar b. al-Khaṭṭāb, and which will go on to have grave consequences in the future when scholars like Ibrāhīm al Nakha'ī and his student, Abū Ḥanifah, reject the traditions reported by Abū Hurayra, considering him an unreliable source. Their position will be discussed later when analysing Ḥadīth 9 of this chapter.

'Ā'isha's rejection of the statement is in keeping with the ethos of the Quran, whereby deeds are not to be judged in isolation and more importantly that the outwardly apparent does not signify the inwardly and less obvious matters of faith. God asks in the Quran, 'Have you made the providing of water for the pilgrim and the maintenance of al-Masjid al-Harām equal to [the deeds of] one who believes in God and the Last Day and strives in the cause of God? They are not equal in the sight of God. And God does not guide the wrongdoing people.'<sup>100</sup> In his translation of this verse, Muhammad Asad (2008, p.358) notes, 'According to an authentic Tradition quoted by Muslim, Abū Dawūd and Ibn Ḥibbān (as well as by al-Ṭabarī), one of the Prophet's Companions stated in the mosque of Medina, 'I would not care, after having accepted Islam, to do any good deed beyond providing water to the pilgrims!' Whereupon another of the Companions declared, 'Nay, [I would rather take charge of] the maintenance of the Inviolable House of Worship.' But yet another Companion declared, 'Nay, struggle (*jihād*) in God's cause is far better than what you have mentioned!' A short time afterwards the above Quran-verse was revealed to the Prophet. It would, therefore, appear that what is meant here is the superior value of faith in God and struggle in His cause as compared with acts which, however meritorious, are concerned only with outward forms: in brief, the immense superiority of real self-surrender to God over mere ritual.' Likewise, and somewhat inversely, the outwardly odious act of the woman's cruelty towards the cat cannot mitigate whatever acts of faith and good deeds she had amassed that went unwitnessed by other people but are eternally recorded with God.

Linked with the now solidly elicited habit of 'Ā'isha to seek ease for the Muslim community, such as in Ḥadīths 1 and 4 above, is her preferential treatment of Muslims and their elevation. This is not to say that she was creating a hierarchy based on Muslim supremacy; Muslims are

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<sup>100</sup> Quran, al-Tawba, 9:19.

still compelled to show kindness and care to others and all of God's creation as God's vicegerents on earth. However, the possibility that a believing woman would be so deeply punished and have all her praiseworthy behaviours overlooked and rendered futile over the singular act of her unkindness towards a cat, incensed 'Ā'isha. This is particularly so given that there are many injustices that could have been stated and many tyrants that could have been exemplified for such punishment, and would have been a more befitting example.

### Ḥadīth Five

Al-Zarkashī states:

Al-Ṭabarī in *al-Awṣaṭ* states on the authority of Abū Salamah:

عن أبي هريرة: أن رسول الله قال: مَنْ لَمْ يُؤْتِرْ، فَلَا صَلَاةَ لَهُ، فَبَلَغَ ذَلِكَ عَائِشَةَ، فَقَالَتْ: مَنْ سَمِعَ هَذَا مِنْ أَبِي الْقَاسِمِ؟ مَا بَعْدَ الْعَهْدِ وَمَا نَسِينَا، إِنَّمَا قَالَ أَبُو الْقَاسِمِ: مَنْ جَاءَ بِصَلَوَاتِ الْخَمْسِ يَوْمَ الْقِيَامَةِ قَدْ حَافِظًا عَلَى وُضُوءِهَا وَمَوَاقِيئِهَا وَرُكُوعِهَا وَسُجُودِهَا، لَمْ يَنْتَقِصْ مِنْهُنَّ شَيْئًا، كَانَ لَهُ عِنْدَ اللَّهِ عَهْدٌ إِلَّا يَعْذِبَهُ، وَمَنْ جَاءَ، وَقَدْ انْتَقَصَ مِنْهُنَّ شَيْئًا، فَلَيْسَ لَهُ عِنْدَ اللَّهِ عَهْدٌ، إِنْ شَاءَ رَحْمَهُ، وَإِنْ شَاءَ عَذِبَهُ

Abū Hurayra reported, the Messenger of Allah said, 'Whoever does not pray the *Witr*, then there is no prayer [recorded] for him'. When this reached 'Ā'isha, she asked, 'Who heard this from Abū al-Qāsim? It is not from such a remote past, and nor have we forgotten. In fact, Abū al-Qāsim said, 'Whoever comes on the Day of Judgement with his five prayers, having been astute regarding his ablution, the timings, the bowing and the prostrating, then he has not fallen short with his prayers in any way. He has a promise from Allah that He shall not punish him. Who then comes along and diminishes this? He does not have a promise from Allah. If He wishes He shall have mercy on him, and if He wishes He shall punish him'.'

Once again, 'Ā'isha is a guardian over the collective memory of the Muslim community, arguing that 'it is not from such a remote past, and nor have we forgotten'. It appears that she does not know who has narrated the tradition, thus allowing for the argument that it is not

something necessarily personal that she has against Abū Hurayra—as is sometimes asserted—that drives her in her corrections, but the much loftier ideal of safeguarding the legacy of her husband and the message with which he was entrusted to impart to the growing community of Muslims.

In keeping with ‘Ā’isha’s commitment to delivering ease within what is permissible for Muslims, she retorted against this statement regarding the Witr prayer, while she herself was known for her commitment to performing this prayer. However, she did not consider it obligatory, preferring to treat it as a highly recommended supererogatory prayer (*Sunnah Mu’akkadah*), and so did not seek to impose a hardship on her community by validating the statement. Interestingly she is recorded by Imām Mālik in his Muwaṭṭa as having counselled the Muslims on when to pray the Witr saying, ‘If any of you fears that they will fall asleep before the morning [prayer] then let them pray their Witr before sleeping, and those who are hopeful of waking up for the last portion of the night then pray it in the last portion of the night.’<sup>101</sup> And yet, when she heard in another incident recorded by Ibn Abū Shaybah and ‘Abdul Razzāq, that Abū Dardā’ had said ‘There is no Witr for the one upon whom the morning has arisen’, she responded forcefully, stating, ‘Abū Dardā’ has lied (*kadhaba Abū Dardā’*), the Prophet would arise in the morning and pray his Witr’ (al-Dakhīl, 1989, p.404). Though this latter ḥadīth has not been recorded by al-Zarkashī in *al-Ijāba*, it falls into the genre of ḥadīth that he has collected, constituting a refutation of the statement, and in this case also evidencing that her concern related to a potential imposition on the community of believers, not necessarily the result of a personality clash, and though one cannot entirely preclude this latter as a possibility, it could not have been the primary motive for these arguments.

## Ḥadīth Six

Al-Zarkashī states:

Al-Ḥāfidh Abū Ḥātim b. Ḥibbān al-Bustī records in his *Ṣaḥīḥ* on the authority of ‘Urwah b. al-Zubayr who says that ‘Ā’isha said:

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<sup>101</sup> Al-Muwaṭṭa Chapter: The Night Prayer, ḥadīth No. 18.

أَنَّ عَائِشَةَ قَالَتْ: أَلَا يُعْجِبُكَ أَبُو هُرَيْرَةَ، جَاءَ فَجَلَسَ إِلَى جَنْبِ حُجْرَتِي يُحَدِّثُ عَنِ رَسُولِ اللَّهِ،  
يُسْمَعُنِي ذَلِكَ، وَكُنْتُ أُسَبِّحُ، فَقَامَ قَبْلَ أَنْ أَقْضِيَ سُبْحَتِي، وَلَوْ أَدْرَكْتُهُ لَرَدَدْتُ عَلَيْهِ: إِنَّ رَسُولَ  
اللَّهِ لَمْ يَكُنْ يَسْرُدُ الْحَدِيثَ كَسَرْدِكُمْ

‘Does Abū Hurayra not bemuse you? He came and sat beside my apartment and started to narrate from the Messenger of Allah. I could hear it all, but I was engaged in prayer, and he had left before I finished. If I had been able to, I would have certainly responded to him that the Messenger of Allah was not verbose in speech the way that you are verbose!’

This ḥadīth is also recorded by Muslim in his *Ṣaḥīḥ*. Al-Zarkashī attempts to remove the sting of ‘Ā’isha’s words by quoting Abū Ḥātim, who argued that ‘Ā’isha’s rebuke is not regarding the number of traditions Abū Hurayra was narrating, but rather that she was encouraging him to speak at a slower speed—that a measured pace is preferred over hasty speech. Indeed, al-Tirmidhī in his *al-Shamā’il al-Muḥamadiyyah*, and both al-Bukhārī and Muslim in their *Ṣaḥīḥs*, narrate the following tradition, on the authority of ‘Ā’isha, who said to Abū Hurayra, ‘The Messenger of Allah was not verbose in the manner that you are verbose; rather, he would speak each word clearly, [such that] those sitting with him could grasp [what he said].’ There is, however, evidence of other Companions, and later masters too, expressing alarm and dislike for the speed at which Abū Hurayra churned out traditions, which would give support to the position of Mernissi, who argued that ‘Ā’isha, and others, reproached him for this, rather than for merely speaking quickly.

Mernissi (1991, pp.60-61) cites ‘Umar b. al-Khaṭṭāb, renowned for his close companionship with the Prophet, as being terrified of narrating traditions regarding the Prophet for fear of being inaccurate, despite the intimacy of his relationship with the Prophet and his venerated status among the Muslim community. It is precisely because of this, she argues, that he preferred to engage in his own independent reasoning (*ijtihād*) on issues, taking full ownership of them rather than claiming to be acting on specific sayings or actions of the Prophet. This would also be in keeping with the ethos encouraged by the Prophet himself who said, ‘When a judge gives judgement and strives to know a ruling (*ijtihad*) and is correct, he has two

rewards. If he gives judgement and strives to know a ruling but is wrong, he has one reward.’<sup>102</sup> He also warned, ‘Do not write anything from me; whoever has written anything from me other than the Quran, let him erase it and narrate [orally] from me, for there is nothing wrong with that’.<sup>103</sup> In many ways, striving to find the most apt conclusion on an issue as a Muslim would require more effort than to simply assume a Prophetic statement has been made on the matter and to accept it uncritically and literally. It is of course taken by ‘Ā’isha upon hearing a Prophetic tradition; it is one that is labour intensive and requires skills, a level of understanding, and an intellectual acumen that not everyone will benefit from. Nonetheless it is one Muslims owe to themselves. A religion that displaces clergymen as gatekeepers and middlemen between the faithful and the Divine is one that should make space for the intellectual and spiritual rigour of the individual to be exercised in good faith to come to the most apt conclusion for them. It means they are taking full responsibility too for their behaviours and not able to excuse their shortcomings on those upon whom they had relied on to come to those religious verdicts, while they themselves suspended their own cognitive and spiritual faculties.

Mernissi (1991, p.79) cites ‘Umar, who said of Abū Hurayra, from Ibn Ḥajr al-Asqalānī’s biography of him, ‘We have many things to say, but we are afraid to say them, and that man there has no restraint.’ She then posits, ‘For the pious Companion the fallibility of memory was an occasion for meditating on the fragility of existence in the face of the flowing river of time, which steals not only from youth, but especially memory.’ He was acutely aware, as were many of his contemporaries, of the perils of relying on a memory that had traversed time and experiences and is accessed through the mediation of hindsight. Indeed, there were Companions who would stop narrating traditions as they reached old age for fear of their weakened memories causing them to narrate inaccurately, fearing the implications of imprecise recollections of prophetic tradition. It is noted by Arūl in his preamble to the printed edition of *al-Ijāba* that many of the most seniors Companions disliked narrating prophetic traditions for fear of making mistakes. Likewise, just as they showed self-restraint, they expected the same of others too, and particularly disliked proliferation in narration of ḥadīths because ‘proliferate narration was seen as the precinct of the imagination, *al-wahm*’ (2004, p.43). In other words, being proliferate in disseminating prophetic traditions could give rise to the possibility of embellishing those narrations until they no longer resemble the original statement. Perhaps it

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<sup>102</sup> Muslim, Chapter: Reward of the Judge if they strive to reach a correct decision, whether they are right or wrong: ḥadīth No. 1716.

<sup>103</sup> Muslim, Chapter: Ascetism and Heart Softeners, ḥadīth No. 5326.

is for this reason that ‘Ā’isha was not shy in using words such as ‘he has lied (*kadhaba*)’, ‘he has been heedless (*ghafala*)’, ‘he has forgotten (*nasiya*)’ and so on, for it was understood and accepted that the sands of time would fall and that memory would falter, and without the promise of God to preserve the ḥadīth as He did the Quran, reliance cannot be on those traditions alone. People are fallible, including the Companions of the Prophet, and so a ḥadīth tradition that is to be trusted and relied upon for religious guidance cannot be so without a robust method of differentiation, discernment and reliance on Quranic principles, and one that is not based in uncritical acceptance of traditions from all Companions, even when the chain of narration meets the criteria of authenticity.

Abū Hurayra was well aware of the criticism of his peers and their disdain for his many narrations of ḥadīth. To remedy this, he offered an explanation: he tells of his complaint to the Prophet about his inability to retain the sayings of the Prophet despite listening attentively; the Prophet, he continues, directed him to lay down his cloak while he sat and to gather it up after they had finished speaking, that this would beckon a miracle that would enable him to retain the Prophet’s words. This story is narrated by al-Bukhārī<sup>104</sup>. However, when considering that the Prophet would dissuade his Companions from writing down his words for fear of them being mingled with the Quran, this seems an unlikely thing for him to do. Mernissi argues it was an unsatisfactory excuse before a community that was being purged of superstitious and magical beliefs. As such, Abū Hurayra also offered the explanation that he was not occupied by anything else, such as a vocation, or as he rather impertinently suggested to ‘Ā’isha, he was not distracted by rouge and eyeliner as she may have been, when the Prophet was instructing his community in matters of faith.

It could be argued that it was his willingness to narrate Prophetic traditions to anyone, indiscriminately, that was the issue for his more senior contemporaries. Abū Rayyah writes that Muslim b. al-Ḥajjāj reports on the authority of Busr b. Sa’īd who said, ‘Fear Allah and preserve the ḥadīth. By Allah, we have witnessed sitting with Abū Hurayra, and he would narrate from the Messenger of Allah, and he would narrate from Ka’b al-Aḥbār. Then he would stand [and leave] and I heard some of those who had been with us make statements of the Messenger of Allah as Ka’b’s, and that which the Messenger of Allah had said as [statements

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<sup>104</sup> Al-Bukhārī, Chapter: Sales and Trade, ḥadīth No. 2047.

of] Ka‘b! So, fear Allah and preserve the ḥadīth!’ It would appear here then that Abū Hurayra’s generosity in divulging ḥadīth without discernment had undesirable outcomes too.

## Ḥadīth Nine

Al-Zarkashī states:

Muslim and Nisā’ī record on the authority of Shurayḥ b. Hānī:

عن أبي هريرة قال: قال رسول الله: من أحب لقاء الله، أحب الله لقاءه، ومن كره لقاء الله، كره الله لقاءه، قال شريح: فأتيت عائشة فقلت: يا أم المؤمنين سمعتُ أبا هريرة يذكر عن رسول الله حديثاً إن كان كذلك فقد هلكتنا، فقالت: إن الهالك من هلك، وما ذاك؟ قال: قال رسول الله: من أحب لقاء الله، أحب الله لقاءه، ومن كره لقاء الله، كره الله لقاءه، وليس منا أحد إلا وهو يكره الموت، فقالت: قد قاله رسول الله ولكن إذا شَخَّصَ البصرُ، وحَشَرَ جَ الصَّدْرُ واقشعرَ الجِلْدُ، وتَشَنَّجَتِ الأصابعُ، فعند ذلك من أحب لقاء الله، أحب الله لقاءه، ومن كره لقاء الله، كره الله لقاءه

On the authority of Abū Hurayra who said, the Messenger of Allah said, ‘Whoever loves to meet Allah, Allah loves to meet him, and whoever hates to meet Allah, then Allah hates to meet him.’ Shurayḥ said, I went to ‘Ā’isha and said, ‘Oh Mother of the Believers, I heard Abū Hurayra mention that the Messenger of Allah made a statement, which if true, then we are ruined!’ She said, ‘The [one claiming] ruination is the one ruined, and what was this?’ He said, ‘The Messenger of Allah said, ‘Whoever loves to meet Allah, Allah loves to meet him, and whoever hates to meet Allah, then Allah hates to meet him’ and there is not a single one from among us, except that he hates death.’ She said, ‘The Messenger of Allah did say this, but when the eyes become glazed, the chest begins to rattle, the skin starts to goose bump and the fingers begin to twitch, then, at this point, whoever loves to meet Allah, Allah loves to meet him, and whoever hates to meet Allah, Allah hates to meet him.’

Al-Zarkashī gives no further commentary on this tradition, but simply narrates another similar one. The ḥadīth is evidence once more of Abū Hurayra’s limited understanding on the more technical aspects of the religion, in this case the eschatological circumstances of the state of a believer at the time of death. His statement alone causes much trepidation in those who hear the ḥadīth from him, and as has been seen previously, they take his statement to ‘Ā’isha for verification. Her role as authenticator and judge of ḥadīth and statements pertaining to the faith further augmented. A picture emerges of her eminence among them; her position of authority and the supremacy of her word as the final one. This would be a position she would retain for many years and is exemplified in the words of al-Shāfi‘ī who would say, ‘If there is a tradition contradictory to ‘Ā’isha’s it would be obligatory on both of us to accept her tradition rather than another, for her tradition should be the standard according to which you and I make our choice’ (Spellberg, 1994).

Here, not only has Abū Hurayra been corrected, he has displayed, at worst, a complete lack of understanding, and at best poor communication. It is for such reasons that senior scholars such as Abū Ḥanīfa, and his teacher Ibrāhīm al-Nakha‘ī, did not accept Abū Hurayra’s traditions quite so easily. Ibn Kathīr notes in his *al-Bidāya wa al-Nihāya* that al-Thawrī said on the authority of Mansūr, on the authority of Ibrāhīm al-Nakha‘ī that, ‘They would take from everything Abū Hurayra narrated, except for those traditions regarding the descriptions of paradise and hell, or which encouraged towards a righteous action, or that prohibits doing an evil mentioned in the Quran’ (Abū Rayyah, 1994, p.179). This would be well in keeping with ‘Ā’isha’s methodological approach to Prophetic ḥadīth: to scrutinise statements and individuals who were stating them, including the Companions. In this case, al-Nakha‘ī and his student Abū Ḥanīfa, and then others of Abū Ḥanīfa’s students continued to be discerning amongst the Companions and what they accepted from them.

Abū Rayyah in *Shaykh al-Muḍīra Abū Hurayra* (1994, p.159), reports that Abū Ḥanīfa discouraged his students from accepting the statements of three Companions; Anas b. Mālik, Abū Hurayra, and Samrāh b. Jundub. When probed as to why he had taken such a position regarding these men, he said, ‘As for Anas, he became senile at the end of his life, and would give religious rulings according to his intellect, and I am not a follower of his intellect. And as for Abū Hurayra, well, he would narrate everything that he heard without contemplation of the meaning, and without knowing what was abrogating, and what was abrogated.’. While later scholars would use this ignorance of Abū Hurayra’s as an excuse for his corrected narrations,

Abū Ḥanifah made clear that this was a reason not to accept traditions of import to the pillars of the religion from him. He simply was not knowledgeable enough to have his traditions taken into consideration on such central points of faith.

### **Impugnment due to Opposition from Reliable Authorities, (*Mukhālif al-Thiqāt*)**

Essentially, all of the traditions recorded in this chapter can be considered an impugnment of Abū Hurayra due to ‘Ā’isha’s opposition to his claims, but Ḥadīths 7, 10, and 11 are most explicit in this regard: With the statements and actions of ‘Ā’isha being most vociferously so in Ḥadīth 11, which is then further corroborated by a similar contention against Abū Hurayra by another senior Companion, ‘Alī.

### **Ḥadīth Seven**

Al-Zarkashī states:

Abū Manṣūr al-Baghdādi mentions, with a chain to Abū ‘Arūba al-Ḥusayn b. Muḥammad al-Ḥurānī, who narrates on the authority of Yaḥya b. ‘Abd al-Raḥmān b. Ḥāṭib, who narrated:

عن أبي هريرة أنه قال: مَنْ غَسَلَ مَيِّتًا اغْتَسَلَ، وَمَنْ حَمَلَهُ تَوَضَّأَ، فَبَلَغَ ذَلِكَ عَائِشَةَ فَقَالَتْ:  
أَوَنْجِسُ مَوْتِيَ الْمُسْلِمِينَ؟ وَمَا عَلَى رَجُلٍ لَوْ حَمَلَ عَوْدًا؟

Abū Hurayra said, ‘Whoever performs the *ghusl*, ritual washing of the deceased, must also perform the *ghusl*, and whoever touched it must perform *wuḍū’*, ablution.’ When this reached ‘Ā’isha, she remarked, ‘Have the deceased of the Muslims become impure? And what of a man who has carried the body?’

Al-Zarkashī comments that the majority of the Companions narrate this tradition and none of them claim ablution needs to be made upon touching the deceased. It is instead considered a *marfū’* ḥadīth, meaning it has a chain going back to Abū Hurayra and is attributed to the Prophet, but is not a strong narration.

As is reported in al-Qurtubī's *Jāmi' Bayān al-'Ilm* (1994, p.915), Ibn Mas'ūd also comes to hear of this narration from Abū Hurayra and similarly rebukes him for this statement saying, 'Oh people! You are not made impure by your dead'. Such narrations caused early scholars to look upon the traditions narrated by Abū Hurayra pertaining to jurisprudence, theology, or doctrinal beliefs with some wariness, as has been discussed previously in relation to Ḥadīth 9.

'Ā'isha displays a real protectiveness (*ghīra*) for the Muslim community, and one that has also been illustrated earlier in this chapter in Ḥadīths 2, 3, 5 and 9, all ḥadīth that would potentially cause believers anxiety or difficulty in their praxis. She seeks ease for those Muslims who are alive by not requiring those who have washed the deceased to have to perform a full bath, a cumbersome task especially if they wish to partake in the funeral prayers for which ritual purification is mandatory, and honour for those Muslims who have passed, by rejecting the notion that their bodies could now become a source of defilement. Additionally, she also asserts her logic by asking 'and what of a man who has carried the body?'. In other words, she is asking for the location and mode of the impurity; is it in the act of washing, or is it in the act of touching? The question is meant to expose the illogical and impracticable nature of the original statement, much like her response to the attempt at prohibiting women from travelling without a male guardian, to which she responded 'and who here has a male guardian always?', which can be read in Chapter Four under her response to Abū Sa'īd al-Khudrī. This Socratic questioning by 'Ā'isha not only undermines the statements she is responding to, but also incites and provokes those listening.

## Ḥadīth Ten

Al-Zarkashī states:

Abū al-Qāsim 'Abdullah b. 'Alī al-Baghawi narrates:

بلغ عائشة أن أبا هريرة يقول: إن المرأة تَقْطَعُ الصَّلَاةَ، فقالت: كان رسول الله يُصَلِّي، فتَقَعُ  
رجلي بين يديه أو بحذائه، فيصفيها، فأقبضها

It reached 'Ā'isha that Abū Hurayra said, 'A woman nullifies the prayer [if she walks in front of a person offering the prayer]'. So, she said, 'The

Messenger of Allah would pray and tuck my feet between his hands or his thighs. Then he would push them back [when prostrating], and I would stretch them forward [when he would raise his head from prostration].’

Al-Zarkashī makes no further comment on this ḥadīth. The words of ‘Ā’isha are sufficient a response to the claim of Abū Hurayra. Muslim and al-Bukhārī both record a similar tradition, wherein it is mentioned that ‘Ā’isha is informed of a statement claiming that the prayer is nullified by a dog, donkey, or woman passing between the one praying and the *Qibla*. In response she is reported to say, ‘Do you make us like donkeys and dogs! By Allah, I have seen the Messenger of Allah pray while I am on the mattress, between him and the *Qibla*, lying on my side. Then I had a need, but I disliked sitting up, thus disturbing the Messenger of Allah, so I slipped away slowly by his feet.’

Both responses of ‘Ā’isha paint a very different picture to that of the one created by Abū Hurayra wherein women are merely another nullifier alongside dogs and donkeys—incidentally, both animals associated with humiliation and lowliness—in the category of beings that nullify the prayer. ‘Ā’isha not only refutes such a misogynistic and irrational classification of women, but she also offers us an intimate image of a prayerful Prophet who was simultaneously a loving and humble husband too. One can only reassert the weakness of Abū Hurayra in narrating on matters pertaining to jurisprudence.

## Ḥadīth Eleven

Al-Zarkashī states:

The two Shaykhs [Muslim and al-Bukhārī] narrate on the authority of Abū Hurayra that the Messenger of Allah said:

لا يَمْشِيَنَّ أَحَدُكُمْ فِي نَعْلٍ وَاحِدَةٍ، لِيَنْعَلَهُمَا جَمِيعًا، أَوْ لِيَخْلَعَهُمَا جَمِيعًا

‘Not one of you should walk with only one shoe on; either put them both on, or take them both off’.

While there is no explicit refutation of Abū Hurayra by ‘Ā’isha in this ḥadīth, it is recorded here by al-Zarkashī for the fact that ‘Ā’isha had a contradictory tradition attributed to her. Al-Zarkashī recalls it as a sound tradition narrated on the authority of Abū Bakr b. Abū Shaybah, who said, Ibn ‘Uyaynah narrated on the authority of ‘Abd al-Raḥmān b. al-Qāsim, on the authority of his father that ‘Ā’isha was walking around with only one leather sock on saying, ‘[this] is to provoke Abū Hurayra.’

Interestingly, al-Zarkashī notes that the refutation of ‘Ā’isha is recorded in the same chapter as Abū Hurayra’s ḥadīth, but that ‘the scholars did not give it any attention, because the prophetic way, *Sunnah*, is not to be contradicted by opinion’. This is an almost preposterous statement given that it is established that ‘Ā’isha has refuted, rebuked and corrected Abū Hurayra on numerous occasions, that she is more knowledgeable and more reliable of the two, and that she had a far longer and more intimate relationship with the Prophet than Abū Hurayra did. It is questionable that the statement of Abū Hurayra be taken to represent the prophetic *Sunnah*, while the position of ‘Ā’isha is relegated to merely her opinion, thus allowing for her statement to be ignored even when set side by side with that of Abū Hurayra in the same chapter of a book.

Ibn Qutayba in fact cites in his *Kitāb Ta’wīl Mukhtalif al-Ḥadīth* that when this tradition of Abū Hurayra was reported to ‘Ā’isha she was subsequently found walking around with only one shoe on. When questioned about this, she replied. ‘Indeed, I oppose Abū Hurayra’. Incidentally, Ibn Qutayba reports a similar occurrence with ‘Alī b. Abū Tālib, whereby it reached him that Abū Hurayra was insisting that upon performing the ritual washing (*wuḍū’*) or when putting on clothes, one should begin each step with the right side. ‘Alī responded by calling for water in order to make *wuḍū’* and started with the left, saying ‘Indeed, I oppose Abū Hurayra’.

## **Conclusion**

This chapter has provided a number of interventions on the basis of ‘Ā’isha’s example that would contribute to the strengthening of critical ḥadīth studies. The primary contribution is the expansion of the existing understanding of *tarjīḥ al-Ṣaḥāba*—the preference of the Companions above other generations of Muslims—to integrating the also already existing understanding that amongst them there is also a variance. This variance is founded on the basis

of their seniority, knowledge, experience, length of time spent with the Prophet, participation in key events in the history and establishment of Islam as a faith and movement, such that, while as a generation they retain their superiority over later generations of Muslims, as the generation that aided, strengthened and established Muḥammad as their Prophet and Islam as their religion, amongst themselves there are degrees and ranks. Indeed, this too is a concept that was not neglected by early scholars and is reflected in the contestation of who constituted a *Ṣaḥābī*.

Ibn Ṣalāh (1986, p.293) writes that there was difference of opinion (*ikhtilāf*) amongst the scholars as to who could be considered a Companion. Two positions emerged: one upheld by the scholars of ḥadīth (*Ahl al-ḥadīth*) and one upheld by the legal theorists (*Uṣūliyyūn*). The scholars of ḥadīth agreed with the statement made by al-Bukhārī in his *Ṣaḥīḥ* as to who could be considered a Companion. He wrote, ‘Any Muslim who accompanied the Prophet or saw him is a Ṣaḥābī.’ The scope is quite broad as there is no minimum requirement for how long a person needed to have accompanied the Prophet. Indeed, the bare minimum requirement appears to be to have merely seen the Prophet directly in his lifetime. Ibn Ṣalāh (*ibid.*) notes that legal theorists had a narrower view. He gives the view of Sa‘īd b. al-Mūsayyib, a second-generation Muslim (*tābi‘ī*) and son in law to Abū Hurayra, who was respected in his own right as a jurist and one whose piety was celebrated by his peers and Companions who saw him.<sup>105</sup> Sa‘īd b. al-Musayyib had stated that he did not consider anyone a Companion of the Messenger of God unless they had spent at least a year or two years in his company and had battled alongside him in one or two battles (*ibid.*). Thereby thoroughly restricting the category of Companion. This is preceded by the restriction on the term imposed by some Companions themselves. Ibn Ṣalāh (*ibid.* p.294) writes, on the authority of Sha‘bah who said Mūsa al-Subulānī said, ‘I went to Anas b. Mālīk and said, ‘Is there any Companion of the Messenger of Allah left apart from you?’ He said, ‘There are many from amongst the Arabs left who saw him, but as for those who accompanied him (*ṣāḥabahu*), then no [there are no others left].’ This statement is recorded by Muslim too. Anas b. Mālīk clearly differentiating between those who simply saw the Prophet, and those who actually spent time in his company in deciphering who was a Companion and who wasn’t. The question is then raised as to why seek to create

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<sup>105</sup> He was one of the Seven Fuqaha of Medina, credited for contributing to the transmission of ḥadīth and development of legal rulings in Medina in the second century. The other six being, ‘Urwah b. al-Zubayr, Sālim b. ‘Abdallah b. ‘Umar. Al-Qāsim b. Muḥammad b. Abū Bakr, Abū Salamah b. ‘Abd al-Raḥmān b. ‘Awf, Sulaymān b. Yasār, and Khārija b. Zayd b. Thābit.

these delineations and demarcate those from amongst that generation on the grounds of criteria that differentiated on the basis of proximity to and length of time spent with the Prophet. This could only have been because of the rising prominence of Companions as religious authorities and the reliance of the following generation upon them for guidance in their lives, both religious and otherwise.

‘Ā’isha’s insistence on holding to account those Companions around her who narrated statements of the Prophet supports this. She is all too aware of the limitations of each one of their claims and in the particular instance of Abū Hurayra, cites his verbosity as a source of dubiousness. Instead, his verbosity comes to be celebrated by later generations of Muslims who marvel at the number of ḥadīth he narrates, rather than suspect it. ‘Ā’isha remains a standard of integrity against which narrations are tested. It is seen in this chapter on numerous occasions, that Companions and second-generation Muslims, were consistently sending Prophetic statements back to ‘Ā’isha for verification. It could even be seen as an established practice of the earliest generations to do so. She becomes the yard stick by which all statements are measured. Where Abū Hurayra is made to change his mind on what he thought the Prophet had said—as in Ḥadīth 1—and to re-reference his statement from the Prophet to another Companion as shown in the explanation of Ḥadīth 6, ‘Ā’isha remains steadfast and reliable in her narrations and in her correctives. Abū Hurayra is shown to be lax in who he narrates to, how much he narrates, and upon whose authority he narrates ḥadīth. He is what would be referred to by ḥadīth scholars as *tasāhul fi riwāyat al-ḥadīth*—lax in his narration of ḥadīth—were he not a Companion but rather a narrator of a later generation. Whereas ‘Ā’isha proves herself strict and thoughtful in her narrations—*mutashaddidah fi riwāyat al-ḥadīth*—a trait required by all other narrators of ḥadīth who are *not* Companions. By opening up the Companions to a level of scrutiny that does not undermine their status—after all it is still their expertise being sought and their honesty being relied upon to attain Prophetic statements—but that does allow differentiation between them in order to extract the most reliable narration, would serve only to strengthen understanding and praxis based on ḥadīth. By being able to draw out more authentic statements, instead of seeking to reconcile them or, worse yet, preferring the statements of a less adept Companion over one of far more knowledgeable, contemporary situations that give rise for the need to exercise *Ijtihād* can also be aided by the methodology that emerges through these correctives of ‘Ā’isha’s and the criteria she uses to justify her positions.

Having considered her extensive correctives of Abū Hurayra, the next chapter will reflect on ‘Ā’isha’s response to the claim of Faṭīma bint Qays. Unlike Abū Hurayra, Faṭīma’s chapter is not constituted of a number of correctives on an array of statements, but is concerned with one assertion of Faṭīma’s concerning the housing and maintenance of a divorced woman on the basis of her experience. It warrants its own chapter for the wealth of information it contributes to the emergent methodology of ‘Ā’isha in evaluating ḥadīth, which in turn contributes to the findings of Chapter Seven.

## Chapter Six: ‘Ā’isha the Compassionate

‘Ā’isha’s response to Faṭīma is unique in the collection presented by al-Zarkashī not least because it is the only ḥadīth in which ‘Ā’isha is responding to a female companion, but also because of what it reveals of her methodology in approaching ḥadīth from what I would term an ethic of care. To this effect, this chapter discusses the theory and practise of an ethic of care as expounded by its key developers, Carol Gilligan and Nel Noddings.

This chapter will map the historical treatment of the divergent positions this ḥadīth presents and how the gender of Faṭīma is treated, if at all, and the various conclusion Islamic practitioners of law have come to. Unlike the previous chapter, this one does not offer analysis on the basis of the established ḥadīth criteria for acceptance and impugment of narrators, because ‘Ā’isha does not impugn Faṭīma, nor does she negate her statement. Instead, ‘Ā’isha’s contention lies in Faṭīma’s normative assertion of her experience, while ‘Ā’isha insists on it being treated as an exceptional case.

The chapter proceeds to expound on the ethic of care as espoused by ‘Ā’isha and as illustrated by this ḥadīth. Furthermore, in this chapter, I seek to illustrate that the ethic of care is not only the *modus operandi* of ‘Ā’isha, but that it is one rooted in her experience of being cared for by the Prophet, and in her desire to seek to connect the Muslim community to God through a safeguarding of the Divine care shown to believers in the Quran. Importantly, the ethic of care as a component of ‘Ā’isha’s approach to the ḥadīth allows for a multiplicity of correct conclusions, allowing for the full agency of individual Muslims with regards to their praxis, but also ensuring their connection to God by removing the necessity for constant referral to ‘experts’, or those who would fancy themselves representatives of God and assume for themselves a position between God and the Muslim. This despite the warning of the Quran to remove all intermediaries between God and the worshipper.

### ‘Ā’isha’s Response to Faṭīma bint Qays

Al-Zarkashī states:

Muslim and the four *Ṣiḥāḥ* record on the authority of Sha‘bī who said,

عن الشعبي قال: دخلت على فاطمة بنت قيس فسألتها عن قضاء رسول الله عليها، فقالت: طلقها زوجها البتة، فخاصمته إلى رسول الله في السكنى والنفقة، قالت: فلم يجعل لي سكنى ولا نفقة

‘I visited Faṭīma bint Qays and asked her about the verdict of the Messenger of God regarding [the provisions to be provided by her ex-husband to] her. She said her husband divorced her with an irrevocable divorce, so she argued her case before the Messenger of God, regarding her lodging and maintenance but he decreed against her being provided either [by her ex-husband].’

Al-Zarkashī relays another ḥadīth in which Faṭīma’s stance is considered in ‘Ā’isha’s presence. He writes that al-Bukhārī records the same ḥadīth but with the following addition on the authority of Hishām who reported his father as saying that ‘Ā’isha condemned (*‘ābat*) Faṭīma’s statement and its implications in the most severe terms. She said, ‘She was in a secluded place, so there was fear for her safety. As a result, the Messenger of God made a concession for her.’

Al-Zarkashī proceeds to support this position by giving further evidence from a report recorded by Muslim on the authority of ‘Urwah who said, Yaḥya b. Sa‘īd b. al-‘Āṣ, married the daughter of ‘Abdul Raḥmān b. al-Ḥakam, but then he divorced her and expelled her from the house. They were condemned for this by ‘Urwah, but they simply responded, ‘Faṭīma left [her husband’s house].’ ‘Urwah reports seeking out ‘Ā’isha for clarity on the matter. She responded, ‘There is no benefit for Faṭīma in repeating this ḥadīth.’ In other words, the situation that Faṭīma found herself in was one that required particular attention and special consideration as it did not align with the conventional legal requirements on divorce. ‘Ā’isha describes Faṭīma as being in a *makān waḥsh*, translated above as a secluded place, but which can also suggest a lonely and anxious place. There was clearly concern for Faṭīma’s safety that warranted a concession and a legal verdict that was specific to her unusual circumstances. It was not to be used as a means by which men could divorce their wives and then dispense of their obligations towards their ex-wives as they observed their waiting period (*‘iddah*).

Faṭīma’s position is also rejected by ‘Umar b. al-Khaṭṭāb, whose criticism of Faṭīma’s report has received much scrutiny for its apparently partially sexist basis for rejecting her statement.<sup>106</sup> He is reported to have rejected her statement, vociferously arguing, ‘We will not abandon the Book of God and the *Sunnah* of His Prophet for the saying of a woman. We do not know if she accurately remembers the situation.’<sup>107</sup> In another statement, he is reported to have responded, ‘We do not give preference to the words of women in matters of religion. The thrice divorced [i.e. irrevocably divorced] woman is entitled to lodging and maintenance.’<sup>108</sup> Despite the overtly sexist language, which does not behave ‘Umar who capitulated on a number of occasions to the opinion or reprimand of women,<sup>109</sup> his objection is grounded in the fact that he believes Faṭīma’s statement is in contravention to the requirements stipulated in the Quran and Prophetic practice.

Likewise, Marwān b. al-Ḥakam is also reported to have opposed Faṭīma’s normative assertion of her experience. Al-San‘ānī records in his *Muṣannaf* that the story of Faṭīma was relayed to Marwān and he responded, ‘I have not heard of this statement from anyone other than a woman. We will adhere to the custom of the people [i.e. that the woman remains in her marital home for the waiting period].’ When Faṭīma was made aware of his response, she retorted, ‘Between us the Quran [is sufficient as a witness]. God, the Almighty, the Most Majestic has said,

لَا تُخْرِجُوهُنَّ مِنْ بُيُوتِهِنَّ وَلَا يَخْرُجْنَ إِلَّا أَنْ يَأْتِيَنَّ بِفَاحِشَةٍ مُبَيَّنَةٍ وَتِلْكَ حُدُودُ اللَّهِ وَمَنْ يَتَعَدَّ حُدُودَ اللَّهِ فَقَدْ ظَلَمَ  
نَفْسَهُ لَا تَدْرِي لَعَلَّ اللَّهَ يُحْدِثُ بَعْدَ ذَلِكَ أَمْرًا

‘Do not expel them from their homes; and neither shall they [be made to] leave unless they become openly guilty of immoral conduct. These, then, are the bounds set by God - and he who

<sup>106</sup> See Sayeed, A, 2009. Gender and Legal Authority: An Examination of Early Juristic Opposition to Women’s Ḥadīth Transmission, *Islamic Law and Society*. 16(2). pp.115-150.

<sup>107</sup> Muslim, Chapter: Divorce, Section; She who is irrevocable divorced, ḥadīth No. 1480.

<sup>108</sup> Interestingly, this ḥadīth is recorded in Muslim’s *Ṣaḥīḥ*, but is rejected by Aḥmad and others who consider it a weak narration.

<sup>109</sup> Imām al-Ghazālī reports in his magnum opus, *Ihya’ ‘Ulūm al-Dīn*, a widely circulated incident wherein, as Caliph, ‘Umar attempted to instate a limit on how much *mahr* (money gifted to the bride by the groom upon marriage) could be demanded, by delivering a speech in the mosque. Upon hearing his declaration, an old woman from amongst the congregants stood up and rebuked ‘Umar saying ‘You shall not take away from us what God has given us’ and then recited from the Quran to further her stance. ‘Umar replied defeated and sufficiently sobered, ‘A woman is right and ‘Umar is wrong’.

transgresses the bounds set by God does indeed sin against himself: [for, O man, although] you know it not, after that [first breach] God may well cause something new to come about.’<sup>110</sup>

Faṭīma continued, ‘This is for one who can return to her husband [i.e whose divorce is still yet revocable], but what can be hoped for after three [pronouncements of divorce]?’ Faṭīma remained adamant that her experience also provided a normative position in the developing legal theory of Islam for the irrevocably divorced woman which did not contradict the Quranic verses whose subject matter was in fact the divorcee who could yet still hope for reconciliation to occur.<sup>111</sup> In fact, Faṭīma is recorded as attempting to enact her experience into normativity amongst the Muslim community when her niece finds herself irrevocably divorced by her husband, ‘Abdullah b. ‘Amr b. ‘Uthmān. Faṭīma instructed her niece to leave her husband’s home and come to her home instead. Marwān came to know of this and commanded that the niece be returned to her husband’s home to complete the requisite waiting period. It was on this occasion the above report occurred.

The case of Faṭīma bint Qayṣ is one that has proven divisive and most difficult to reconcile among scholars of Islam. She regularly makes appeal to her experience as a precedent set by the Prophet and finds her stance both utterly rejected by dissenters on the basis that it contradicts the Quran, and supported by proponents of her statement on the basis that it is supported by the Quran. It becomes apparent, then, that the issue is one of legal reasoning (*ijtihād*). Ibn Abū Shaybah (2008, Vol. 6, pp.472-476) writes in his *Muṣannaf* that the scholars of Islam, reflecting the state of affairs of the Companions on the matter, were conflicted. Three positions emerge on the issue:

1. If the divorce is irrevocable the divorced woman has neither lodging nor maintenance provided for her. This is the opinion held by Aḥmad b. Hanbal, Ibn Rāhawayh, al-Ḥasan al-Baṣri, ‘Aṭā’ b. Abi Rabāḥ, al-Ṭāwūs and al-Sha‘bī. They have all based their opinion on the full acceptance of Faṭīma’s narration.
2. The irrevocably divorced woman is entitled to receiving both lodging and maintenance. This was the opinion held by ‘Umar b. al-Khaṭṭāb, as well as Ibn Mas‘ūd and the jurists, Sufyān al-

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<sup>110</sup> Quran, al-Ṭalāq, 65:1.

<sup>111</sup> ‘Abd al-Razzāq al-San‘ānī, *Muṣannaf ḥadīth* No., 12024 and 12025.

Thawrī, Ibn Shabramah, Ibn Abū Layla, al-Ḥasan b. Abū Ṣāliḥ, Abū Ḥanīfa, Abū Yusuf and Muḥammad al-Shaybānī, all of whom suggested Faṭīma’s position was an exceptional case or rejected her statement as untenable with the guidelines set forth in the Quran.

3. The woman who has been divorced irrevocably is due to be provided lodging by her ex-husband, but he is not obliged to provide her with any maintenance. The third position appears to attempt a reconciliatory position between the first two. It is the position taken up by Mālik b. Anas, al-Layth b. Sa‘d and al-Shafi‘ī. In fact, al-Shafi‘ī concisely illustrates the position, contending, ‘We grant her lodging on the basis of the Book of God, since God said, ‘Do not drive them out of their homes,’ nor should they themselves leave ‘unless they commit a flagrant indecency.’<sup>112</sup> She does not receive maintenance on the basis of the statement of the Messenger of God concerning the story of Faṭīma bint Qays.’

Al-Shafi‘ī, along with many other scholars who were of the opinion that a divorced woman was entitled to housing (*sakna*) during her waiting period after the pronouncement of divorce but not maintenance (*nafaqa*), supported their opinion by the Quranic verse:

أَسْكِنُوهُنَّ مِمَّنْ حَيْثُ سَكَنْتُمْ مِّنْ وَّجْدِكُمْ وَلَا تُضَارُوهُنَّ لِتُضَيِّقُوا عَلَيْهِنَّ وَإِن كُنَّ أُولَاتٍ حَمِلٍ فَلَا تُنْفِقُوا عَلَيْهِنَّ حَتَّىٰ  
يَضَعْنَ حَمْلَهُنَّ فَإِن أَرْضَعْنَ لَكُمْ فَآتُوهُنَّ أُجُورَهُنَّ وَأَتَمِّرُوا بَيْنَكُم بِمَعْرُوفٍ وَإِن تَعَاَسَرْتُم فَاَسْتَرْضِعْ لَهُ أُخْرَىٰ

‘[Hence,] let the women [who are undergoing a waiting-period] live in the same manner as you live yourselves (*Askinu-hunna*) in accordance with your means; and do not harass them with a view to making their lives a misery. And if they happen to be with child, spend freely (*anfiq*) on them until they deliver their burden; and if they nurse your offspring [after the divorce has become final], give them their [due] recompense; and take counsel with one another in a fair manner [about the child’s future]. And if both of you find it difficult [that the mother should nurse the child], let another woman nurse it on behalf of him [who has begotten it].’<sup>113</sup>

Because the command to house divorced women is given in general terms, while the command to spend on them is made conditional on the pregnant state of the divorcee, these scholars have argued that the command for *sakna* is a general one (*‘ām*), whereas the imperative for *nafaqa*

<sup>112</sup> Quran, al-Ṭalāq 65:1.

<sup>113</sup> Quran, al-Ṭalāq 65:6.

is a restricted one (*khāṣ*). If maintenance was a universal right of irrevocably divorced women, so the argument goes, the imperative to spend on their ex-wives would not have been predicated on pregnancy and would instead have been made as a general requirement without conditional qualifications, in the manner that housing is commanded.

However, there are also scholars like Aḥmad b. Hanbal who took the juridical position that a divorcee is not obliged to receive housing or maintenance based on the ḥadīth of Faṭīma bint Qays.

### **An Ethic of Care as Ḥadīth Methodology**

‘Ā’isha’s correction of Faṭīma in the case of this ḥadīth is interesting for the fact that, despite ‘Ā’isha’s ardent opposition of Faṭīma’s position, she does not impugn her, neither as an unreliable narrator nor in terms of the content of her statement, as she often does with other Companions whom she challenged. ‘Ā’isha does not condemn Faṭīma’s memory, grasp or understanding of her situation. She does not express a deep anger, nor does she deny the experience Faṭīma had when going through her own divorce, and she certainly does not cast doubt on the reliability of her position on the basis of her gender. ‘Ā’isha does not invalidate Faṭīma on any of these bases, but instead shows concern for the potential damage she foresees in the wide uptake of Faṭīma’s position on the vulnerability of future generations of Muslim women divorcees.

I propose that ‘Ā’isha is exhibiting an ethic of care towards the Muslim community in all her responses, but that this case makes for a particularly insightful example.

In her pioneering book, *In a Different Voice: Psychological Theory and Women’s Development* (1982), Gilligan disputes the claims of established forefathers of philosophy, in particular those of Lawrence Kohlberg, on moral development and maturity, arguing that whilst their findings and assertions were accurate of the male experience, they were, by design, and because of the gender bias inherent to them, unable to chart the moral maturity of women—they did not take into consideration the female experience. This meant that women were condemned to consistently fare poorly in results. According to Gilligan (ibid. p.6), ‘[by] implicitly adopting the male life as the norm, they have tried to fashion women out of a masculine cloth,’ further

adding that this meant that women's moral development then simply, 'falls through the sieve' (ibid. p.18) of such research.

Kohlberg's model, briefly, is composed of three levels, each constituted by two stages. Each stage builds upon the last therefore none can be skipped, as each provides a new and essential perspective, both differentiated from the preceding stage, and interconnected. These levels and their stages were:

- **Level One: Pre-Conventional Morality:** At this stage authority is viewed as outside the individual and moral reasoning occurs with physical consequences as the primary consideration.
  - **Stage One: Obedience and Punishment Orientation.** The individual is motivated in their actions by a desire to avoid punishment.
  - **Stage Two: Individualism and Exchange.** The individual realises there is more than one correct view and begins to take decisions based on self-interest.
  
- **Level Two: Conventional Morality:** The moral code as constructed by external authority is internalized without question.
  - **Stage Three: Good Interpersonal Relationships.** Decisions are made in order to please others and to be seen as a good person. Approval of others becomes primary in the decision-making process. This is the point beyond which Kohlberg did not consider women capable of progressing.
  - **Stage Four: Maintaining Social Order.** Decisions are made in order to comply with laws and societal norms to avoid guilt.
  
- **Level Three: Post-Conventional Morality:** Judgments are made on the basis of personally developed principles, and moral reasoning is premised on rights and justice.
  - **Stage Five: Social Contract and Individual Rights.** The individual comes to realise that rules and laws exist for the greater good for most people and most times, but that there are always exceptions in which these rules and laws will not achieve the best outcome.
  - **Stage Six: Universal Principles.** At this stage the individual makes their judgements on the basis of their own moral guidelines, which may or may not

be congruent with the rules and laws of authority. This moral guideline is concerned with universal ethical principles. The individual will do what they believe to be right, even if it is against the law. (Papalia, D., Olds, S.W., and Feldman, R.D., 2009, pp.376-377)

In Kohlberg's model, women were deemed incapable of surpassing the 3rd stage (conventional), where the motivation for moral behaviour is to seek approval, whereas men could progress to achieving the very highest level of morality on the scale; ascending three further stages to arrive at the 6th level, where morality is motivated by an internalised and principled moral perspective (Gilligan, 1982, p.18). Using Kohlberg's model of moral development, she demonstrated that the disparity between boys' and girls' results did not indicate a moral immaturity in the girls but evidenced another way of thinking and engaging morality. Gilligan argued that the consideration girls showed to immediate networks of relation when presented with a moral dilemma did not represent an inferior way of thinking morally, but an alternative one—one that was not inferior, and not necessarily superior either, but another way of thinking; a different voice.

In sum, Gilligan posited that there were two approaches to ethical decision making. The first is described as the ethics of justice, traditionally associated with how men think, rooting its ethical decision making in universal principles which are considered from an impartial position, giving results that are verifiable against universal principles such as laws, and that deliver equitable results for all people. It is abstract and procedural. The second is the ethic of care, whereby the universal is recognised as not always being applicable when taking into consideration individual circumstances, the networks of relations affected and the needs of others, noting that it is in the differences and not the universal aspects of an experience where moral dilemma is encountered. It is more contextual and concerned with narratives. These two approaches need not be seen as in conflict, and of course an integrative approach is perfectly plausible, as asserted by Gilligan too, but in many instances the ethic of care has not been considered for its being mostly and traditionally associated with women. Indeed, Gilligan wrote, 'As we have listened for centuries to the voices of men and the theories of development that their experience informs, so we have come more recently to notice not only the silence of women, but the difficulty of hearing what they say when they speak. Yet in the different voice of women lies the truth of an ethics of care, the tie between relationship and responsibility, and the origins of aggression in the failure of connection' (ibid. p.173). Table 2, composed by

Malan and Cilliers, illustrates the key differences between the ethic of care and the logic of justice. Whilst ‘Ā’isha’s voice has been preserved in texts, it has been effectively muted by the centuries of exclusively male interpretation, classification and mobilisations of the sacred texts of Islam, thereby also reducing and even neglecting the consideration of care in her approach.

Ethic of Care	Logic of Justice
Relationships	Rules
Interdependence and connections	Autonomous individual
Decision	Calculation
Responsibility	Duty
Responsibility and respect	Rights and formal equality
Context	Formal rights and rules

*Table 2: The key differences between the ethic of care and the logic of justice (Malan and Cilliers, 2003, p.10)*

The ethic of care as espoused by Gilligan has been widely received and applied in various disciplines, such as, *inter alia*, education, international relations, health care and area studies, however it has not been without critique too.<sup>114</sup> Much of this centres around the implication that these differences are inherently gendered, and that this may unintentionally give the impression that the root of these gendered differences lies in the notion that women are hard-wired biologically to think in a certain way, while men in another, instead of turning attention to how gender consciousness is formed and the myriad ways in which the physical circumstances and condition, education and cultural ideologies that are current meld with historical conditions of class, race, age and generation to culminate in creating these differences due to ways societies construct gender and thereby the gendered experience.<sup>115</sup>

<sup>114</sup> The academic journal, *Signs*, 1986 **11**(2) is dedicated to a roundtable discussion which discussed and critiqued *In a Different Voice* from a number of perspectives, along with a response by Carol Gilligan. See also Malan, Y. and Cilliers, P. 2004. Gilligan and complexity: reinterpreting the ‘ethic of care’. *Acta Academia*. **36**(3), pp.1-20, for a critical but reconciliatory analysis.

<sup>115</sup> For more on this see, Zella, L. 1986, A Methodological Critique. *Signs*. **11**(2), pp.316-321.

In the particular case of 'Ā'isha, however, I would assert that any ethic of care she enacts is one not solely informed by her lived experience but one that is foremost and deeply rooted in a theological-philosophical position espoused by the Quran and exemplified in Prophetic practice (*Sunnah*), which she observed first hand. Noddings, one of the pioneers of the ethics of care, asserts that, 'ethical caring depends not upon a rule or principle but upon the development of an ideal self' (1984, p.94) , and not just any ideal self but one which is 'developed in congruence with one's best remembrance of caring and being cared for'. Considering 'Ā'isha's companionship of the Prophet and the variant ways in which she witnessed and experienced his care, her best remembrance of being cared for would have been that which she experienced living with the Prophet himself.

Nel Noddings (1984, p.94), argues for the understanding of 'care' as a practice, rather than a theory, which is engaged in the interconnectivity between individuals concerned with meeting the needs of others as well as our own selves, whilst being motivated to care by the desire to achieve an ideal of the self which has been developed in congruence with the best memories one has of caring and being cared for. Care ethics foregoes the 'justice perspective' in favour of a moral one.

Rather than focusing on universalised principles and ideals working in the service of independent individuals, it allows for a narrative of relations to be considered; a holistic analysis of the connections of relationships involved in any act, and the repercussion of the act on those relationships. A significant point raised by Noddings is with regard to the attempted universifiability of moral principles as being reductive. She argues that this universifiability relies on what Nietzsche points out as 'sameness'. In other words, in order to be able to have universal moral principles, it also has to be asserted that individual human experiences and predicaments have a sufficient amount of sameness to the experiences to allow for this. To bring primary focus onto those elements of the experience which are supposedly the same, the situation has to be sufficiently abstracted away from. This abstraction from the individual experiences is then at a loss of all those qualities in which they differed. This is crucial because it is precisely in the differences that moral dilemmas arise. As such then, Noddings (ibid. p.85) states, 'That condition which makes the situation different and thereby induces genuine moral puzzlement cannot be satisfied by the application of principles developed in situations of sameness'. In fact, an acknowledgement of this is found in the practise of the Prophet. It is reported in the Musnad of Aḥmad that a young man came to the Prophet and enquired as to

whether or not it was permissible for him to kiss his wife whilst fasting, due to the prohibition of intercourse during fasting hours. The Prophet told him no, it was not permissible. Sometime later, an elderly man came and posed the same question to the Prophet, to whom he replied in the affirmative, telling him he could kiss his wife whilst fasting. Hearing the contradiction in answers, those in the Prophet's company questioned him regarding this discrepancy. He responded that the former was young and perhaps unlikely to limit himself to just a kiss, whereas the latter was elderly and likely satisfied at just a kiss. In both circumstances there is plenty in common; both are Muslim men, married, engaging in active intimate relationships with their wives and seeking to understand the boundaries within which they must remain for the duration of their fasts. A generalised principle could have been established by the answer granted to the first questioner, but the Prophet allowed for the difference in the two situations, rather than the overwhelming similarities to guide his answer to each.

Another example is found in the work of Ibn Kathīr's, *Tārīkh*, in which he narrates how following the Battle of the Trench, the Muslim army was commanded by the Prophet to head towards Banū Qurayza next. He instructs his Companions that none should pray 'Aṣr until they arrive at their destination. However, en route, the Companions noted that the time within which to pray 'Aṣr was running short, and some feared that they would run out of time if they waited until they arrived at Banu Qurayza. Difference of opinion arose between the group and they could not refer the matter to the Prophet as he was not travelling with them. Divided on the matter, a group of them decided to pause to pray taking the words of the Prophet as a suggestion to get to their destination swiftly but not meaning to risk missing the obligatory prayer, whilst the others decided that it was an absolute command and that they would continue to delay the prayer until they arrived in Banu Qurayza. Once the army was reunited with the Prophet, the issue was brought to his attention for an *ex post facto* judgement. He in turn validated both interpretations and subsequent actions as valid. While the specifics had been the same, the difference lay in the interpretation of his words; both parties in turn were also striving to do what was right both by God and the Prophet; they wanted to give to each what they had requested of them. They had made their own *ijtihād*, exerted their own reasoning in concluding on their given opinions. Because both positions had been arrived at by careful reasoning that sought to stay loyal to God and the Prophet, neither was deemed incorrect. An ethic of care therefore allows for a multiplicity of correct responses.

This is not to say that general principles have no utility - they are useful in the abstract and theoretical discussion of potential predicaments one may wish to consider for scrutiny, but that in the consideration of real life events, the application of these general principles may not yield optimum results for all parties involved. However, adopting an approach grounded in the ethic of care, can be universally applied.

This is consistently exemplified by ‘Ā’isha in a number of her correctives. One example of such would be in her refutation of ‘Ubayd b. ‘Umayr’s position that women needed to undo their braids when performing *ghusl*. As a general principle, it is expected that in the process of taking a full bath, that the hair would be washed too. From the perspective of men in particular, with short or unbraided hair, it would seem perhaps therefore reasonable to untie the braids to ensure that every hair is washed. How much of a burden this would be for women (and men) for whom braids or other such hairstyles as locks, are a longwinded process to do and undo may not occur to those for whom such hairstyles are not customary or even familiar. By challenging the position, ‘Ā’isha is exposing the impracticality and undesirability of the general principle in the lives of a particular Muslim constituent. She is granting ease in the practise of the religion for its adherents, especially women.

A further aspect of the ethic of care is the criteria governing an individual’s obligation to care. Noddings (ibid. p.86) enumerates two objectives; firstly, the existence of or the potential for a present relation between the caregiver and the cared-for, and secondly, the dynamic potential for growth in this relationship - including increased reciprocity. In the Quran, God is reported to have told the angels when He created humans, that He was placing upon the earth vicegerents of His.<sup>116</sup> As such then, when ‘Ā’isha moves to make ease and to question the conclusions of Companions that create hardship for any member of the Muslim Ummah, she is acting as the vicegerent of God; not so much focusing on the potential relations the act would yield between herself and the Muslim community, but the potential relations it could foster between the individual Muslim and the One on whose behalf she is acting as vicegerent; God. This is particularly important when restrictions are being imposed on the basis of a Muslim woman’s gender, as the sexism and misogyny is attributed to God, with whom then the connection for the Muslim woman is one riddled with tensions.

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<sup>116</sup> Quran, al-Baqarah, 2:30, ‘And [mention, O Muhammad], when your Lord said to the angels, ‘Indeed, I will make upon the earth a vicegerent (*khalīfah*)’...’.

Noddings (ibid. pp.32-35) elucidates the intentionality of the caregiver, speaking in terms of the energy of motivation that they exert. For the one who is aspiring to respond to another from a truly caring position, the motivation of energy to respond holds the other at the centre of their motivation, not themselves, nor any other ulterior motive. With an ethic of care exerting an energy of motivation towards the one being cared for, rather than directing energy towards an abstract principle claiming universality and premised on ‘what God wants’, knowing for the Muslim that it is only ever what God wants that occurs, the upholding of principles is not given preference over the wellbeing of the individual or their community. This in turn allows for the multiplicity that the Prophetic example resulted in, rather than committing the multi-variant, culturally and generationally diverse Muslim community to the blanket binary answers of permissible and impermissible (*ḥalāl* and *ḥarām*).

Gilligan (1982, p174) argues, ‘While an ethic of justice proceeds from the premise of equality—that everyone should be treated the same—an ethic of care rests on the premise of non-violence—that no-one should be hurt’. I would argue that an Islamic perspective of justice, a central theme in the Quran and an essential attribute ascribed to God, would encompass both these approaches, for justice in the Islamic sense is not just punitive but restorative too, and if justice is to be restorative then it must be one that embodies care.<sup>117</sup> Thus, for example, even though the Quran does prescribe punishment for one who is guilty of murder, and does validate the right of the victim’s family to demand justice through retaliation in kind *Qisās* or the concept of ‘an eye for an eye’, justifying the family in their demands for the death penalty against the murdered, it also exhorts them to forgiveness. In fact, forgiveness as a virtuous act is cited numerous times in the Quran as being superior to revenge or punishment.<sup>118</sup> As such, then, the Quran and the practice of the Prophet call Muslim praxis to an ethic that is rooted in justice which in turn is rooted in care. As Gilligan (1983, p47) herself states, ‘...the concept of morality sustains a dialectical tension between justice and care, aspiring always toward the ideal of a world more caring and more just.’

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<sup>117</sup> Azizah al-Hibri speaks on the concept of Justice from Western and Muslim perspectives in her talk, ‘The Quranic Worldview: A Womanist Perspective’, a keynote speech delivered at Baker Institute for Public Policy, Rice University. A recording can be accessed at: <https://www.youtube.com/watch?v=Wl5gLoCoa4c&t=1978s>.

<sup>118</sup> See for example, Quran, al-Shūra, 42:40, ‘And the retribution for an evil act is an evil one like it, but whoever pardons and makes reconciliation - his reward is [due] from Allah. Indeed, He does not like wrongdoers.’

## ‘Ā’isha’s Intervention as an Ethic of Care

‘Ā’isha’s correction of Faṭīma in *al-Ijāba* is anomalous for it being the only corrective directed at a female companion, but beyond that it also illustrates most effectively the care and concern ‘Ā’isha exercised in her decision-making process and in issuing religious verdicts (*fatwas*) to the Muslim community.

Within the framework of the ethic of care, morality is a matter of care because networks of relationships are considered as an important touchstone in problem-solving. The world is seen as a complex network of relationships between individuals, rather than just a system of rules, principles, competing rights, and hierarchical ideals. This mirrors closely the Quranic conceptualisation of the *Ummah*, the global Muslim community forged on the foundations of religious belief and communal connection, which is required to operate not only on the basis of what is good and right for the individual, but also consider the impact it has on the community starting from those closest in proximity to one e.g. the family, then the neighbourhood, and so on.<sup>119</sup>

Gilligan also asserts that one’s obligations towards an object of care is ‘limited and delimited by relation’ (1983, p.86). In other words, the efficacy and value of care in one’s service to another is dependent on the nature of the relationship of the carer and the other, and how well the carer is aware of, attuned to and considerate of the number of relationships within their network that are affected by the outcomes which they generate. Considering the positionality of both women in question and their networks of relationships, it is clear that the network of relations that ‘Ā’isha would be considering is broader than that of Faṭīma’s. While ‘Ā’isha is concerned with the immediate effects of applying Faṭīma’s experience universally, she is also attentive to the longer-term effects of Faṭīma’s stance on future generations of Muslim women who find themselves divorced. Contrastingly, Faṭīma is concerned in the first instance by her own experience which involved her, her ex-husband, his family, and then her new husband upon emerging from her waiting period, and whilst this is a broad network of relations to consider, it is not nearly as wide as the one envisaged by ‘Ā’isha. In a second reported instance,

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<sup>119</sup> For more in-depth discussion on the term *Ummah*, see: Denny, F.M. 1975. The Meaning of ‘Ummah’ in the Qur’ān. *History of Religions*. 15(1), pp.34-70, and al-Ahsan, A. 2007. The Quranic Concept of Ummah. *Institute of Muslim Minority Affairs*. 7(2), pp.606-616.

wherein Faṭīma tried to assert her experience as normative, it was concerning her newly divorced niece; again, a situation likely to have a broad network of relations, but still one incomparable to that of ‘Ā’isha.

It is quite possible that Faṭīma too was aware of the emancipatory potential of her position for Muslim women, so that they may experience a full and absolute rupture from their ex-husbands and the network of connections which entangled them, including provisions such as lodging and maintenance. If this was indeed an assumption of hers, it would require that all women have recourse to their own finances, lodging and security, or that they have family to provide such for them, and that they live within a society where a woman living independently is a culturally accepted norm and will not find herself harassed—an unlikely proposition.

Furthermore, it is clear that ‘Ā’isha’s position is once again aligned with the precedent of the Prophet. When he made his pronouncement and judged against Faṭīma receiving neither lodging nor maintenance from her ex-husband, and not only called for her removal from his house, but also arranged an alternative lodging where she could carry out her waiting period, he was taking into consideration her immediate network of relationships. Al-Zarkashī writes that this removal of her from her ex-husband’s abode was for fear of them breaking into her home and insulting or harming her. ‘Ā’isha also confirms this in her statements regarding Faṭīma’s situation. For this reason, then, Faṭīma’s position could not have normative force because it was an exceptional case: the family she was departing were unreliable and possibly volatile—they could not be regarded as paradigmatic of the experience of divorced Muslim women, hence the remedy granted to Faṭīma was also exceptional. This distinction is crucial as it also demonstrates something of the attitude of the Prophet, and ‘Ā’isha as well, with regards to justice. After the Prophet’s migration to Medina, following the mass migration of his followers, of whom Faṭīma bint Qayṣ was an early member, he was effectively head of a modest but steadily growing state, and as with any state boundaries are created through cultural practice and norms, as well as legal and state structures, however vastly different these may be from time to time and place to place. Regardless of the times and place in which systems lay down boundaries, they can never remain in equilibrium; contexts are forever unfolding, and so these boundaries are developed, tested, restricted, challenged, expanded in their contact with ongoing changes and the tensions they create. The Prophetic example is one of operating in the space of those tensions and indeed being an agent of those tensions; much of what he called his community to in Makkah was so reprehensible to them because it created tensions by

insisting that there were injustices that required resolving. Even in the setting of boundaries by the Prophet himself, we see a willingness to treat those boundaries as flexible and variable. Again, a crucial element in his practice as this allows the Muslim community the security of boundaries but doesn't set their limits at them.

Boundaries therefore become a place of contestation, where if they continue to provide the community with stability, opportunity for growth, and most importantly, justice, then it justifies being maintained, but if it fails to deliver these objectives, then it provides for the Muslim community a start from which to move forward. Justice cannot be achieved nor bound to a system alone, especially not one constructed by the limited endeavour of humans striving to best manifest a system inspired by Divine guidance. As Derrida argues, justice cannot be bound to any 'system'; it exceeds the system by demanding from it that which it cannot provide, thus forcing a change in the system, if not at least demanding one. As has been asserted by Fazlur Rahman, the Prophet was a man, chosen by the Divine as the receptacle of revelation and instigator of change, but the community to be changed is also human, and thus incapable of achieving Divine objectives overnight. It is a process that is an ongoing endeavour of the Muslim, literally one who repeatedly submits because revelation occurs constantly as the human capacity to better understand and realise its objectives improves over time, rather than corrupts over time. Therefore all that could have been achieved in the time of the Prophet, and what could have been demanded by the Quran was a contingent standard, commensurate with the capacity, understanding, and socio-political context in which it was revealed, but the Quran has set a trajectory for Muslims to continue to develop and ascend in order to reach the ideal, and if not reach it then to at least progress in pursuit of it. Therefore, it is crucial that Muslims themselves seek to keep the boundaries of laws laid down in the name of Islam adjustable and to create tensions by pushing at boundaries that no longer deliver just outcomes.

It has already been stated that Faṭima had attempted to advocate for her niece to be allowed to leave her husband following an irrevocable divorce without lodging or maintenance requirements so as to allow a clean break. As Noddings (1984, p.33) states, caring expands beyond just feelings, 'there is a motivational shift in energy', this energy flows towards the object of one's caring, not one's ego - which is possibly what Faṭima was concerned with when wishing to make her experience normative—though, importantly, this does not necessitate an outcome that the other will find most palatable or appeasing. She further elaborates that caring is an act of 'receptivity', and that being in a mode of reception when tending to the other, is to

‘have our manipulative efforts at rest...impelled to an attentive quietude’ (ibid. p30). This quietening and removal of manipulation though, is perhaps not so easily achieved when one is engaging an issue as an assertion of power too. All that can be realistically hoped for is a reduction in the use of manipulation so that the most equitable conclusion can be arrived at.

Faṭīma appears plagued by the decision that was made for her by the Prophet and unsettled by the exceptionalism of her case. She does not have jurisdiction over anyone, but when the opportunity arises within her own family, she moves to utilise that situation in her favour. ‘Ā’isha is seen to not deny the validity of what was prescribed for Faṭīma by the Prophet but does contest the universality of it. This is key not only as a practice of care, but in the establishment of justice too. Furthermore, it is very much in congruence with the approach taken by what Asma Barlas (2002, p.58) terms ‘critical scholars’ of Islam, who, in contrast to conservatives, also advocate for a contextualisation of Islam’s sacred texts, in order to differentiate between the universals and the particulars within them.

Gilligan (1980, pp.223-249), prior to writing *In a Different Voice*, argued that unmodifiable and concrete ideals and principles of justice, co-exist with intolerance, as they do not take consequences into consideration. The removal of the historicity of the Quran and ḥadīth and decontextualising them, has meant a sacralising of not only these texts but also the moment in history within which they were revealed. This in turn results in readings and interpretations that insist on universalising everything in its most literalist form, insisting on a recalling and reinitiating of a whole historically placed context and culture in order to best realise this form of Islam, culminating in restrictive readings which instead of facilitating the Quran and ḥadīth as applicable guides for all places and times, ‘severely limits its application and contradicts the stated universal purpose’ (wadud, 1999, p.6) of the Quran, and also the ḥadīth. The approach of critical scholars, in contrast, is to argue for contextualisation and historicisation, and not only the freedom but the importance of interpretation of sacred texts as an ongoing and cyclical process whereby scholars well-versed in the needs and workings of their society are able to mine sacred texts for general principles and recontextualising them into the current moment, and repeat this process with every passing generation. In other words, they advocate for a critical *ijtihād* to allow for new and more relevant interpretations, allowing for variation in the results to exercising informed interpretations, and for this to be an open endeavour, for there is no single moment in time when human interpretation of Divine Speech will become perfected,

and thereby understanding of those texts that shadow it, including the ḥadīth, will also in turn need to be reassessed.

Unfortunately, alternative cases of a similarly complex nature as that of Faṭīma's regarding divorce are not available to us, not from the time of the Prophet nor 'Ā'isha, but given the broader examples already presented, it can confidently be asserted and reasonable to assume a number of possibilities available to women and men who find themselves irrevocably divorced and who have exceptional circumstances that require a deviation from what is standard practice or ideal would be sanctioned by the Prophet. Therefore, while this chapter has sought to extract from the practice of 'Ā'isha an establishment of an ethic of care in her approach, it does not seek to say that the position of Faṭīma is invalid, just that it has no normative function, but in cases similar to hers where a woman is vulnerable she should be cared for, housed and protected in ways that do not lead to endangerment. The ethic of care allows for a multiplicity of options to be developed by those in authority, tending to the individual needs of each case.

## **Conclusion**

Faṭīma bint Qays' ḥadīth and the response of 'Ā'isha to it are outliers within *al-Ijāba*, not only for the fact that it is the only ḥadīth in which 'Ā'isha is responding to a woman, but also for the manner in which her contestation is made. 'Ā'isha does not impugn Faṭīma; at most, she mentions that 'it does not benefit Faṭīma' to keep repeating her experience in an attempt to generalise it amongst the community. The treatment of Faṭīma's ḥadīth also gives some insight into the manner in which gender has been weaponised against women, and perhaps is indicative of why women did not become producers but only transmitters of knowledge.

Most importantly, the ḥadīth is an effective means by which to illustrate an ethic of care at work in 'Ā'isha's approach to law. A central component of this is what is described by the feminist ethic of care as a consideration for networks of relationships and the impact a single individual's decision can have on these networks. This in turn is an essential aspect of the Prophetic notion of community. The Prophet is famously recorded in al-Bukhārī as having described the Muslim community as a unified body, saying, 'The parable of the believers in their affection, mercy, and compassion for each other is that of a body. When any limb aches,

the whole body reacts with sleeplessness and fever.’<sup>120</sup> In other words, the actions and experiences of one part of the community is impactful on other parts of the community, just as when one eye cries, the other cannot sleep. This consideration of the ripple effects of the ways in which a ḥadīth are instituted into the community are more broadly considered by ‘Ā’isha than Faṭīma. Yet even in her refutation of Faṭīma’s assertions of the implications of her experience on the rest of the community, ‘Ā’isha continues to hold her experience with care, and does not undermine, or seek to erase or deny Faṭīma’s experience.

This concern for a broader network of relationships that extends beyond her local and temporal community, to the Muslims beyond her locale and time, is evidenced through many of her responses that have been considered in this research. Each evidences her motivation to ensure ease, as well as useful outcomes for her community, as a means also to maintaining their positive and healthy relationship with God.

Having considered the existing frameworks for scrutinising ḥadīth in Chapter Two, and ‘Ā’isha’s correctives of Companions on juridical issues in Chapter Four, along with her correctives of Abū Hurayra and Faṭīma in Chapters Five and Six respectively, the next chapter will now present her emergent methodology in ḥadīth scrutiny and discuss its implications for the study of ḥadīth.

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<sup>120</sup> Al-Bukhārī, Chapter: Book of Manners, Section; Being merciful to humans and animals, ḥadīth No. 6011.

## Chapter Seven: ‘Ā’isha and the Ḥadīth Tradition: An Emergent Methodology

This research thus far has been invested in analysing the various themes and topics presented in *al-Ijāba* in an attempt to critically engage with ‘Ā’isha’s correctives. Chapters Four through Six have foregrounded key reoccurring techniques ‘Ā’isha invoked when responding to ḥadīth. This chapter seeks to clearly delineate the emergent methodology of ‘Ā’isha in approaching the ḥadīth tradition as well as examining her emergent technical terminology (*muṣṭalah*) as well.

### The Criteria

The emergent methodology of ‘Ā’isha on how to approach the ḥadīth that has been excavated through this research is as follows:

#### 1. Measuring Ḥadīth Traditions Against the Quran

It is the belief of Muslims that the Quran is the ultimate and final word of God, holding the highest authority in Islam. This being the case, ‘Ā’isha and a number of Companions are found to respond to narrations of ḥadīth which they objected to, or found fault with, by measuring up those statements against the Quran. In this thesis, ‘Ā’isha is seen to respond to Companions a number of times, citing the Quran as an evidence against the veracity or accuracy of what they have stated. She is in fact seen to do this with the Prophet himself too, questioning his statements against what she knew of the Quran until she was satisfied with his explanation, indeed this behaviour of hers is well documented as one of the most endearing traits of hers before her beloved husband. Al-Bukhārī records in his *Ṣaḥīḥ* the following tradition:

‘Whenever ‘Ā’isha heard anything which she did not understand, she used to ask again until she understood it completely. ‘Ā’isha said, ‘Once the Prophet said, ‘Whoever will be called to account [about his deeds on the Day of Resurrection] will surely be punished.’ I said, ‘Doesn't Allah say, ‘He surely will receive an easy reckoning.’ The Prophet replied, ‘This means only the

presentation of the accounts but whoever will be argued against about his account, will certainly be ruined”.<sup>121</sup>

She was a most astute student, one who centred her understanding around the words of God and set about to best understand the Prophet’s words in their light. Arūl mentions in his introduction that the *Ṣaḥīḥ* ḥadīth cannot contradict the statements of the Quran. This is well in keeping with the classical ḥadīth tradition, and yet when ‘Ā’isha corrected a statement of Ibn ‘Umar’s using the Quran, the majority (*jamhūr*) of scholars decided in favour of Ibn ‘Umar’s statement. It is recorded in al-Bukhārī that Ibn ‘Umar narrated the following tradition,

The Prophet looked at the people of the well (*ahl al-Qalīb*)<sup>122</sup> and said, ‘Have you found true what your Lord promised you?’ It was said to him, ‘You are addressing dead people.’ He replied, ‘You do not hear better than them, but they cannot reply.’<sup>123</sup>

The understanding being that the deceased had heard the Prophet’s rebuke of them as clearly as the one questioning him. However, the very next tradition recorded by al-Bukhārī is one reported by ‘Ā’isha, who sought to clarify this by her statement that,

‘The Prophet said, ‘They now realise that what I used to tell them was the truth. And Allah said, ‘Verily! You cannot make the dead to hear (i.e. benefit them, and similarly the disbelievers) nor can you make the deaf hear’<sup>124</sup>.’<sup>125</sup>

‘Ā’isha seeks, once more, to protect the Muslim community from falling back into a pre-Islamic belief that the dead could hear the living by reminding the community of the supremacy and finality of the words of God as revealed in the Quran. Indeed, it has gone on to be the authoritative position in Islam, and yet the ḥadīth of Ibn ‘Umar is given preference and is even said to be stronger because of its being strengthened by other chains of narration corroborating

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<sup>121</sup> Al-Bukhārī, Chapter: Knowledge, Section; One who heard something and continued to ask questions until they have understood, ḥadīth No. 103.

<sup>122</sup> I.e. the bodies of enemy combatants which had been gathered during the Battle of Badr and thrown into a nearby well.

<sup>123</sup> Al-Bukhārī, Chapter: Funerals, Section; Punishment in the grave, ḥadīth No. 1370.

<sup>124</sup> Quran, al-Naml, 27:80.

<sup>125</sup> Al-Bukhārī, Chapter: Funerals, Section; Punishment in the grave, ḥadīth No. 1371.

his narration. The question that arises is: what then of the Quran? It could be asserted that if both traditions are considered sound, then surely the seniority of ‘Ā’isha and the support of the Quranic verse is what should be given precedence. Instead, we find outrageous statements such as those made by Yāsir Aḥmad al-Shamālī, who states in, *Samā’ al-Mayyit fi Ḍaw’ al-Kitāb wa al-Sunnah*, that the question of whether the dead could hear the living was something outside of the knowledge of ‘Ā’isha, and that despite the fact she was qualified to engage in *ijtihād*, i.e. a *mujtahida*, this was an occasion when she had been incorrect. It would be more prudent to consider the difference in the status of the two Companions with conflicting reports, rather than to assume their equal reliability, and to consider whose argument best tallies with the statements of the Quran.

## **2. Measuring Ḥadīth Traditions against the Prophetic Practise (*Sunnah*) and other Prophetic Traditions known to ‘Ā’isha**

It was common practice among Companions of the Prophet to measure traditions they heard from others against their lived experience with the Prophet during his lifetime. This tool of the Companions in the verification of a prophetic tradition would lend itself to the argument that the Companions cannot be considered equally reliable; they will have spent different amounts of time with the Prophet, witnessed him in different or limited capacities, and had varying degrees of proximity and relationship with him. By this standard, there are few that could be said to attain the level of ‘Ā’isha, who spent her formative years with the Prophet, not only as his wife but as a member of the family of Abū Bakr, one of the first Muslims. She accompanied the Prophet on incursions as well as seeing him in the domestic setting, as a leader and advisor to his followers, as a husband to her and her co-wives, as a father and so on, both during the days and the nights, through his wellness and sickness, and through to his passing away. Therefore, she witnessed him and his *Sunnah* firsthand, and with the broadest range of experience. She was not only a narrator of his life, but a key protagonist in his story. Hence, after his death she was most knowledgeable of the intricacies of what constituted a good Muslim life, and able to support her positions with Prophetic traditions. Siddiqi (1994) notes she comes fourth amongst the most prolific ḥadīth narrators among the Companions.<sup>126</sup>

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<sup>126</sup> Of course, first place is awarded to Abū Hurayra who narrates 5374 traditions, while ‘Abdullah b. ‘Umar comes in second place narrating less than half that number, with 2630 traditions to his name, and Anas b. Mālik in third place with 2286 traditions to his name. (Siddiqi, 1993, pp.22-27).

When a tradition came to her she was able to validate it as correct, to make clear the actual meaning from the apparent meaning, as was seen in Ḥadīth 9 of Chapter Five, wherein the words would indicate that only those who love to meet God are met by a God who loves to meet them too, but no one loves to die in order for that meeting to occur. ‘Ā’isha deftly provides clarification of the meaning of the words of the Prophet: at the point of death the dying knows in what state they will find their Lord’s reception of them and as such will love or hate to proceed in their meeting with Him. Furthermore, ‘Ā’isha was able to complete ḥadīth that were only partially narrated as was the case in Chapter Five with Ḥadīth 2, wherein Abū Hurayra’s incomplete report implied that women are a source of bad luck. This is remedied by ‘Ā’isha’s corrective. In the same chapter, we find an example of how she was also able to designate a tradition false or inaccurate, such as Ḥadīth 5, narrated by Abū Hurayra, wherein he reports that the prayers of those who do not offer the additional *witr* prayer are not accepted. She refutes this claim of his, again building a case based upon the Quran.

This method to measure ḥadīth appears most often in cases of an eschatological nature, such as whether or not the deceased is punished for the wailing of those mourning them, as was asserted by both ‘Umar and his son, Ibn ‘Umar. This also appears in the debate with Ibn ‘Abbās on whether the Prophet saw God when he made his ascent through the seven heavens.

### **3. Measuring Ḥadīth Traditions against her own reason and intellect**

Having resided with the Prophet for many years, and having had her childhood and young adult life lived under the tutelage of his love and guidance, she was well primed to judge a situation by her intellect, sharpened through her scrutiny and questioning of the Prophet in his lifetime, to grasp the very essence of his teachings. A woman so encouraged by her husband to be a probing, inquisitive learner, would be nurtured to go on using the sharpness of her mind throughout life and in her scrutiny of statements brought before her.

Ḥadīth 3 in Chapter Five exemplifies ‘Ā’isha’s practice of applying her intellect to the reports which were brought before her, prior to accepting them. Abū Hurayra claims a woman was punished in hell for her neglect of a cat, but ‘Ā’isha insists that this was because the woman in question was in fact a disbeliever, whose neglect of the cat was but a compounding feature of the many reasons which would have contributed to her ill fate. Arūl argues that ‘Ā’isha is

mistaken, and that in fact accepting the woman as a Muslim elevates the importance of humanity, mercy and kindness as core, obligatory characteristics in a believer; that one who does not have mercy, despite having faith, can expect no mercy then from their Lord. It is not difficult to see the fallacy of this argument, nor is it becoming to attempt to rationalise the process of judgement of the All Knowing by the equally limited judgement of a human being against a woman about whom one has only been made privy to one aspect of her life. That a woman could possibly be praying, giving in charity, keeping family ties and performing other such obligatory rituals yet is still met by an unforgiving God, is to diminish God and God's Mercy. 'Ā'isha's argument is therefore more compelling and more befitting of a religious tradition in which God is Merciful and makes this mercy the most central of all His attributes.

Similarly, Ḥadīth 7 of Chapter Five also, is a further example of her critical scrutiny of a tradition, holding it to account against rationality. When Abū Hurayra claims that the one who performs the ritual washing of the dead body is also required to perform the ritual bath, she asks, 'Are the dead Muslims impure?' probing his assertion thereby. If a Muslim is not inherently impure, nor inherently a cause for the defiling of others, such that the simple act of touching them would defile another, it is questionable as to how death would bring about such changes in a lifeless body. It simply does not stand before rational argument. She further asks, 'And what of one who has carried the body?' probing the source of impurity; is it the body itself, or is it the act of purification? In either case, there is no rational or textual support. Similarly, in Chapter Four, in her response to Abū Saïd al-Khudrī, she poses a question to his assertion that the Prophet forbade women from performing the pilgrimage without a male chaperone; which of the women around her had such a male chaperone at her disposal? The intent of this question is embodied in her own travel to perform the pilgrimage with no male chaperones, though she did have nephews and brothers available.

Additionally, in Ḥadīth 11 of Chapter Five, she does not articulate an argument against Abū Hurayra's statement that a Muslim should not walk around with only one shoe on. Instead, the absurdity of the statement moves her to defiance and protest: she does exactly what Abū Hurayra is forbidding, and makes clear her intention is to provoke him for the irrationality of the statement he had made, as a means of enacting her objection.

Likewise in Ḥadīth 10 and its explanation, when Abū Hurayra announces that dog, donkey and woman are three of a kind, creatures whose walking in front of one offering the prayer nullifies

the prayer, astounded she asks, ‘Do you make us [women] as donkeys and dogs!?’ By what right is a woman categorised with dogs and donkeys, animals that are associated with the lowliest of creatures in Arabian culture? In a religion whereby women have been granted access to inheritance, elevated as having Paradise at their feet, having God respond to the outcry of one who disputed her husband’s injustice against her by revealing an entire chapter entitled, *al-Mujādilah*, The Disputing Woman, it seems absurd that it would then degrade women to the same nullifying status of dogs and donkeys. ‘Ā’isha’s short, shrift question was sufficient a response to Abū Hurayra’s statement.

A key feature of the emergent methodology of ‘Ā’isha in her approach to critically interrogating traditions brought to her is the emergent technical terminology, her own *muṣṭalah*<sup>127</sup>, vis-a-vis ḥadīth. While some of this terminology has been adopted in classical ḥadīth studies, it is clear that she is not using the words as absolute impugment of the individuals, but invalidation of their narrations of particular traditions. For example, despite her clear refutations and even at times sheer frustration and anger at Abū Hurayra, she does in fact corroborate his version of a tradition over that of Ibn ‘Umar. In the chapter on her correctives of Ibn ‘Umar, al-Zarkashī notes an incident whereby it is brought to the attention of Ibn ‘Umar that Abū Hurayra had reported the reward for following a funeral procession and offering the funeral prayer as being two *qirāt*<sup>128</sup> of rewards with God. Ibn ‘Umar argued that it was only one *qirāt* of reward and not two, and that Abū Hurayra talked ‘of too enormous a reward’. When the matter was brought to ‘Ā’isha, she did in fact validate Abū Hurayra’s position.

It is useful then to consider the terminology of ‘Ā’isha in her responses to the Companions whom she corrected with the understanding that her impugment may be specific to the transmission of that particular ḥadīth, having gone through the above methodology. This is considered some more in this chapter, in the section, The Nomenclature: *Muṣṭalah* of ‘Ā’isha.

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<sup>127</sup> *Muṣṭalah al-ḥadīth* is a specific branch of ḥadīth studies concerned with the terminology used in accepting and rejecting ḥadīth.

<sup>128</sup> It is recorded by al-Bukhārī in his *Saḥīḥ* that the Prophet said, ‘Whoever attends the funeral procession till he offers the funeral prayer for it, will get a reward equal to one *Qirat*, and whoever accompanies it till burial, will get a reward equal to two *Qirats*.’ It was asked, ‘What are two *Qirats*?’ He replied, ‘the equivalent of two huge mountains.’ Chapter: Funerals, Section; Whoever waits until the deceased is buried, ḥadīth No. 1325.

#### 4. Upholding an Ethic of Care Towards the Muslim Community

Perhaps more discreetly, another emergent methodology being established by ‘Ā’isha is what could be termed an ethic of care towards the burgeoning Muslim community, especially towards its female members.

All of her correctives can be considered as examples of her ethic of care in practice, and examples have been presented in Chapter Six of both her and the Prophet’s ethic of care. One such example is in her response to Abū Sa‘īd al-Khudrī who argued it was forbidden for women to travel without a male relative guardian. ‘Ā’isha simply ‘turned to the womenfolk and said, ‘not all of you has a *mahram*’. She exposes the problem to the women, but by turning to the women and addressing them as a collective there are two striking images that are conjured; firstly, the number of women with her would give a visual reminder of the number of Muslims that would be affected and essentially barred from performing one of the most important and central rites in Islam. Secondly, by turning away from Abū Sa‘īd al-Khudrī and addressing the women she is centring those who will be affected and their opinions on the matter. And thirdly, there is the image of a provocation. In turning to the women who are listening to the exchange, rather than responding singly to the one who has reported Abū Sa‘īd’s statement to her, she is provoking her audience to a reaction at the marginalisation of their experience and the potential reduction in their full participation in the fundamental rites of Islam. The assertion that women cannot travel to perform the Ḥajj without a male guardian is not one made from a position of care. There is no pause for contemplation on the cumulative effect of this action on women, and their connection with God. As discussed previously, ‘Ā’isha defies this imposition in her very lifetime by performing the Ḥajj without a *mahram*, making it clear that if the Prophet did forbid women to travel on their own at one point, the circumstances occasioning that stance were no longer in play and that Muslim women were, within a few decades of the Prophet’s life, now at liberty to move freely. ‘Ā’isha keeps the vitality of the religion alive by highlighting the adaptability of the religion to new and different circumstances, she also ensured that the problem that creates these restrictions is not located in the female Muslim person, but in the context surrounding her; when that context is removed, so too is the problem. If the problem is located within the person of the Muslim woman, this ensures no progression to her ease. The potential damage this can incur on Muslim women includes infantilising her, effectively imprisoning her, the stunting of her emotional wellbeing, and preventing her from reaching her full potential both in terms of worldly objectives, but also the spiritual.

From a patriarchal perspective which is invested in maintaining men's dominance, there is nothing to dispute in asserting this restriction on women's travel, however from a position committed to an ethic of care the wider implications of this would be considered. If women are to be prevented from travel because of either the absence of a *maḥram* in their lives, or the presence of one but the inconvenience of escorting her on every journey restricting her movement, the negative impact on her as an individual will have a ripple effect within her network of relationships, and for a religious people for whom the notion of *Ummah*, community and responsibility towards it is crucial, these considerations are also then, crucial. As Noddings (1984, p.45) states in her remarks regarding the story of Abraham's sacrifice, found in all the Abrahamic faiths, the devotion expressed by traditional, masculine ethics is often to the divine, but sometimes this devotion is in fact to principle instead. In this case, it is a reliance on freezing into place the environment and context of the Prophet, which was still a community in progress; there were many ideals yet to be achieved, and many systems of oppression yet to be dismantled. In being committed to the replication of that first community of believers, devotion to the objectives set by the Divine and still to be realised is forgone in a devotion to this replication. As Noddings (ibid. p.100) also argues, 'caring preserves both the individual and the group'. In renouncing devotion to principles influenced more by systems of oppression, such as patriarchy than by tenants of the Quran, all members of the Muslim community can grow.

### **The Nomenclature: *Muṣṭalah* of 'Ā'isha**

It would not be correct to infer from the statements of 'Ā'isha that she was intending on setting a precedent or establishing a methodological standard in the discipline of *al-jarḥ wa al-ta'dīl*. She was of course engaging a language that was natural to her. However, there are recurring words and statements, some of which have been used in ḥadīth criticism as it later developed that have been used by her in her responses to Companions. Whether or not she intended to set a precedent for future sciences that were yet to be constructed around ḥadīth, some of her most severe responses cannot easily be interpreted away. In *al-Ijāba*, she is found to say, 'Umar has imagined...' (*wahama 'Umar*). As explained in Chapter Two, *wahm* is one of the conditions that impugns a narrator. She also exercises caution in how she responds to 'Abdullah b. 'Umar but is clear that a mistake is being made by him. She says, 'As for him, he did not lie but rather he forgot or made a mistake' (*amma annahu lam yakdhib wa lakinahu nasiya aw akhta'a*). Her

most severe rebukes, though, are reserved for her response to a statement not included in this thesis but found in *al-Ijāba*, by Zayn b. Arqam, about whom she exclaims, ‘He has nullified his fighting alongside the Messenger of Allah, unless he repents’ (*qad abṭala ‘a jihādahu ma ‘a rasūl Allah, illa an yatūb*), and Abū Dardā’, whom she outright accuses of lying.

While these responses may seem gravely serious and a compromise of any trust to be afforded to these narrators, she is also seen to affirm some of their narrations over those of others. It would appear then that she is drawing to the attention of her students, and generations to come, that the fallibility of her generation is a reality. That they had shortcomings in their memories and recollections, as well as understandings, and limitations to their lived experiences with the Prophet, despite their piety and trustworthiness. As such, their statements still require scrutiny, while not diminishing their status on the basis of their faithfulness and achievements.

## **Conclusion**

This chapter has presented succinctly the methodology of ‘Ā’isha in approaching the ḥadīth as a culmination of the chapters preceding it. ‘Ā’isha’s methodology in measuring ḥadīth has been premised on a number of bases. Firstly, the authenticity of the ḥadīth at hand in terms of whether or not the Prophet made the statement being claimed as his, or not, the context for it, and its complete narration where necessary. Secondly, if he did say it, how is it to be understood? This is where some of the most potentially exciting possibilities lie. ‘Ā’isha relies on her knowledge of the Quran first and foremost, then her lived experience with the Prophet and what she witnessed of his practice, as well as applying her reason to the statement that is being examined.

Most interestingly, though, is the foundation upon which all of these approaches build; what has been identified as an ethic of care in her methodological approach. This ensured that she operated as an agent for not only her immediate community but for generations of believers after her, ensuring the most optimistic and positive outcomes that were possible in accordance with the Quran and the *Sunnah*. This in turn safeguards a Muslim experience of God that is caring and nurturing—befitting His most oft repeated attributes, Most Merciful (*al-Rahmān*), Most Magnanimous (*al-Rahīm*)—and that allowed them in turn to have wholesome, fulfilling lives, lived in a manner that established justice and fairness for all, as was the objective of the Prophetic mission.

## Conclusion

When Sa'īd al-Afghānī came across the first manuscript of *al-Ijāba* his reaction was that of one who had found an unexpected and unimaginably valuable treasure. This study has sought to mine this treasure and has come some way in presenting a number of interventions via an interdisciplinary approach. In this final chapter some of the main outcomes of this research will be re-visited along with suggesting avenues for further study.

### The Past and The Present

This study sought to critically reflect upon the ḥadīth tradition, with a focus on the traditions of 'Ā'isha where she corrected a number of Companions, looking at how 'Ā'isha approached traditions presented to her, attempting to elicit a methodology therefrom. It is clear from this study that perhaps the problem is not exclusively in the preservation of 'Ā'isha's reports, in particular those in which she is correcting a Companion, but in the way her traditions have been effectively silenced through the canonisation process that the primary ḥadīth collections underwent. This rendered her statements tragically invisible, despite their being recorded. As has been shown in this research, 'Ā'isha's correctives are frequently recorded side-by-side with those to whom she is responding, but the exegetical studies that form part of the canonising process would often reduce her statements to merely her opinion, a faulty *ijtihād* on her part, or simply fade her argument away by presenting the alternative tradition through other chains of narration, thereby strengthening the opposing statement.

Al-Zarkashī attempts to remedy this in *al-Ijāba* by doing likewise for 'Ā'isha's narrations, illustrating that her statements could too be strengthened in a similar manner. With the potential for traditions to be made sounder through the support of further chains of narration, scrutiny of the actual narrators becomes important. Thus, the science of impugment and validation of narrators warrants being reapplied, and in fact having its remit extended to the Companions. While in the past this has been applied in such a manner that a narrator is deemed entirely acceptable or utterly rejected, this research has considered the possibility of considering traditions against the merit of each statement a Companion reports, on the basis of their experience, knowledge, proximity to the Prophet and length of time in his company, as well as their ability to contextualise a tradition and measure it against the teachings of the Quran. This means that a single Companion's individual traditions are assessed for impugment or

validation, rather than to impugn or validate the Companion themselves, thereby excluding from the ḥadīth corpus a great many traditions. This is in line with ‘Ā’isha’s approach, whereby it is clear that her objections and correctives of her peers was not motivated by personal grievances, even where these may have been present, but by the pursuit of maintaining and protecting the Prophetic legacy. This is made most apparent by her supporting the statements of the very Companions whom she corrected elsewhere, when she deemed their narrations acceptable. The extension of scrutiny of ḥadīth narrators to include the Companions is also in accordance with what the earliest jurists in Islam such as Abū Ḥanīfa and company were inclined to do, as discussed above in Chapter Five. This approach does not diminish the status of the Companions as an illustrious generation among the Muslims, but does acknowledge their human limitations, and safeguards against the weaknesses that their limitations may carry into the ḥadīth tradition, whilst not depriving Muslims of this rich heritage of Prophetic statements.

Beyond the processes of ḥadīth scrutiny, this study has also considered the role of the development of the *fiqh* tradition and the canonisation of the ḥadīth corpus on the obscuring of ‘Ā’isha’s voice. Both facets of the Islamic scholarly tradition have had distinct historical trajectories that eventually converge and influence the other. As has been argued in Chapters Two and Four, whilst historically these processes may have resulted in the marginalising of ‘Ā’isha, there is much room for her to be re-centred. *Al-Ijāba* constituted an alternative position on a number of issues as espoused by ‘Ā’isha. Even now it has the potential to act as a disruption to the ḥadīth canon, allowing for the opening up of the canon, thereby allowing for more robust engagements that allow for the displacement of statements that are untenable when scrutinised against the criteria provided by ‘Ā’isha.

This disruptive potential of *al-Ijāba* may or may not have been foreseen by al-Zarkashī’s peers, or indeed, even fully intended by al-Zarkashī either, but its value holds nonetheless. The ḥadīth canon provides a snapshot of a point in the history of Muslims, while *al-Ijāba* provides another voice from within the tradition. The ḥadīth is an archive of Prophetic statements, and archives can be thoroughly useful, whilst also simultaneously being terribly limited. Saidiya Hartman has lamented that ‘the historian’s relation to the archive is a paradoxical one; it both exposes the site of possibility and its failures’ (Connolly, B and Fuentes, M. 2016, p.106). The failure lies in the lack of possibility in excavating marginalised voices, knowing that historical accounts are the domain of the most powerful. A unique possibility is provided by this study of *al-Ijāba* and the observation of patterns in ‘Ā’isha’s approach to scrutinising ḥadīth and

extracting juridical conclusions, as it allows the recovery of ‘Ā’isha’s statements from obscurity.

A crucial aspect of this study is its contributing to expanding the horizons of a number of Islamic disciplines. Its contribution to the study of ḥadīth lies in suggestions of re-conceptualising the canonisation of ḥadīth, in the suggestion to extend the criteria of scrutiny of narrators to the Companions, and, most importantly, in the development of an emergent methodology of ‘Ā’isha in the scrutiny of the actual statements (*matn*) of traditions, not just the chains of transmission (*isnād*). The contributions of this study to the development of the Muslim legal tradition (*fiqh*) also lies in a framework that emerges from this research based on the pattern of how ‘Ā’isha approaches juridical matters. The implications for this are many, especially regarding women and their spiritual and daily life and practice. The study also contributes to the translation of ḥadīth and provides a methodological approach to the translation of Prophetic statements that can be replicated by other scholars seeking to apply a consistent and transparent method to the translation of any ḥadīth collection that is concerned with relaying the intent of original statements in a manner that is natural to the target language, makes for a pleasant read, but is also conscious of gender issues. This is an important consideration especially when translating from a language which is highly gendered like Arabic, to one that is not, like English, and also when translating a text that ought to speak to the needs of an audience representing the full range of genders and none.

Another key contribution of this research has been to attempt to correct a potential abuse of history. Nietzsche (1874, p.84) wrote about the use and abuse of history, arguing that this is partly constituted by an ‘excess measure of history’. If an excess measure of history is distortion or misunderstanding, as he explains, then what has happened to ‘Ā’isha’s biographical stories and statements have fallen foul to such abuse. And if what is meant by ‘excess measure of history’ is also an unhealthy sense of being bound to the past, then this is something that she too can be observed as resisting when she denies the assertions of Faṭīma bint Qays, because a commitment to that moment in the past was not one that would benefit the Muslims contemporary to ‘Ā’isha or yet to come, in as far as she judged the matter. Similarly, is her resistance, along with Umm Salama’s, to pre-Islamic phobic attitudes towards menses and women. If an abuse of history has taken place with ‘Ā’isha’s statements and personhood, then so too has an abuse of the Prophetic tradition, for to remove the contribution of ‘Ā’isha is to remove a protective watchful spirit over the Prophetic legacy. She bore an authority and

intimate understanding of the *Sunnah* that was unmatched by any of her peers. By translating and studying her correctives, not only is her voice reinstated, but so too that of the legacy of the Prophet thereby.

Furthermore, this research contributes to the existing body of scholarship on Islamic feminism/gender just readings for its insistence on re-centring a female voice that advocates on the basis of women's lived experiences and is rooted in a commitment to the most just praxis of Islam. This research seeks to contribute to the process of de-scandalising the female Muslim presence, both in the wider world and within the Ummah, and, more specifically, to the effort of generating and producing sacred knowledge. In observing the re-constructions of 'Ā'isha by historians and theologians, and harnessing both this information and what can be gleaned from the earliest biographical texts, this study has sought to reconstruct 'Ā'isha in ways that are faithful to her history and that widen the possibilities for Muslim women. This work is not only an expansion of the tradition and a new perspective on it, but also an assertion for the expansion of the Muslim imaginary. As has been discussed in the introduction to this research, there is significant potential for *al-Ijāba* and its study to become a body of work around which collectives of Muslims, especially Muslim women, can gather and raise consciousness.

Already excerpts of the translation and some of the findings of this research have been shared in an outreach impact workshop for Muslim women through the grassroots organisation, the Muslim Women's Council in Bradford. It was received with much enthusiasm and with feedback that demonstrated the resounding desire of the participants to learn more on the topic. The workshop also illustrated the possibility of this text being one around which groups of women, and others who find themselves marginalised in the community, to gather and connect around in order to achieve the radical vision of a more egalitarian praxis of Islam. It is hoped that the study and partial translation of this text could act as a significant agent in the process of consciousness raising, in fuelling the Muslim imaginary to conceive of alternative visions for their religion and women's role in achieving that.

It is hoped that this research will also aid in the development of the Muslim imaginary in which an alternative world can be conceived wherein Islamic practice can be free from the un-godly interventions of patriarchy, and instead raised on the foundations of a *tawhidic* world view. Amina wadud (2006) sets forth the Tawhidic Paradigm in her work, *Inside The Gender Jihad*, arguing that by authentically activating the cornerstone principle in Islam of *Tawhid*, the

assertion of the irrefutable and unconditional notion of Allah's Oneness, Muslims can strive towards and achieve a just social order, which is not only desirable but the primary objective for humans as *khalīfas*, vicegerents of God on earth. Wadud (ibid, p.29) argues that the concept of *tawhid* creates an overarching 'trajectory organising Islamic social, economic, moral, spiritual, and political systems'. This concept fosters a reciprocity between the creation of God, and a oneness with Him in spiritual connection, but a separation from Him for nothing can be said to bear any similitude to Him.

Wadud furthers her conceptualisation of the Tawhidic paradigm, stating that the Quran asserts a system at a metaphysical and a material level too; that from every created thing, pairs are created and that whenever people come together, God is also amongst them. With the presentation of these two verses, she offers the conceptualisation of the Tawhidic paradigm, as one where inter-human interactions are represented as taking part within a triad, with God as a 'supranatural component' (ibid, p.30), whereby humans stand in a relationship of horizontal reciprocity, while God occupies a transcendent space above the two, in a manner that sustains and supports the position of the two in a way that maintains the relationship of equal positioning and mutual responsibility between them. To violate this structure, by placing one of the two in a position above the other, thus making one superior and the other inferior even if just by degrees or in particular circumstances, would reconfigure it extensively, giving a significantly different output to that of the Tawhidic paradigm which is justice. The opposite of *tawhid*, the oneness of God, is *shirk*, attributing partners to God; a practice which undermines God's indivisibility and unity, and the opposite of justice is *zulm*, injustice or oppression.

When the structure of the Tawhidic paradigm is undermined, it mutates and instead of *tawhid*, there is *shirk*, and instead of justice, there is oppression. With a now long history of arguably exclusively male interpretation of the sacred texts in Islam, an imbalance has been created and an unfairly influenced Muslim praxis has been established and legitimised through the male gaze, the male world view and experience. This in turn destabilises the *tawhidic* paradigm Muslims ought to be striving for, as the phallogocentric experience becomes the prism through which sacred text is filtered, taught and practised, thus removing man from the horizontally reciprocal relativity to woman, and instead placing him above woman, between her and God, while also making the relationship one way; male interpretation as handed down and taught to woman, and not reciprocal where woman can be in discussion with man. By asserting the female voice from within the sacred text and classical scholarship, as well as through the

commitment to a feminist translation of the text, it is hoped that this research will serve also to stabilise once more, the *tawhidic* paradigm in the lives of Muslim readers.

## **The Future**

By virtue of this study, several pathways for future research are opened up. This research has attempted to extract an emergent methodology of ‘Ā’isha’s in approaching traditions; it would be interesting to see how this could be further developed and how this would affect the ḥadīth collections if applied to them, and the consequential impact that may have on other sciences such as jurisprudence and exegesis of the Quran.

Future research could benefit from considering traditions of ‘Ā’isha outside of the canonised corpus, especially outside of the *Ṣaḥīḥs* of al-Bukhārī and Muslim, which remains Shafī‘ī-centric, to examine those traditions considered sound and accepted by the other major Muslim schools of thought. This would further aid in the exploration of ‘Ā’isha as a defender of Prophetic legacy, and in the endeavour to strengthen the position of her correctives and in the potential discovery of more. Whilst this study has presented two emergent methodologies for the scrutiny of ḥadīth and the derivation of Islamic law, both of these could also be further developed with the aid of exploring traditions outside of *al-Ijāba*.

This study has shown that the positions of ‘Ā’isha have been tragically dulled through the canonisation process, but not entirely obscured from the historical record. The implementation of *al-jarḥ wa al-ta’dīl* on the Companions would help to better resolve the issue of conflicting statements. In addition to this, the emergent methodology of ‘Ā’isha—to check a tradition against the lived experience of more senior Companions, to measure statements up against those of the Quran and other ḥadīth, to be able to contextualise statements, and to engage the intellect in a process of *ijtihād* when considering a tradition—is crucial for approaching the ḥadīth corpus in a manner that would render the tradition more authentic, and possibly less exposed to manipulation or inaccurate assertions.

This study has argued that the generation of the Companions of the Prophet has taken on an almost prophetic status of its own. It is a generation that is not subject to scrutiny. This scenario has evolved as a result of intra-Muslim conflict and partisanship that emanated from it. Opening up the Companions to scrutiny is perhaps the most radical proposal of this study.

The study has also demonstrated that ‘Ā’isha took into consideration the implications of statements on the lives of a marginalised segment of society—women and sought to do so through what would now be called an ethic of care. ‘Ā’isha set the standard for such scrutiny and is exemplary in how to pursue this role further which could aid in reinvigorating and reshaping the ḥadīth tradition. Similarly, her approach to Islamic law depicts a commitment to the Quran and Prophetic tradition, but also to an outcome that provides the most optimum results for the community of Believers.

The excavation of ‘Ā’isha’s scholarly voice and the elevation of her status on the grounds of her contribution to the very production of knowledge in Islam, rather than simply in her being the only virgin bride, or shown to the Prophet in a dream wrapped in silk and indicated for marriage, calls for a re-imaging and re-aligning of the Muslim imaginary too. An imaginary in which Muslim women can and do hold their male counterparts and those in authority to account, and that their accounting is taken to hold equal validity. Where Muslim women can deign to take on roles that have no precedent in the community, because precedent is not incumbent in order for it to be a possibility. Where Muslim women contribute to knowledge generation and production, and not just the relaying and transmitting of patriarchy approved interpretations of the faith. A Muslim imaginary that can consider Muslim women’s lived experiences as sound and normative considerations in the development of Islamic law, rather than as exceptional and marginal experiences. A Muslim imaginary in which ‘Muslim’ refers every part as much to Muslim woman as it does to Muslim man.

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**Appendix: Selected Translation of *al-Ijāba li-Īrādi mā Istadrakathu ‘Ā’isha ‘ala al-Ṣahāba***

**‘Ā’isha’s Responses to ‘Umar b. al-Khaṭṭāb**

**Ḥadīth One**

Al-Bukhārī and Muslim records the tradition of ‘Abdullah b. Abū Mulayka who said:

عَبْدُ اللَّهِ بْنُ عَبْدِ اللَّهِ بْنِ أَبِي مُلَيْكَةَ، قَالَ تُوِّفِيَتْ ابْنَتُهُ لِعُنْمَانَ بِمَكَّةَ وَجِئْنَا لِنَشْهَدَهَا، وَحَضَرَهَا ابْنُ عُمَرَ وَابْنُ عَبَّاسٍ وَإِنِّي لَجَالِسٌ بَيْنَهُمَا - أَوْ قَالَ جَلَسْتُ إِلَى أَحَدِهِمَا. ثُمَّ جَاءَ الْآخَرُ، فَجَلَسَ إِلَيَّ جَنِّبِي فَقَالَ عَبْدُ اللَّهِ بْنُ عُمَرَ لِعَمْرٍو بْنِ عُنْمَانَ هُوَ مُوَاجِهُهُ: أَلَا تَنْهَى عَنِ الْبُكَاءِ، فَإِنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ، 'إِنَّ الْمَيِّتَ لَيُعَذَّبُ بِبُكَاءِ أَهْلِهِ عَلَيْهِ. فَقَالَ ابْنُ عَبَّاسٍ قَدْ كَانَ عُمَرُ - رَضِيَ اللَّهُ عَنْهُ - يَقُولُ بَعْضَ ذَلِكَ، ثُمَّ حَدَّثَ قَالَ صَدَرْتُ مَعَ عُمَرَ - رَضِيَ اللَّهُ عَنْهُ - مِنْ مَكَّةَ حَتَّى إِذَا كُنَّا بِالْبَيْدَاءِ، إِذَا هُوَ بَرَكَبَ تَحْتَ ظِلِّ سَمْرَةٍ فَقَالَ انْهَبْ، فَاَنْظُرْ مَنْ هُوَ الْرَكْبُ قَالَ فَتَطَرْتُ فَإِذَا صُهَيْبٌ، فَأَخْبَرْتُهُ فَقَالَ ادْعُهُ لِي. فَرَجَعْتُ إِلَيَّ صُهَيْبٌ فَقُلْتُ ارْتَحِلْ فَالْحَقَّ أَمِيرَ الْمُؤْمِنِينَ. فَلَمَّا أُصِيبَ عُمَرُ جَعَلَ صُهَيْبٌ يَبْكِي يَقُولُ وَأَخَاهُ، وَأَصْحَابَهُ. فَقَالَ عُمَرُ يَا صُهَيْبُ أَتَبْكِي عَلَيَّ وَقَدْ قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، 'إِنَّ الْمَيِّتَ لَيُعَذَّبُ بِبَعْضِ بُكَاءِ أَهْلِهِ عَلَيْهِ'. قَالَ ابْنُ عَبَّاسٍ فَلَمَّا مَاتَ عُمَرُ ذَكَرْتُ ذَلِكَ لِعَائِشَةَ فَقَالَتْ رَحِمَ اللَّهُ عُمَرَ، وَاللَّهِ مَا حَدَّثَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ إِنَّ اللَّهَ لَيُعَذَّبُ الْمُؤْمِنَ بِبُكَاءِ أَهْلِهِ عَلَيْهِ. وَلَكِنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ، 'إِنَّ اللَّهَ لَيَزِيدُ الْكَافِرَ عَذَابًا بِبُكَاءِ أَهْلِهِ عَلَيْهِ'. وَقَالَتْ حَسْبُكُمْ الْقُرْآنُ {وَلَا تَزِرُ وَازِرَةٌ وِزْرَ أُخْرَى}. قَالَ ابْنُ عَبَّاسٍ عِنْدَ ذَلِكَ وَاللَّهُ هُوَ أَضْحَكَ وَأَبْكَى. قَالَ ابْنُ أَبِي مُلَيْكَةَ وَاللَّهُ مَا قَالَ ابْنُ عُمَرَ شَيْئًا

A daughter of ‘Uthmān b. ‘Affān passed away in Makkah, so we went to attend her [funeral prayer]. Ibn ‘Umar and Ibn ‘Abbās were [also] present. I was sitting between the two of them (or he said ‘I sat beside one of them. Then another man came and sat beside me’). ‘Abdullah b. ‘Umar said to ‘Amr b. ‘Uthmān, ‘Will you not stop the people from crying, for indeed the Messenger of God said, ‘The deceased is punished for the crying of his family over him’.’ Ibn ‘Abbās responded, ‘Umar used to say likewise’, then he narrated, ‘I accompanied ‘Umar on a journey from Makkah until we reached al-Baydā’. He was mounted [on his horse] under the shade of a tree and said, ‘Go and see who those travellers are’. So, I went and saw that [one of them] was Suhayb. I informed [‘Umar] and he said, ‘Call him to me’. I returned to Suhayb and said, ‘Depart and follow the Leader of the Believers’. [Later], when ‘Umar was stabbed, Suhayb came weeping saying, ‘Oh my brother! Oh, my friend!’ [To which] ‘Umar responded, ‘Suhayb, do you cry over me when the Messenger of Allah said, the deceased is punished for

some of the weeping of his relatives?’ Ibn ‘Abbās said, ‘When ‘Umar died, I mentioned this to ‘Ā’isha. She said, ‘May God have mercy on ‘Umar. By God, the Messenger of Allah did not say that.’ And in Muslim’s narration she is reported to have additionally said, ‘The Messenger of Allah did not say that the deceased is punished for the crying of anyone, but rather, he said, ‘God increases a disbeliever in punishment for the crying of his relatives over him’. ‘Ā’isha continued, ‘The Quran is sufficient for you as God has stated, ‘No soul shall bear the burden of another’ (35:18)’. Ibn ‘Abbās thereupon said, ‘It is God who makes one laugh or cry’. Ibn Abū Mulayka said, ‘By God, Ibn ‘Umar didn't say anything after that’.

## Hadīth Two

Al-Ṭaḥāwi in *Mushkil al-Āthār* Ṣāliḥ b. ‘Abdul Raḥmān stated to us, that Mu‘ammar b. Abu Ḥuyayyah said I heard ‘Ubayd b. Rifā‘a al-Anṣārī saying:

مَعْمَرُ بْنُ أَبِي حَبِيبَةَ قَالَ: سَمِعْتُ عُبَيْدَ بْنَ رِفَاعَةَ الْأَنْصَارِيَّ يَقُولُ: كُنَّا فِي مَجْلِسٍ فِيهِ زَيْدُ بْنُ ثَابِتٍ، فَتَذَاكَرُوا الْغَسْلَ مِنَ الْإِنْزَالِ، فَقَالَ زَيْدٌ: مَا عَلَيَّ أَحَدِكُمْ إِذَا جَامَعَ، فَلَمْ يُنْزَلْ إِلَّا أَنْ يَغْسَلَ فَرْجَهُ وَيَتَوَضَّأُ وَيُضَوِّئُ لِلصَّلَاةِ، فَقَامَ رَجُلٌ مِنْ أَهْلِ الْمَجْلِسِ، فَأَتَى عَمْرًا فَأَخْبَرَهُ بِذَلِكَ، فَقَالَ عَمْرٌ لِلرَّجُلِ: اذْهَبْ أَنْتَ بِنَفْسِكَ، فَأَتَنِي بِهِ حَتَّى تَكُونَ أَنْتَ الشَّهَدَ عَلَيْهِ، فَذَهَبَ فَجَاءَهُ بِهِ، وَعِنْدَ عَمْرٍ نَاسٌ مِنْ أَصْحَابِ رَسُولِ اللَّهِ مِنْهُمْ عَلِيُّ بْنُ أَبِي طَالِبٍ وَمَعِيذُ بْنُ جَبَلٍ، فَقَالَ لَهُ عَمْرٌ: أَيُّ عُدِي نَفْسَهُ تَقْتِي النَّاسَ بِهَذَا؟ فَقَالَ زَيْدٌ: أَمَا وَاللَّهِ مَا ابْتَدَعْتَهُ وَلَكِنْ سَمِعْتُهُ مِنْ أَعْمَامِي رِفَاعَةَ بْنِ رَافِعٍ، وَمِنْ أَبِي أَيُّوبَ الْأَنْصَارِيَّ.

فَقَالَ عَمْرٌ لِمَنْ عِنْدَهُ مِنْ أَصْحَابِ رَسُولِ اللَّهِ: مَا تَقُولُونَ؟ فَاخْتَلَفُوا عَلَيْهِ فَقَالَ عَمْرٌ: يَا عَبْدَ اللَّهِ قَدْ اخْتَلَفْتُمْ وَأَنْتُمْ أَهْلُ بَدْرِ الْأَخْيَارِ، فَقَالَ لَهُ عَلِيُّ: فَأَرْسَلْ إِلَى أَزْوَاجِ النَّبِيِّ فَإِنَّهُ إِنْ كَانَ شَيْءٌ مِنْ ذَلِكَ ظَهَرَ عَلَيْهِ، فَأَرْسَلْ إِلَى حَفْصَةَ فَسَأَلْهَا، فَقَالَتْ: لَا عَلِمَ لِي بِذَلِكَ، ثُمَّ أَرْسَلْ إِلَى عَائِشَةَ، فَقَالَتْ: إِذَا جَاوَزَ الْخِتَانُ الْخِتَانَ، فَقَدْ وَجِبَ الْغَسْلُ، فَقَالَ عَمْرٌ عِنْدَ ذَلِكَ: لَا أَعْلَمُ أَحَدًا فَعَلَهُ، ثُمَّ لَمْ يَغْتَسِلْ إِلَّا جَعَلْتَهُ نِكَالًا

We were in a gathering in which Zayd b. Thābit was [present], and they mentioned bathing (*ghusl*) due to ejaculation. So Zayd said, ‘It is not incumbent on any of you to bathe upon intercourse if there is no ejaculate (*yunzil*). Instead the private parts should be washed and ablution (*wuḍu*) should be performed as is done for the prayer’. A man from the gathering rose and went to ‘Umar and informed him of this. ‘Umar replied to the man, ‘Go and get him so that you may bear witness [to what he has said].’ The man went and returned with Zayd. Accompanying ‘Umar were some of the Companions of the Prophet, including ‘Alī b. Abī

Ṭālib and Mu‘ādh b. Jabal. ‘Umar said to him, ‘Which enemy of his own self has given this verdict?’ Zayd responded, ‘By God, I have not invented this, but rather I heard it from my paternal uncles, Rifā‘a b. Rāfi‘ and Abū Ayyūb al-Anṣārī’.

‘Umar said to those who were with him, from among the Companions of the Messenger of God, ‘And what do you say?’ But they disagreed [on the matter], to which ‘Umar responded, ‘Oh Servants of God, you have differed, and you are from the People of Badr, the best of generations!’ ‘Alī then said to him, ‘Go to the wives of the Prophet, for if there is something to be known, they will clarify it’. He went to Ḥafṣa and asked her, but she had no knowledge of this, so he went to ‘Ā’isha and she informed him, ‘If the two private parts meet, then bathing becomes mandatory’. ‘Umar replied, ‘I do not know anyone who does this, and then does not bathe, except that I will make an example of him.’

### Ḥadīth Three

Al-Bayhaqī records in his *Sunan* on the authority of Mu‘ammar on the authority of Ibn ‘Umar, who said:

قال ابن عمر سمعت عمر يقول: إذا رميتم وحلقتم، فقد حل لكم كل شيء إلا النساء والطيب، قال سالم: وقالت عائشة: كل شيء إلا النساء، أنا طيبت رسول الله لحله

I heard ‘Umar say, ‘When you have done the stoning and shaved [your heads] then everything is permissible for you except women and perfume.’ Sālim said that ‘Ā’isha said, ‘Everything except women. I perfumed the Messenger of God as he came out of the state of ritual consecration (*tahlīl*)’

### Ḥadīth Four

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### Ḥadīth Seven

Muslim narrates on the authority of Anas who said:

كَانَ عُمَرُ يَضْرِبُ الْأَيْدِيَ عَلَى صَلَاةٍ بَعْدَ الْعَصْرِ

‘Umar would bind his hands [on his chest] in prayer after the ‘Asr prayer.’

### ‘Ā’isha’s Responses to ‘Abdullah b. ‘Abbās

#### Ḥadīth One

Al-Bukhārī and Muslim record on the authority of ‘Amra bint ‘Abd al-Rahmān that Zayād b. Abū Sufyān wrote the following to ‘Ā’isha:

أَنَّ زِيَادَ بْنَ أَبِي سُفْيَانَ كَتَبَ إِلَيَّ عَائِشَةَ - رَضِيَ اللَّهُ عَنْهَا - إِنَّ عَبْدَ اللَّهِ بْنَ عَبَّاسٍ - رَضِيَ اللَّهُ عَنْهُمَا - قَالَ مَنْ أَهْدَى هَدِيًّا حَرَّمَ عَلَيْهِ مَا يَحْرُمُ عَلَى الْحَاجِّ حَتَّى يُنْحَرَ هَدْيُهُ. قَالَتْ عَمْرَةُ فَقَالَتْ عَائِشَةُ - رَضِيَ اللَّهُ عَنْهَا - لَيْسَ كَمَا قَالَ ابْنُ عَبَّاسٍ، أَنَا فَتَلْتُ فَلَانِدَ هَدْيِ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ بِيَدِي، ثُمَّ قَلَدَهَا رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ بِيَدِي، ثُمَّ بَعَثَ بِهَا مَعَ أَبِي فَلَمْ يَحْرُمْ عَلَى رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ شَيْءَ أَحَلَّهُ اللَّهُ حَتَّى نُحِرَ الْهَدْيُ

‘Abdullah b. ‘Abbās has said whoever has acquired their sacrificial animal, all that is impermissible for the one in a state of pilgrimage (*al-Hāj*), is impermissible for this individual too, until the sacrificial animal has been slaughtered (i.e. on the 10<sup>th</sup> of Dhul-Hijjah). I have sent my sacrificial animal, so please write to me with your instruction.’

‘Amra said that ‘Ā’isha replied, ‘It is not as Ibn ‘Abbās has stated. I twisted the garlands of the Messenger of God’s sacrificial animals, which he then placed around their necks with his own

hands, and then sent them with Abū Bakr. But nothing was made impermissible upon the Messenger of God from that which God has made permissible, until the Day of Sacrifice’.

### Ḥadīth Six

Al-Tirmidhī records in his exegesis of the Quran, from Salām b. Ja‘far on the authority of ‘Ikrimah that,

قال عكرمة، قال ابن عباس: رأى محمد ربّه، فقلت: أليس الله يقول: ((لَا تُدْرِكُهُ الْأَبْصَارُ)) فقال: ويحك، ذاك إذا تجلّى بنوره الذي هو نوره، وقد رأى محمد ربه مرتين

Ibn ‘Abbās said, ‘Muḥammad saw his Lord.’ So, I [‘Ikrimah] said, ‘Did God not state, ‘No vision can grasp Him, but His grasp is over all vision: He is above all comprehension yet is acquainted with all things?’” Ibn ‘Abbās responded, ‘Shame on you! That is when He manifests as the essence of His Divine light. Indeed, Muḥammad did see his Lord twice.’

### Ḥadīth Seven

Muslim records in his *Ṣaḥīḥ* on the authority of Qatādah, on the authority of Zurārah b. Abū Awfa:

عَنْ زُرَّارَةَ، عَنْ سَعْدِ بْنِ هِشَامٍ؛ أَنَّهُ طَلَّقَ امْرَأَتَهُ فَاتَى الْمَدِينَةَ لِيَبِيعَ بِهَا عَقَارًا لَهُ بِهَا فَيَجْعَلُهُ فِي السَّلَاحِ وَالْكَرَاعِ، فَذَكَرَ الْحَدِيثَ وَأَنَّهُ لَقِيَ ابْنَ عَبَّاسٍ فَسَأَلَهُ عَنِ الْوِثْرِ، فَقَالَ: أَلَا أَنْبُؤُكَ بِأَعْلَمِ أَهْلِ الْأَرْضِ بِوِثْرِ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ؟ قَالَ: نَعَمْ قَالَ: عَائِشَةُ. فَاتَهَا فَسَأَلَهَا ثُمَّ ارْجِعْ إِلَيَّ فَأَخْبِرْنِي بِرَدِّهَا عَلَيْكَ، قَالَ: فَاتَيْتُ عَلَى حَكِيمِ بْنِ أَفْلَحٍ فَاسْتَلْحَفْتُهُ إِلَيْهَا فَقَالَ مَا أَنَا بِقَارِبِهَا إِنِّي نَهَيْتُهَا أَنْ تَقُولَ فِي هَاتَيْنِ الشَّيْعَتَيْنِ شَيْئًا فَابَتْ فِيهِمَا إِلَّا مُضِيًّا فِيهِ، فَأَقْسَمْتُ عَلَيْهِ، فَجَاءَ مَعِي، فَدَخَلْنَا عَلَيْهَا، فَقَالَ: يَا أُمَّ الْمُؤْمِنِينَ أَنْبِئْنِي عَنِ وِثْرِ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ. فَقَالَتْ كُنَّا نَعُدُّ لَهُ سِوَاكَهُ وَطَهْرَهُ فَيَبْعُهُ اللَّهُ مَا شَاءَ أَنْ يَبْعَهُ مِنَ اللَّيْلِ فَيَتَسَوَّكُ وَيَتَوَضَّأُ ، ثُمَّ يُصَلِّي ثَمَانِي رَكَعَاتٍ لَا يَجْلِسُ فِيهِنَّ إِلَّا عِنْدَ الثَّامِنَةِ ، فَيَجْلِسُ وَيَذْكُرُ اللَّهَ وَيَدْعُوهُ ثُمَّ يَنْهَضُ وَلَا يُسَلِّمُ ثُمَّ يُصَلِّي التَّاسِعَةَ فَيَقْعُدُ ، فَيُحَمِّدُ اللَّهَ ، وَيَدْعُوهُ ثُمَّ يُسَلِّمُ تَسْلِيمًا يُسْمِعُنَا ، ثُمَّ يُصَلِّي رَكَعَتَيْنِ ، وَهُوَ قَاعِدٌ فَتَلْكَ إِحْدَى عَشْرَةَ رَكَعَةً يَا بُنَيَّ فَلَمَّا أَسَنَّ نَبِيَّ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ وَأَخَذَ اللَّحْمَ أَوْتَرَ بِسَبْعٍ وَصَلَّى رَكَعَتَيْنِ وَهُوَ جَالِسٌ بَعْدَمَا سَلَّمَ ، فَتَلْكَ تِسْعَ يَا بُنَيَّ

On Sa'd b. Hishām's own authority, that he divorced his wife and came to Medina to sell his property there in order to purchase weapons and horses instead. He remembered a ḥadīth while he was in the presence of Ibn 'Abbās, so asked him regarding the Witr prayer. Ibn 'Abbās responded, 'Shall I tell you who is the most knowledgeable regarding the Witr prayer of the Messenger of Allah?' Ibn Hishām said yes, and Ibn 'Abbās responded, 'Ā'isha. Go to her, and ask of her, then come back and inform me of her response to you.' Ibn Hishām said I then approached Hākim b. Aflah and asked him to take me to her, but Hākim responded, 'No, I will not approach her. I dissuaded her from speaking on the conflict between the two sides [of 'Alī and those who opposed him] but she rejected my advice and went ahead into the conflict.' I compelled him though by taking an oath, so he went with me and we entered upon her. Ibn Hishām asked, 'Mother of the Believers, inform me of the Witr prayer of the Messenger of Allah.' She replied, 'I used to prepare for him his tooth stick (*miswāk*) and ablution water, and God would arouse him from sleep at whatever time of night He willed, and he would use the tooth stick and water for ablution. Then he would pray nine units of prayer without sitting, except for in the eighth unit. He would then make remembrance of God and supplicate to Him. After that, he would rise without uttering the salutation, and pray the ninth unit before sitting again and praising and supplicating to God. He would then say the salutation audibly and proceed to stand to pray two more units, so that there were eleven in total, my son. But as he got older and put on weight, he would perform seven unit for the Witr prayer, followed by the two units and he would remain seated after saying the salutation, so it was a total of nine, my son.'

### Ḥadīth Eight

She refuted Ibn 'Abbās's recitation of the verse one hundred and ten of Sūrah Yusuf which he recited as:

وَضُنُّوا أَنَّهُمْ قَدْ كَذَّبُوا

Al-Bukhārī in his chapter on Quranic Exegesis records on the authority of Ibn Abū Mulaykah that Ibn 'Abbās had recited the verse:

حَتَّىٰ إِذَا اسْتَيْسَسَ الرُّسُلُ وَظَنُّوا أَنَّهُمْ قَدْ كَذَّبُوا جَاءَهُمْ نَصْرُنَا فَنُجِّيَ مِنْ نَشْءٍ وَلَا يُرَدُّ بَأْسُنَا عَنِ الْقَوْمِ الْمُجْرِمِينَ

‘...until, when the messengers despaired and were certain that they had been denied, *kudhibū* [lit. lied to], there came to them Our victory, and whoever We willed was saved. And Our punishment cannot be repelled from the people who are criminals’

Then he [Ibn ‘Abbās] went on to recite the verse:

حَتَّىٰ إِذَا اسْتَيْسَرَ الرُّسُلُ وَظَنُّوا أَنَّهُمْ قَدْ كُذِّبُوا جَاءَهُمْ نَصْرُنَا فَنُجِّيَ مَنْ نَشَاءُ وَلَا يُرَدُّ بَأْسُنَا عَنِ الْقَوْمِ الْمُجْرِمِينَ

‘They were touched by poverty and hardship and were shaken until [even their] messenger and those who believed with him said, ‘When will the help of Allah come?’’

Abū Mulaykah says, ‘I met ‘Urwah b. al-Zubayr and mentioned this to him. He said, ‘Ā’isha said, ‘Allah forbid! By Allah, never did Allah make a promise to His Prophet, except that the Prophet would be sure of it occurring before he died. But trials always descended on the Prophets until they feared that those around them would start to accuse them of lying’ so she would recite it *كُذِّبُوا kudhibū*.

### ‘Ā’isha’s Responses to ‘Abdullah b. ‘Umar

#### Ḥadīth One

Al-Bukhārī and Muslim both report on the authority of ‘Amrah bint ‘Abdul Rahmān that she heard the following from ‘Ā’isha:

عَنْ عَمْرَةَ بِنْتِ عَبْدِ الرَّحْمَنِ، أَنَّهَا سَمِعَتْ عَائِشَةَ، وَذَكَرَ، لَهَا أَنَّ عَبْدَ اللَّهِ بْنَ عُمَرَ، يَقُولُ إِنَّ الْمَيِّتَ لَيُعَذَّبُ بِبِكَاةِ الْحَيِّ. فَقَالَتْ عَائِشَةُ يَغْفِرُ اللَّهُ لِأَبِي عَبْدِ الرَّحْمَنِ أَمَا إِنَّهُ لَمْ يَكْذِبْ وَلَكِنَّهُ نَسِيَ أَوْ أَخْطَأَ إِنَّمَا مَرَّ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عَلَى يَهُودِيَةٍ يُبْكِي عَلَيْهَا فَقَالَ إِنَّهُمْ لَيَكُونُ عَلَيْهَا وَإِنَّهَا لَتُعَذَّبُ فِي قَبْرِهَا

It was mentioned to ‘Ā’isha that ‘Abdullah b. ‘Umar had stated that the deceased is punished for the crying of the living. ‘Ā’isha responded, ‘May God forgive Abū ‘Abdul Rahmān, assuredly he has not lied, but he has forgotten or been mistaken. In fact, the Messenger of God passed by some Jews who were crying over a deceased Jewish woman, when he said, ‘They are crying over her, all the while she is being punished in her grave.’

## Ḥadīth Two

Al-Bukhārī and Muslim record on the authority of Ibrāhīm b. Muḥammad b. al Muntashir, on the authority of his father who said:

عَنْ إِبْرَاهِيمَ بْنِ مُحَمَّدِ بْنِ الْمُنتَشِرِ، عَنْ أَبِيهِ، قَالَ سَمِعْتُ ابْنَ عُمَرَ يَقُولُ: لَأَنْ يُصْبِحَ مَطْلِيًا بِقَطْرَانِ أَحَبُّ إِلَيَّ مِنْ أَنْ أُصْبِحَ مُحْرِمًا أَنْصَحُ طِيبًا، قَالَ فَدَخَلْتُ عَلَى عَائِشَةَ، فَأَخْبَرْتُهَا بِقَوْلِهِ، فَقَالَتْ: طَيَّبْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ثُمَّ طَافَ فِي نِسَائِهِ ثُمَّ أَصْبَحَ مُحْرِمًا

I heard Ibn ‘Umar saying, ‘That I should be daubed with a trickle of water is preferable to me than to be a *Muḥrim* doused in perfume.’ Then I entered upon ‘Ā’isha and informed her of what Ibn ‘Umar had said. She responded, ‘I perfumed the Messenger of God, and he would visit his wives, and he would then enter into *iḥrām*’.

## Ḥadīth Three

Al-Bukhārī records on the authority of Manṣūr, on the authority of Mujāhid who said,

عَنْ مَنْصُورٍ، عَنْ مُجَاهِدٍ، قَالَ دَخَلْتُ أَنَا وَعُرْوَةُ بْنُ الزُّبَيْرِ الْمَسْجِدَ، فَإِذَا عَبْدُ اللَّهِ بْنُ عُمَرَ جَالِسٌ إِلَى حُجْرَةِ عَائِشَةَ، وَالنَّاسُ يُصَلُّونَ الضُّحَى فِي الْمَسْجِدِ، فَقَالَ بِدَعُهُ، فَقَالَ عُرْوَةُ: يَا أَبَا عَبْدِ الرَّحْمَنِ كَمْ اعْتَمَرَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ أَرْبَعٌ عُمَرَ، إِحْدَاهُنَّ فِي رَجَبٍ، فَكَرِهْنَا أَنْ نَكْذِبَهُ وَنَرُدَّ عَلَيْهِ، وَسَمِعْنَا اسْتِنَانَ، عَائِشَةَ فِي الْحُجْرَةِ، فَقَالَ عُرْوَةُ: أَلَا تَسْمَعِينَ يَا أُمَّ الْمُؤْمِنِينَ إِلَى مَا يَقُولُ أَبُو عَبْدِ الرَّحْمَنِ؟ قَالَتْ: وَمَا يَقُولُ؟ قَالَ: يَقُولُ إِنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ اعْتَمَرَ أَرْبَعَ عُمَرَاتٍ إِحْدَاهُنَّ فِي رَجَبٍ. قَالَتْ يَرْحَمُ اللَّهُ أَبَا عَبْدِ الرَّحْمَنِ، مَا اعْتَمَرَ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ إِلَّا وَهُوَ مَعَهُ وَمَا اعْتَمَرَ فِي رَجَبٍ قَطُّ

‘Urwah b. al-Zubayr and I entered the masjid and found ‘Abdullah b. ‘Umar sitting at the chamber of ‘Ā’isha. There were people praying the *Duḥa* prayer in the masjid too, so we asked him regarding this prayer of theirs. He simply replied, ‘Innovation!’ ‘Urwah then asked him, ‘Abū ‘Abdul Rahmān, how many times did the Messenger of God perform ‘Umrah?’ He replied, ‘Four times, one of which was in Rajab.’ We felt uncomfortable to deny what he said and to challenge it, but then we heard the sound of ‘Ā’isha cleaning her teeth in her room, so ‘Urwah called out, ‘Did you hear, oh Mother of the Believers, what Abū ‘Abdul Rahmān declared?’ ‘And what was it that he said?’ she responded. They explained, ‘He said that the Messenger of God performed ‘Umrah four times, one of which was done in the month of

Rajab.’ She replied, ‘May God have mercy on Abū ‘Abd al- Raḥmān, the Messenger of God did not perform ‘Umrah except that he was with him, but the Prophet never performed ‘Umrah in the month of Rajab, ever.’

### Ḥadīth Six

Al-Dārquṭnī records in his *Sunan* on the authority of ‘Alī b. ‘Abdul al-‘Azīz, on the authority of ‘Āṣim b. ‘Alī, on the authority of Abū Owais, Hāshim b. ‘Urwah reported on the authority of his father:

عن عائشة: أنه بلغها قول ابن عمر: في القبلة الوضوء، فقالت: كان رسول الله يُقبل وهو صائم ثم لا يتوضأ

On the authority of ‘Ā’isha, a statement of Ibn ‘Umar reached her, whereby he had said, ‘A kiss requires the replenishing of *wuḍū’*. ‘Ā’isha responded, ‘The Messenger of Allah would kiss while he was fasting and would not renew his *wuḍū’*.’

Elsewhere it is also reported on the authority of ‘Ā’isha that the Prophet ‘kissed one of his wives then went out to pray, and he did not do *wuḍū’*.’

### Ḥadīth Seven

Al-Ṭabarānī records in his *Mu‘jam al-Waṣṭ*, on the authority of Mūsa b. Ṭalḥa,

بلغ عائشة أن ابن عمر يقول: إن موت الفجأة سخطة على المؤمنين، فقالت: يعفر الله لابن عمر، إنما قال رسول الله: موت الفجأة تخفيف على المؤمنين وسخطة على الكافرين

It came to ‘Ā’isha’s attention that Ibn ‘Umar had said, ‘A sudden death is a loss to the believer’. She retorted, ‘May God forgive Ibn ‘Umar. In fact, the Messenger of God said, ‘A sudden death is a relief for the believer and a loss for the disbeliever’.’

### Ḥadīth Eight

Al-Bukhārī records from Ibn ‘Umar that,

عَنْ سَالِمِ بْنِ عَبْدِ اللَّهِ، عَنْ أَبِيهِ، أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ: إِنَّ بِلَالًا يُؤَدِّنُ بِلَيْلٍ، فَكُلُّوا وَاشْرَبُوا حَتَّى يُؤَدِّنَ ابْنُ أُمَّ مَكْتُومٍ

The Messenger of God said, ‘Bilāl makes the call to prayer (*adhān*) while it is still night, so eat and drink until Ibn Umm Maktūm makes the call’.

### Ḥadīth Nine

Abū Manṣūr al-Baghdadi reports:

أُخْبِرَتْ عَائِشَةُ بِقَوْلِ ابْنِ عَمْرِو: إِنَّ الشَّهْرَ تِسْعَ وَعِشْرُونَ، فَأَنْكَرَتْ ذَلِكَ عَلَيْهِ، وَقَالَتْ: يَغْفِرُ اللَّهُ لِأَبِي عَبْدِ الرَّحْمَنِ، مَا هَكَذَا قَالَ رَسُولُ اللَّهِ وَلَكِنْ قَالَ: إِنَّ الشَّهْرَ قَدْ يَكُونُ تِسْعًا وَعِشْرِينَ

‘Ā’isha was informed about Ibn ‘Umar’s statement, ‘A month is 29 days,’ and she refuted this, saying, ‘May God forgive Abū ‘Abdul al-Rahmān, the Messenger of God did not say that, rather he stated, ‘a month may be 29 days’.’

### ‘Ā’isha’s Response to ‘Abdullah b. ‘Amr b. al-‘Āṣ

#### Ḥadīth One

Muslim records in his *Ṣaḥīḥ*, on the authority of ‘Ubayd b. ‘Umayr:

عَنْ عُبَيْدِ بْنِ عُمَيْرٍ، قَالَ: بَلَغَ عَائِشَةَ أَنَّ ابْنَ عَمْرٍو يَأْمُرُ النِّسَاءَ إِذَا اغْتَسَلْنَ أَنْ يَنْقُضْنَ رُؤُوسَهُنَّ فَقَالَتْ يَا عَجَبًا لِابْنِ عَمْرٍو هَذَا يَأْمُرُ النِّسَاءَ إِذَا اغْتَسَلْنَ أَنْ يَنْقُضْنَ رُؤُوسَهُنَّ أَفَلَا يَأْمُرُهُنَّ أَنْ يَحْلِقْنَ رُؤُوسَهُنَّ لَقَدْ كُنْتُ أَغْتَسِلُ أَنَا وَرَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ مِنْ إِنَاءٍ وَاحِدٍ وَلَا أَزِيدُ عَلَى أَنْ أَفْرِغَ عَلَى رَأْسِي ثَلَاثَ إِفْرَاعَاتٍ

It came to ‘Ā’isha’s attention that Ibn ‘Amr had instructed the womenfolk to undo their braids when they perform their *ghusl*. She remarked, ‘How strange Ibn ‘Amr’s instruction! He orders the women to undo their braids when doing their *ghusl*! Why doesn’t he just order them to shave their heads! The Messenger of God and I used to bathe from the one same vessel, and I would not exceed pouring it over my head three times.’

### ‘Ā’isha’s Response to Abū Sa‘īd al-Khudrī

Abū Ḥātim b. Ḥibbān records in his *Ṣaḥīḥ*, on the authority of ‘Amrah bint ‘Abd al-Rahmān:

أَنَّ عَائِشَةَ أُخْبِرَتْ أَنَّ أَبَا سَعِيدٍ الْخُدْرِيَّ قَالَ: نَهَى رَسُولُ اللَّهِ الْمَرْأَةَ أَنْ تُسَافِرَ إِلَّا وَمَعَهَا ذُو مَحْرَمٍ، قَالَتْ عَمْرُؤُ: فَالْتَفَتَتْ عَائِشَةُ إِلَيَّ بِعُضِّ النَّسَاءِ وَقَالَتْ: مَا لِكُلِّكَ ذُو مَحْرَمٍ

‘Ā’isha was informed that Abū Sa’īd al-Khudrī said, ‘The Messenger of God forbids a woman from travelling unless she is accompanied by a *maḥram*.’ Amrah said, ‘Ā’isha then turned to the womenfolk and said, ‘Not all of you has a *maḥram*!’

### ‘Ā’isha’s Response to Zayd b. Thābit

Al-Bazzār states in his *Musnad*, Muḥammad b. al-Muthanna said...on the authority of ‘Ikrimah that,

أَنَّ ابْنَ عَبَّاسٍ وَزَيْدَ بْنَ ثَابِتٍ اِخْتَلَفَا فِي الَّتِي تَطُوفُ يَوْمَ النَّحْرِ الطَّوَافَ الْوَاجِبَ، ثُمَّ تَحِيضُ، فَقَالَ زَيْدٌ: نَقِيمٌ حَتَّى يَكُونَ آخِرُ عَهْدِهَا بِالْبَيْتِ، وَقَالَ ابْنُ عَبَّاسٍ: تَنْفِرُ إِذَا طَافَتْ يَوْمَ النَّحْرِ، فَقَالَتِ الْأَنْصَارُ: يَا ابْنَ عَبَّاسِ إِنَّكَ إِذَا خَالَفتَ زَيْدًا، لَمْ نَتَابِعْكَ، فَقَالَ ابْنُ عَبَّاسٍ: سَلُوا عَنْ ذَلِكَ صَاحِبَكُمْ أُمَّ سَلِيمٍ، فَسَأَلُوهَا فَأَخْبَرَتْ بِمَا كَانَ مِنْ حَالِ صَفِيَّةَ بِنْتِ حُيَيٍّ، فَقَالَتْ عَائِشَةُ: إِنَّهَا لِحَابِسْتُنَا، فَذَكَرْتُ ذَلِكَ لِلنَّبِيِّ فَأَمَرَهَا أَنْ تَنْفِرَ

Ibn ‘Abbās and Zayd b. Thābit disagreed on the ruling regarding a woman who has performed the requisite circumambulation of the Ka‘bah (*ṭawāf*) on *Yawm al-Naḥr* (the 3rd day of Ḥajj) and her menses begin. Zayd said, ‘she should stay in her home until her menses are complete’. Ibn ‘Abbās, however said, ‘She should hurry to perform her *ṭawāf* on *Yawm al-Naḥr*’. The Anṣār present said, ‘Oh Ibn ‘Abbās, if you continue to conflict with Zayd, we will not follow you.’ Ibn ‘Abbās responded, ‘Ok, go and ask your companion on the matter, Umm Salīm’. So, they went and questioned her, and she informed them of what had happened to Safiyyah bint Huyay. She reported that ‘Ā’isha said, ‘She prevented us’ (i.e. came on her period), so she mentioned this to the Prophet, and he ordered to her to be hasty’.

### Shaybah b. ‘Uthmān’s Consulting ‘Ā’isha

Al-Bayhaqī records in his *Sunan*, on the authority of ‘Alī al-Madinī on the authority of ‘Alqamah b. ‘Alqamah on the authority of his mother, who said,

دخل شيبه بن عثمان على عائشة، فقال: يا أم المؤمنين إن ثياب الكعبة تجتمع علينا فتكثر، فنعمد إلى آبار فنحفرها فنعمقها، ثم ندفن ثياب الكعبة فيها كيلا يلبسها الجنب والحائض، فقالت عائشة: ما أحسنت وبئس ما صنعت، إن ثياب الكعبة إذا نزعَتْ منها، لم يضرها أن يلبسها الجنب والحائض؛ ولكن بعها واجعل ثمنها في المساكين، وفي سبيل الله وابن السبيل

Shaybah b. 'Uthmān entered into the presence of 'Ā'isha and said, 'Mother of the Believers, we have collected a lot of the [discarded] cloth from the Ka'bah so we intend to prepare some wells and bury it deep within in order that no person in a state of sexual or menstrual impurity may wear it'. 'Ā'isha advised, 'You have not done well, in fact you have instead done a bad thing. If the cloth of the Ka'bah has been removed from it, there is no harm in one who is in a state of sexual or menstrual impurity to wear it. So, sell it, and whatever profit is made, spend it on the poor, and in the way of God, and on the wayfarer'.

### 'Ā'isha's Response to Abū Hurayra

#### Ḥadīth One

['Ā'isha] opposed his [declaring] the fast of a person in a state of sexual impurity as nullified. It is recorded by Muslim on the authority of Ibn Jurayj, on the authority of al-Mālik b. Abū Bakr b. 'Abdul Raḥmān, on the authority of Abū Bakr b. 'Abdul Raḥmān:

سمعت أبا هريرة يُقْصُ ويقول في قصصه: من أدركه الفجرُ جنباً ، فلا يصُومُ ، قال فذكرتُ ذلك لعبد الرحمان بن الحارث ، فذكره لأبيّة ؛ فأنكر ذلك ، فأطلق عبد الرحمان وانطلقتُ معه حتى دخلنا على عائشة وأمّ سلمة ، فسألتهما عبد الرحمان عن ذلك ، فقال: فكلتاها قالت: كان النبيُّ يُصبحُ جنباً من غير حُلْمٍ ثم يصومُ ، فانطلقنا حتى دخلنا على مروانَ ، فذكر ذلك له عبدُ الرحمان ، فقال مروانُ: عزمتُ علك إلا ما ذهبَتْ إلى أبي هريرة فرددتَ عليه ما يقولُ ، قال : فجئنا أبا هريرة وأبو بكر حاضر ذلك كلّة ، فذكر له عبدُ الرحمان ، فقال أبو هريرة: أهّمّا قالتاه لك؟ قال: نَعَمْ ، قال: هما أعلمُ ، ثم ردَّ أبو هريرة ما كان يقول في ذلك إلى الفضل بن عباس ' قال أبو هريرة: سمعتُ ذلك من الفضل ، ولم أسمعهُ من النبيِّ ، قال: فرجع ابو هريرة عما كان يقولُ من ذلك

I heard Abū Hurayra narrate a story: 'If dawn arrives upon one who is in a state of sexual impurity (*junuban*) then he must not fast.' I mentioned this to 'Abdul Raḥmān b. al Ḥārith, who

mentioned it to his father. The latter denied this. ‘Abdul Raḥmān and I went to ‘Ā’isha and Umm Salama, and ‘Abdul Raḥmān asked them regarding this. Both said, ‘The Prophet would reach the morning in a state of sexual impurity not caused by a dream and would proceed to fast.’ We then went to Marwān and ‘Abdul Raḥmān relayed this to him. Marwān said, ‘I adjure you to go back to Abū Hurayra and refute what he said.’ So, we went to Abū Hurayra, and Abū Bakr was present through all of this, while ‘Abdul Raḥmān relayed everything to him. Abū Hurayra said, ‘Did they both say this?’ He replied, ‘Yes!’ He said, ‘They know best!’ and then attributed [the statement] to al-Faḍl b. ‘Abbās, saying, ‘I heard that from al-Faḍl, I did not hear it from the Prophet.’ The narrator said, Abū Hurayra retracted what he had said.

### Ḥadīth Two

Abū Dāwud al-Ṭayālasī stated in his *Musnad* that Abū Hurayra said:

قيل لعائشة: إن أبا هريرة يقول: قال رسول الله: الشؤمُ في ثلاثة: في الدارِ والمرأةِ والفرسِ، فقالت عائشة: لم في الدارِ والمرأةِ: يحفظ أبو هريرة، أنه دخل ورسول الله يقول: قاتل الله اليهودَ يقولون: الشؤمُ في ثلاثة والفرسِ، فسمع آخرَ الحديث ولم يسمع أوله

The Messenger of Allah said, ‘Bad luck is found in three things: the house, the woman, and the horse.’ ‘Ā’isha responded, ‘Abū Hurayra has not remembered. He entered upon the Messenger of Allah as he was saying, ‘May Allah curse the Jews [for] saying, bad luck is found in three things: the house, the woman, and the horse.’ He heard the last part of the statement but not the first.’

### Ḥadīth Three

Abū Bakr al-Bazār stated in his *Musnad*:

قيل لعائشة: أن أبا هريرة يروي عن النبي: أن امرأةً عُدِّبَتْ في هرةٍ، فقالت عائشة: إن المرأة كانت كافرة

‘Alqama said: It was said to ‘Ā’isha, ‘Abū Hurayra narrates the Prophet [as saying], ‘A woman was punished because of her [treatment of] a cat.’ ‘Ā’isha replied, ‘The woman was a disbeliever.’

### Ḥadīth Four

Al-Hākim records in his *Mustadrak*, in the chapter on Freeing Slaves, that ‘Urwah said:

بلغ عائشة أن أبا هريرة يقول: إن رسول الله قال: لأن أمتع بسوط في سبيل الله أحب إلي من أن أعتق ولد الزنى، وأن رسول الله قال: ولد الزنى شر الثلاثة، وإن الميت يعذب ببكاء الحي، فقالت عائشة: رحم الله أبا هريرة أساء سمعا، فأساء إجابة: أما قوله: لأن أمتع بسوط في سبيل الله أحب إلي من أن أعتق ولد الزنى، ينها لما نزلت {فَلَا اقْتَحَمَ الْعَقَبَةَ، وَمَا أَدْرَاكَ مَا الْعَقَبَةُ، فَكُ رَقَبَةً} [البلد: ١١ - ١٣] قيل: يا رسول الله ما عندنا ما نعتق، إلا أن أحدنا له الجارية السوداء تُخدمه، وتسعى عليه، فلو أمرناهن، فزنين، فجئن بأولاد فأعتقناهم، فقال رسول الله: لأن أمتع بسوط في سبيل الله أحب إلي من أن أمر بالزنى؛ ثم أعتق ولداً،

وأما قوله: ولد الزنى شر الثلاثة فلم تكن الحديث على هذا، إنما كان رجل من المنافقين يؤذي رسول الله فقال: من يعذرني من فلان؟ قيل: يا رسول الله إنه مع ما به ولد زنى، فقال: هو شر الثلاثة والله تعالى يقول: {وَلَا تَزِرُ وَازِرَةٌ وِزْرَ أُخْرَى} [الأنعام: ١٦٤]

وأما قوله: إن الميت يعذب ببكاء الحي، فلم يكن الحديث على هذا ولكن رسول الله مر بدار رجل من اليهود قد مات، وأهله يبكون عليه، فقال: إنهم لبيكون عليه وإنه ليعذب، والله يقول: {لَا يَكْفُرُ اللَّهُ نَفْسًا إِلَّا وُسْعَهَا} [البقرة: ٢٨٦]

It reached ‘Ā’isha that Abū Hurayra said the Messenger of Allah said, ‘That I should give a whip in the Path of Allah is more beloved to me than to free the child [born] of adultery’; the Messenger of Allah [also] said, ‘The child [born] of adultery is the worst of [the] three.’ [He also said], ‘Verily, the deceased is punished for the wailing of the living.’ ‘Ā’isha responded, ‘May Allah have mercy on Abū Hurayra! He listened poorly and thus explained poorly. As for his saying, ‘That I should give a whip in the Path of Allah, is more beloved to me than to free the child [born] of adultery,’ this was because when the verses, ‘But he would not try to ascend the steep uphill road. And what could make thee conceive what it is, that steep uphill road? It is the freeing of a neck [from the bondage of slavery]’ were revealed, it was said to the Messenger of Allah, ‘We do not have one that we could emancipate, but one of us has a Black slave girl who serves him. If we order them to fornicate, then they will bear us children whom we could then emancipate.’ The Messenger of Allah then said, ‘That I should give a whip in the Path of Allah, is more beloved to me than to free the child [born] of adultery.’

As for his saying, ‘The child [born] of adultery is the worst of [the] three’, then there is no such statement of the Messenger. Actually, a man from among the hypocrites was troubling the Messenger of Allah, so he said, ‘Who will relieve me of [this man]?’ It was [then] said, ‘Oh Messenger of Allah, among his other [blameworthy traits] is that he is a child of adultery’, to which the Messenger of Allah replied, ‘He is worst of the three’ and Allah Most High states, ‘No bearer of burdens shall be made to bear another's burden.’

And, as for his saying, ‘Verily, the deceased is punished for the wailing of the living,’ then there is no such statement, but rather the Messenger of Allah was walking by the house of a Jew who had died, and his family members were lamenting over him. He said, ‘Verily they are crying over him, and he is being punished.’ And Allah says, ‘God does not burden any human being with more than he is well able to bear.’

### Ḥadīth Five

Al-Ṭabarī in *al-Awṣaṭ* states on the authority of Abū Salamah:

عن أبي هريرة: أن رسول الله قال: مَنْ لَمْ يُؤْتِرْ، فَلَا صَلَاةَ لَهُ، فَبَلَغَ ذَلِكَ عَائِشَةَ، فَقَالَتْ: مَنْ سَمِعَ هَذَا مِنْ أَبِي الْقَاسِمِ! مَا بَعْدَ الْعَهْدِ وَمَا نَسِينَا، إِنَّمَا قَالَ أَبُو الْقَاسِمِ: مَنْ جَاءَ بِصَلَوَاتِ الْخَمْسِ يَوْمَ الْقِيَامَةِ قَدْ حَافِظًا عَلَى وُضُوئِهَا وَمَوَاقِيئِهَا وَرُكُوعِهَا وَسُجُودِهَا، لَمْ يَنْتَقِصْ مِنْهُنَّ شَيْئًا، كَانَ لَهُ عِنْدَ اللَّهِ عَهْدٌ إِلَّا يَعْذِبَهُ، وَمَنْ جَاءَ، وَقَدْ انْتَقَصَ مِنْهُنَّ شَيْئًا، فَلَيْسَ لَهُ عِنْدَ اللَّهِ عَهْدٌ، إِنْ شَاءَ رَحْمَهُ، وَإِنْ شَاءَ عَذِبَهُ

Abū Hurayra reported, the Messenger of Allah said, ‘Whoever does not pray the *Witr*, then there is no prayer [recorded] for him’. When this reached ‘Ā’isha, she asked, ‘Who heard this from Abū al-Qāsim? It is not from such a remote past, and nor have we forgotten. In fact, Abū al-Qāsim said, ‘Whoever comes on the Day of Judgement with his five prayers, having been astute regarding his ablution, the timings, the bowing and the prostrating, then he has not fallen short with his prayers in any way. He has a promise from Allah that He shall not punish him. Who then comes along and diminishes this? He does not have a promise from Allah. If He wishes He shall have mercy on him, and if He wishes He shall punish him.’

### Ḥadīth Six

Al-Hāfidh Abū Ḥātim b. Ḥibbān al-Bustī records in his *Ṣaḥīḥ* on the authority of ‘Urwah b. al-Zubayr who says that ‘Ā’isha said:

أَنَّ عَائِشَةَ قَالَتْ: أَلَا يُعْجِبُكَ أَبُو هُرَيْرَةَ، جَاءَ فَجَلَسَ إِلَى جَنْبِ حُجْرَتِي يُحَدِّثُ عَنِ رَسُولِ اللَّهِ، يُسْمَعُنِي ذَلِكَ، وَكُنْتُ أُسَبِّحُ، فَقَامَ قَبْلَ أَنْ أَقْضِيَ سُبْحَتِي، وَلَوْ أَدْرَكْتُهُ لَرَدَدْتُ عَلَيْهِ: إِنْ رَسُولُ اللَّهِ لَمْ يَكُنْ يَسْرُدُ الْحَدِيثَ كَسَرْدِكُمْ

‘Does Abū Hurayra not bemuse you? He came and sat beside my apartment and started to narrate from the Messenger of Allah. I could hear it all, but I was engaged in prayer, and he had left before I finished. If I had been able to, I would have certainly responded to him that the Messenger of Allah was not verbose in speech the way that you are verbose!’

### Ḥadīth Seven

Abū Manṣūr al-Baghdādī mentions, with a chain to Abū ‘Arūba al-Ḥusayn b. Muḥammad al-Ḥurānī, who narrates on the authority of Yaḥya b. ‘Abd al-Raḥmān b. Ḥāṭib, who narrated:

عَنْ أَبِي هُرَيْرَةَ أَنَّهُ قَالَ: مَنْ غَسَلَ مَيِّتًا اغْتَسَلَ، وَمَنْ حَمَلَهُ تَوَضَّأَ، فَبَلَغَ ذَلِكَ عَائِشَةَ فَقَالَتْ: أَوَنْجَسَ مَوْتَى الْمُسْلِمِينَ؟ وَمَا عَلَى رَجُلٍ لَوْ حَمَلَ عَوْدًا؟

Abū Hurayra said, ‘Whoever performs the *ghusl*, ritual washing of the deceased, must also perform the *ghusl*, and whoever touched it must perform *wuḍū’*, ablution.’ When this reached ‘Ā’isha, she remarked, ‘Have the deceased of the Muslims become impure? And what of a man who has carried the body?’

### Ḥadīth Eight

Abū ‘Arūba states on the authority of Abū Ṣāliḥ:

عَنْ أَبِي هُرَيْرَةَ قَالَ: لِأَنَّ يَمْتَلِئُ جَوْفُ أَحَدِكُمْ قَيْحًا خَيْرٌ لَهُ مِنْ أَنْ يَمْتَلِئَ شِعْرًا، فَقَالَتْ عَائِشَةُ: لَمْ يَحْفَظِ الْحَدِيثَ، إِنَّمَا قَالَ رَسُولُ اللَّهِ: لِأَنَّ يَمْتَلِئُ جَوْفُ أَحَدِكُمْ قَيْحًا وَدَمًا خَيْرٌ لَهُ مِنْ أَنْ يَمْتَلِئَ شِعْرًا هُجِيتُ بِهِ

Abū Hurayra said, ‘That one of you should fill his stomach with vomit and blood is better for him than to fill it with poetry.’ To which ‘Ā’isha responded, ‘He has not remembered the saying

[of the Prophet]. In fact, the Messenger of Allah said, ‘That one of you should fill his stomach with vomit and blood is better for him than to fill it with poetry with which he mocks [others].’

### Ḥadīth Nine

Muslim and Nisā’ī record on the authority of Shurayḥ b. Hānī:

عن أبي هريرة قال: قال رسول الله: من أحب لقاء الله، أحب الله لقاءه، ومن كره لقاء الله؛ كره الله لقاءه، قال شريح: فأنتيت عائشة فقلت: يا أم المؤمنين سمعتُ أبا هريرة يذكر عن رسول الله حديثاً إن كان كذلك فقد هلكنَا، فقالت: إن الهالك مَنْ هلك، وما ذاك؟ قال: قال رسول الله: من أحب لقاء الله، أحب الله لقاءه، ومن كره لقاء الله، كره الله لقاءه، وليسَ منا أحدٌ إلا وهو يكره الموتَ، فقالت: قد قاله رسول الله ولكن إذا شَخَّصَ البصرُ، وحَشْرَجَ الصِّدْرُ واقشعرَّ الجِلْدُ، وتَشَنَّجَتِ الأصابعُ، فعند ذلك من أحب لقاء الله، أحب الله لقاءه، ومن كره لقاء الله، كره الله لقاءه

On the authority of Abū Hurayra who said, the Messenger of Allah said, ‘Whoever loves to meet Allah, Allah loves to meet him, and whoever hates to meet Allah, then Allah hates to meet him.’ Shurayḥ said, I went to ‘Ā’isha and said, ‘Oh Mother of the Believers, I heard Abū Hurayra mention that the Messenger of Allah made a statement, which if true, then we are ruined!’ She said, ‘The [one claiming] ruination is the one ruined, and what was this?’ He said, ‘The Messenger of Allah said, ‘Whoever loves to meet Allah, Allah loves to meet him, and whoever hates to meet Allah, then Allah hates to meet him’ and there is not a single one from among us, except that he hates death.’ She said, ‘The Messenger of Allah did say this, but when the eyes become glazed, the chest begins to rattle, the skin starts to goose bump and the fingers begin to twitch, then, at this point, whoever loves to meet Allah, Allah loves to meet him, and whoever hates to meet Allah, Allah hates to meet him.’

### Ḥadīth Ten

Abū al-Qāsim ‘Abdullah b. ‘Alī al-Baghawi narrates:

بلغ عائشة أن أبا هريرة يقول: إن المرأة تَقَطُّعُ الصَّلَاةَ، فقالت: كان رسول الله يُصَلِّي، فنتقِعُ رجلي بين يديه أو بحذائه، فيصفاها، فأقبضها

It reached ‘Ā’isha that Abū Hurayra said, ‘A woman nullifies the prayer [if she walks in front of a person offering the prayer]’. So, she said, ‘The Messenger of Allah would pray and tuck my feet between his hands or his thighs. Then he would push them back [when prostrating], and I would stretch them forward [when he would raise his head from prostration].’

### **Ḥadīth Eleven**

The two Shaykhs [Muslim and al-Bukhārī] narrate on the authority of Abū Hurayra that the Messenger of Allah said:

لا يَمْشِيَنَّ أَحَدُكُمْ فِي نَعْلٍ وَاحِدَةٍ، لِيَنْعَلَهُمَا جَمِيعًا، أَوْ لِيَخْلُعَهُمَا جَمِيعًا

‘Not one of you should walk with only one shoe on; either put them both on, or take them both off’.