

**Women's Rights in Islam and Contemporary Ulama:
Limitations and Constraints.
(Egypt as Case Study)**

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DEDICATION

TO MY DEAR AND LOVING FAMILY

MUM, DAD,

HEBA, MUHAMMAD, AHMED, HUSSEIN, KAMAL and JULIANA

ACKNOWLEDGMENTS

(اقْرَأْ بِاسْمِ رَبِّكَ الَّذِي خَلَقَ)

“Proclaim! (or read!) in the name of thy Lord and Cherisher, Who created”

The quest for knowledge is a journey that has a starting point, but not an end. It is a journey that is full of challenges, hard work, involving dedication and patience but with a very rewarding end. I consider the PhD as a milestone that marks the road ahead for my ongoing quest. I can not claim that I have managed to achieve my aim by myself alone, but also through the existence of other special people whom I have been blessed to know.

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ABSTRACT

There is a general notion that Islam, as a religion, looks down upon women and encourages discrimination against them. Thus, the status of Arab and Muslim women has become a controversial issue, drawing significant research attention amongst scholars in different fields such as sociology, social development, theology and feminist studies.

This thesis aims to explain and understand both the actual status of Muslim Egyptian women and their rights in Muslim societies and also the influential role played by the *ulama*. The case of Egypt offers a useful focus for this research since the matter can be studied from multiple angles; political, and cultural. The emphasis given to introducing Muslim women's views, especially at the grassroots level on the subject under examination, are based on their current status and personal experiences.

Field research was conducted in two main governorates in Egypt; Cairo and Qena. A total of 233 Informants participated in this study, representing different social, economic, educational, geographical, and cultural backgrounds.

The findings of the study suggest that women hold a good level of awareness and knowledge of the rights granted to them by Islam, despite the discrepancy in the percentages obtained in both governorates. There is also a strong link between the content of Television drama and raising awareness about current legislations, given that the Media represent the main source of education for women about their rights in both locations.

Finally recommendations are made at both macro and micro levels with the aim of creating sustainable improvement in women's rights in Egypt.

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TRANSLITERATION SCHEME

The system of transliteration of Arabic used in this thesis is that of the Library of Congress.

ء	.				
ب	b	ز*	z	ف	f
ت*	t	س*	s	ق	q
ث*	th	ش*	sh	ك	k
ج	j	ص*	ṣ	ل*	l
ح	h	ض*	ḍ	م	m
خ	kh	ط*	ṭ	ن*	n
د*	d	ظ*	ẓ	ه	h
ذ*	dh	ع	‘	و	w
ر*	r	غ	gh	ی	y

Short and Long Vowels

ا	-	a		
آ	-	ā	إ	i
أ	-	ā	ي	ī
أ	-	ay	و	aw
			و	u
			و	ū

Notes

1. The letters marked with an asterisk are called sun-letters. When following the definite article *al-*, the *shadda* (ˆ) is placed over the sun-letter, indicating that the consonant is doubled and should be stressed when pronounced. All the remaining letters are called moon-letters and when following *al-* the *sukūn* (˘) is placed above them, indicating a non-vowel sound.
2. In general the transliteration scheme is applied according to the pronunciation and not the written form of the Arabic word.
3. If the noun begins with a sun-letter, this affects its pronunciation, e.g. *as-sāhir* not *al-sāhir* ('the wizard'), though it is often convenient to transliterate using *al-sāhir* in all cases.
4. The definite article (*al-*) is written as (*l*) when it follows the preposition *bi* and *aw*, as the transliteration is conducted according to the pronunciation of the words and the way they are written in Arabic.

Chapter One: Introduction

Prologue

Over the last three decades, women's rights have taken priority in the global development agenda for underdeveloped countries. In 1979 the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), which was adopted by the UN General Assembly, was a turning point in women's rights in modern history as it represented a significant vision of equitable human rights for both women and men.

This 1979 convention provides fundamental realizations and understandings of the equality between women and men in terms of, for example, women's equal access to political life, public life, education, equal employment opportunities and health with a focus on reproductive rights, and also targets culture and tradition as influential forces shaping gender roles and family relations. Nonetheless, women have come to realize that the struggle to achieve their rights and maintain their identity in society is still in its early stages.

There is a general perception in the West towards women living in the Arab and Muslim communities that Islam, as a religion, looks down upon women and encourages discrimination against them in terms of equal rights with men. Unfortunately, some Muslim communities have in fact reinforced this general profile about Islam, enhancing the widespread misinterpretation of religious teachings. Thus, the status of Arab and Muslim women has become a controversial issue, drawing significant research attention amongst scholars in different fields such as sociology, social development, theology and feminist studies.

The heated debate is not always helpful for the women involved. In fact, it can have a negative impact on their development, by generating general confusion and resistance by the society, and even among the women themselves. This kind of attention has failed to help those women who strive much in improving their status, as they face even greater resistance by their societies and even among the women themselves against receiving and accommodating the new incoming ideas and suggestions for improvement. Muslim women often feel they are being attacked by scholars who describe them as oppressed, retarded, and lacking intellectual capacity. Suha Sabbagh provided an analytical view regarding the image of the Arab and Muslim women in the western literature and writing. According to her:

The unmistakable interest in focusing on what I call a "culture of misery" serves only to establish the positional superiority of the writers and, through them proxy, western women. The result of such articles is not form bonds of sisterhood across cultures , nor to depict the happy and unhappy realities of women's lives, nor to liberate Arab women, but rather to establish the superiority of western women's lives, and through them, western culture. This body of literature is clearly about establishing Western domination and not about liberating Muslim women (2003: xiii).

From my own experience as a Muslim woman working in the field of social justice for the past 14 years, I believe there are two types of Muslim women:

1. Muslim women who are looking for a better and progressive understanding of Islamic teachings and are seeking emancipation through their attempt to highlight the rights and privileges enjoyed by women during the Prophet Muhammad's era, part of which is considered by many as the peak of women's freedom;
2. Those who take Islamic teachings as they are, regardless of their context.

Among the first group, we can also find two types: those who are looking for a progressive interpretation and those who are trying to separate between religion as a

personal belief and their public life. Both groups face confusion with regards to what they have perceived and learned to be 'good Muslims' and to catch up with the rhythm of modernity .

I also share the same view with these women. I believe that western scholars who are concerned with the status of Muslim women in their societies have narrowed their focus, attention and knowledge in one direction. Their understanding and opinions merely based on the proposition that Islam is a theology or how religious practice has been understood. This attitude leads to women's oppression and backwardness which, in my view, leads to a wrong perception. According to Sabbagh this situation has been slowly changing particularly in the academic studies.

Where the tendency was to focus on what one academic woman has defined as the "hot pots" of anthropological research on Arab women, the exaggerated emphasis on all that makes Arab [and Muslim] women different: honour killings, female circumcision, cousin marriage, the harem, and the renewed obsession with the veil. The image that most western have of Arab [and Muslim] women is a stereotypical images that has little to do with the lives of real Arab women (2003:xi).

Yet in some cases these scholars have departed from sound practice to the extent that they refuse to engage in dialogue with others who hold different concepts, and even reject the possibility of seeing beyond their own understanding of the situation. They appear to confound Islam with patriarchy and are blind to the fact that women in Arab and Muslim societies are actually being restricted by the dictates of patriarchal societies, where it is the social norms, culture and the political system that shape the structure of life in favour of men and provide them with more power than women.

This, consequently, enables men to apply possessive and oppressive patterns of control over women. Adrienne Rich (1977) defines the term 'Patriarchy', as:

A familial-social, ideological, political system in which men - by force, direct pressure or through ritual law and language, customs, etiquette,

education, and the division of labour, determine what part women shall or shall not play, and in which the female is everywhere subsumed under the male. It does not necessarily imply that no woman has power or that all women in a given culture may not have certain powers (cited in Maynard and Winn 1997:177).

While Rich defines the term 'patriarchy', Michael Mann (1986) provides an elaborated definition of the term 'Patriarchal Society'. According to him:

Patriarchal society is one which [in] power is held by male heads of households. There is a clear separation between public and private spheres of life. In the private sphere of the household, the patriarch enjoys arbitrary power over all junior males, all females and all children. In [the] public sphere, power is shared between male patriarchs according to whatever other principles of stratification operate (cited in Shukri 1999:36).

Suad Joseph defines the term patriarchy in the Arab context. According to her, "patriarchy is the prioritizing of the rights of males and elders (including elder women) and the justification of those rights within kinship values which are usually supported by religion". She continues by stating that her definition "differs from some western feminists, who do not consider age or kinship" (1996:14). According to her there are many forms of patriarchy: social, economic, political, religious and patriarchy as a condition in itself.

In line with Joseph's definition, Peter Krauss (1987) defines the term as "hierarchy of authority that is controlled and dominated by males, originating in the family" (cited in Joseph 1996:14). In contrast to the above-given definitions, Hisham Sharabi provides another view on the term. For him "patriarchy is the universal form of traditional society" (1988:3). He also argues that patriarchal values and social relations also exist under a veneer of modernity, and this is termed 'neopatriarchy' (Joseph 1996).

Clearly, with the understanding of this term and by looking to the mechanism of decision-making processes in Arab society, it is possible to explain why almost the majority of decisions are taken by men, even those relating to women's issues, when

quite simply the answer is: they can dominate women more and more. Eventually, the repulsive process of controlling women's lives results in loss of any sense of individuality, dignity, or ability to be independent. It is also peculiar how, in the process, women oppress other women – i.e., the older women (who are now saturated with wrong visions, and who have been indoctrinated for long enough by men, and society's desire to subdue women)- take active parts in making the younger women in their kin become submissive to male authority in the family.

It would be almost impossible for a woman to break free from the dictates of patriarchy as any effort to do so would ultimately affect her psyche and will earn her a very negative image in her society, which would affect her self-esteem and status. It is true, however, that in the process Islam as a religion has intermingled with the local culture to the extent that it becomes almost impossible to distinguish between religious practices and the Arabic/Islamic culture.

Many researchers have pointed out that culture is one of the fundamental obstacles hindering women's development and liberation. I do agree with such a claim, as it will be impossible to deny or overlook the important role played by culture in traditional societies. Having said so, it is worth highlighting how we define culture and draw on its important role. Zygmunt Bauman (1999: xx) constructed a broad and rich definition of the term 'culture':

Culture, as it tends to be seen now, is as much an agent of disorder as it is the tool of order; a factor of ageing and obsolescence as much as the timelessness. The work of culture does not consist so much in its self-perpetuation as in securing the conditions for further experimentation and change. Or rather, culture 'self-perpetuates' in as far as not the pattern, but the urge to modify it, to alter and to replace it with another pattern, stays viable and potent over time. The paradox of culture may be thus reformulated: whatever serves the preservation of a pattern undermines its grip.

For Bauman (1999) there are three co-existing concepts of culture, which are (1) culture as a hierarchal concept, (2) culture as a differential concept, and (3) a generic concept of culture. Through analyzing each of these concepts individually or collectively, we can easily understand why culture is a problematic point for individuals or the community to depart from.

Thus, we can simply define culture as a tool that crafts the differences between communities, guides their behaviour, shapes their unique personality and organizes their action. It is also rooted in their historical memory and provides the sense of belonging, but above all it nourishes the idea of superiority over others, where it considers the source of discriminatory acts towards other external or internal groups. In other words it is a social structure.

In such societies or communities women appear as followers or 'slaves' of the system, which is approved by the society; and if women argue, object or reject the system, we will find that the society bestows upon men the necessary force to be used to tame the 'rebellious' women. According to Juliette Mices (1992:31):

Should a particularly courageous woman refuse [the tutelage by her male guardians], she will be shunned or physically forced to submit. A woman who has been cast out by her family faces a very hard and isolated life..... The isolation of rebellious women is reinforced by the whole community, to whom such behaviour is quite unacceptable.

Adding to the above mentioned factors, and in my opinion, one of the major factors that create such confusion among Muslim women is the different interpretations of their rights in Islam on the one hand and the rights that they are actually allowed in reality on the other hand. In other words, women are divided between radical and non-radical Islamic *ulama* who, as a result of their teachings, maintain a patriarchal society and

support their position by interpreting teachings from the Qur'an in such a way as to favour men and provide them with more power over women.

1.1. Originality of this Research

In light of the above, I believe that the originality in the current research lies in its approach. Most of the current studies on Muslim women are based on either analyzing existing documentation in the form of other researchers' materials that discuss the subject from a single perspective or simply on the researcher's own point of view. Yet, in this research I try to examine the subject from its multiple angles e.g. the political, cultural, and religious; and also to highlight the different key players.

The focus will be mainly given to introducing Muslim women's views on the subject under examination based on their current status and personal experience. Informants who participate in this study come from different social, economic, educational, geographical, and cultural backgrounds. Special attention will be given to informants at the grassroots level of the society, and I will encourage them to express their views, being motivated in this by our perception that they represent the segment of society most affected by these issues.

Finally, I hope that I will add a valuable viewpoint, which other researchers can make use of and build upon.

Thus, this study will be based and built on two major methods. At the initial stage a wide range of scholarly works will be reviewed, including up-to-date laws issued in Egypt in regard to women's rights. This will be followed by a main stage, which is to conduct the research fieldwork. Finally I will construct a comprehensive discussion and draw recommendations based on the findings.

1.2. Aims of this Research

There is no doubt that Islam was seen by women whom embraced the new faith as very progressive in comparison to the social norms prevalent at the time of its appearance. It has bestowed on women many rights. Above all, Islam treats women as human beings with a free soul. Many verses in the Qur'an give evidence on how Islam called for equality between both women and men. So the questions here are: What went wrong? Why are women in Arab and Muslim societies being deprived of their basic rights that are granted by their own religion?

Thus, the aim of this study is to seek an explanation and an understanding of the status of Muslim women and their rights in the Muslim society and the influential role played by the *ulama*. The research is based upon the case of Egypt.

1.3. Research Objectives

The main objective of this study goes beyond religious explanations; for it will explore the culture and the social norms that are created and supported by different institutions which shape and control societies that- in the name of religion- support oppression and discrimination against women in order to gain 'legitimacy' for their actions.

Thus, the focal research question of this study, namely: "*the relationship between Muslim women's rights and the influential role played by the contemporary religious ulama*" (taking Egypt as case study).

There are also two sub-questions that will help in answering the main research question, namely:

1. Is Islam, as a belief, part of the patriarchal philosophy, or was religion somehow influenced by the patriarchal ideology?

2. Did Islam get mixed in the process with the Arabic culture to the extent that it has become impossible to distinguish between religious practices and the Arabic/Islamic culture?

1.4. Defining Basic Terms

Before going into more details regarding the layout of this research, it is necessary to define one of the major terms that we will be consistently referring to ...which is the term '*ulama*'. Shadaab H. Rahemtulla defines this as "legal and religious scholars of Islam" (2005:15), or people who deal with the interpretation of the Qur'an. Those scholars in the context of Egypt are mainly graduated from al-Azhar University, where they studied Qur'an and *Sunnah* interpretations, different schools of *fiqh*, Islamic law and Islamic jurisprudence and other disciplines.

It is important to draw attention to an important point namely that not every al-Azhar graduate who has studied Islamic studies is considered one of the *ulama*. Since the *ulama* should possess the ability to conceptualize what they have learned and to draw upon it. *Ulama* are not a unified class, they differ according to their knowledge and understanding of the sacred text (Qur'an).

1.5. The Content of the Research

After this introductory chapter, Chapter Two will discuss and highlight the current status of Muslim women. The chapter is organized in two sections; each section has different aims. Section One aims to discuss and highlight the current status of women in Muslim societies, with special focus on Arab women. In Section Two my attempt will be searching for answers for one of the serious allegations that haunt Islam at the present as a religion which calls for discrimination against women and the devaluing of their role. I will set about this through an examination of women's rights acknowledged

by Islam, the relationship between the prophet Muhammad (PBUH) and his wives' and Muslim women in general.

The main body of this research can be divided into two main parts followed by a discussion and concluding chapter:

The first part, which comprises chapters Three, Four and Five, will mainly cover the literature review of the study. The aim of each chapter is as follows:

Chapter Three: This chapter aims to shed light on the status of the *ulama* in contemporary Egypt through examining their relationship with the State on the one hand and their role within Egyptian society on the other. While it is crucial to highlight the different historical phases that have influenced the status of the *ulama*, it is also important to define the term *ulama* with reference to the particular context of this study.

Chapter Four: This chapter aims at discussing the status of women in Egypt through looking into the beginnings of the Egyptian Feminist Movement, its achievements, and the emergence of Islamic feminism. But before that, a brief excursion into the Ancient Egyptian era, and in particular the Pharaonic period, is necessary to shed light on women's status and their rights.

Chapter Five: This chapter aims at examining the Egyptian Constitution and its relation to the Egyptian family law. To make this possible, it is necessary to: (a) highlight the historical phases which the constitution has gone through and its main articles; (b) provide an overview of the formulation of the Islamic law and define the concept of *Shari'ah*; and (c) analyse women's rights and entitlement in the Egyptian society, in respect to family laws, through providing the historical context of their emergence and their impact on Egyptian Muslim women. I have therefore limited my analysis to the

family law and women's reproductive rights. Hence, I have arranged the chapter into three main sections. The first section gives a historical background to the evolution of the Egyptian constitution and its main articles, while the second section gives an overview on the formulation of the Islamic law, in addition to defining the concept of *Shari'ah*. The third section deals with the rights of Muslim women in Egypt, illustrating these with an example of the Personal Status Law (PSL) and reproductive rights.

The second part comprises chapters Six and Seven of this study:

Chapter Six is divided into two major sections:

Section One: The aim of this chapter is to provide a descriptive presentation of the research design, and will include the following: (a) research main and subsidiary questions; (b) geographical areas of the research; (c) target informants / participants; and (d) data collection methodology. Additionally, it provides an overview of the obstacles encountered during the field work, which will be discussed and analyzed.

Section Two: The aim of this chapter is to present the data collected during the field study in Cairo and Qena Governorates and to provide a brief description of the field study, including the responses received from informants. The data was gathered using various research tools, namely questionnaires, focus group discussions and interviews.

Chapter Seven: constitutes of the discussion and the conclusion based on the research findings. The aim of this chapter is to suggest answers to the main research question of this thesis, namely: "the relationship between Muslim women's rights in Egypt and the influential role played by the contemporary religious *ulama*". In order to achieve this aim it is necessary to establish a multi-layered discussion, whose analysis is drawn from the outcome of the data analysis that has been laid down in the previous chapter.

Thus, this chapter is designed as follows: (a) An overview of the research findings; (b) women's awareness of their given rights in Islam, civic laws and issues of concern inside their society; (c) women's understanding of the discrepancies between social / traditional and Islamic perceptions of women's rights; (d) the relationship between the State, the *ulama's* influential role on the status of women's rights, and the society in general; and (e) conclusion and recommendations.

Chapter Two: Introduction to the Status of Arab - Muslim Women

This chapter is organized in two sections; each section has different aims. Section one aims to discuss and highlight the current status of women in Muslim societies, with special focus on Arab women. In section two my attempt will be searching for answers for one of the serious allegations that haunt Islam at the present as a religion which calls for discrimination against women and devaluing of their role. I will set about this through an examination of women right's acknowledged by Islam, the relationship between the Prophet Muhammad (PBUH) and his wives and Muslim women in general.

Section One

2.1. The Status of Arab- Muslim Women: the Present Situation

It will be realistic, at the start of this section, to agree that whenever we discuss the status of Muslim women in the Muslim world we should avoid using the common and widespread generalizations contained in phrases such as 'the Muslim world' or 'women in the Muslim world', as this is a misleading approach which results in overlooking particularities and elements of diversity which distinguish between societies. Whenever we refer to women living in the Muslim world, a question which automatically presents itself is: which women are we referring to? Do we mean women who are living in China, Fiji, North America, the Sudan or in the Palestinian occupied territories, or in Egypt? (Shaheed 2001).

It is also a false notion to think that 'women in the Muslim world' are all alike simply because they are unified by Islam:

The approximately 1.2 billion persons who make up the "Muslim world" are divided by class and social structures, political systems, cultures, ethnic and racial identities, natural, technological and economic resources, and

differing histories to mention only the more obvious dividing lines. Women in this world spanning many continents are themselves neither uni-dimensional entities defined exclusively by their sex or by their religious identity, nor are they silent and passive victims. Instead, like women in everywhere, women in Muslim communities are fully fledged actors, bearing the full set of contradictions implied by their class, racial and ethnic locations as well as gender. (Khandiyoti 1994 cited in Shaheed 2001: 34-35).

The Arab Muslim women or (the Muslim Middle Eastern women) are not an exception to this rule even though they share the same religious values and language. Aiming to the fact that they live in different political environments, traditions and cultures which influence their social structure, and under theological interpretations that may rank from radical to non-radical which determine the degree of their enjoyment of their rights as stated by their religion, the level of vulnerability also differs from one community to another. According to Shim Shukri:

The Middle East is not a uniform and homogeneous region. Women are themselves stratified by class, education and age. There is no archetypal woman, but rather women interested in quite diverse socioeconomic and cultural arrangements. The fertility behaviour and needs of a poor woman are quite different from those of a professional woman or a wealthy urbanite (1999:3).

Observable examples for such diversity are the issues of the veil and family law in Egypt and Tunisia; they are both regarded as Islamic countries, populated by a majority of *Sunni* Muslims, and speak Arabic. In comparing Egypt with Tunisia, the latter country is regarded as an Arab and Islamic country where the State has taken a progressive lead in terms of family law and has made liberal reforms regarding women's rights; whereas in Egypt the struggle for such progressive laws is still taking place.

As for the veil, the Egyptian constitution granted the freedom of practicing faith within broad meanings, including the selection of dress. However in Tunisia, the issue of the veil became a heated debate since the State perceived it as a political symbol associated

with Islamic militants (Charrad 1998). The previous example helps in understanding that Arab Muslim women do not constitute a homogenous block (Pardo 2005). This will become more relevant when we highlight those differences to enable us to have a coherent and constructive understanding of the complexity of their varying statuses.

In the following section I will be highlighting three main areas that are playing influential roles affecting the wellbeing and development of Muslim women in general with much focus on women in the Arab region. Those areas are: the health status and access to health services, education status and the political realm. Before examining the health status and access to health services in the Muslim world, it is worth noting the definition provided by the World Health Organization (WHO) on the term health.

According to WHO (1948), health is defined as, "A state of complete physical, mental and social well-being and not merely the absence of disease or infirmity". This definition emphasized the crucial importance of physical, mental and social well-being which determine the health levels of any person. Aoyama (1999) states also that:

In considering the status of women's [health] in the [Muslim world in general] and Arab world countries, it is important to distinguish between the poor developing countries and the more developed, wealthy Arab countries. Important factors influencing the status of women include education, economy, poverty and religion. In many instances these factors are shown to be interrelated with cultural practices and attitudes (cited in Hwalla 2006:283).

In light of the WHO definition and the statement by Aoyama (1999), a simple inquiry seeking for an answer is: do women in the Muslim world enjoy a healthy life and have an equal access to health services with men, or do they not?

Nawal El-Saadawi provides a descriptive analytical view regarding the status of women in the Arab and Muslim world:

From the moment she is born and even before she learns to pronounce words, the way people look at her, the expression in their eyes, and their glances somehow indicate that she was born (incomplete) or with something missing. From the day of her birth to the moment of death, a question will continue to haunt her: why? Why that preference is given to her brother, despite the fact that they are the same or that she may even be superior to him in many ways, or at least in some aspects (1980:12).

According to the Arab Human Development Report: "*Towards the rise of women in the Arab worlds*" (AHDR: 2005)¹, women in Arab countries, especially the least developed countries, endure an unacceptable rate of risk of morbidity and mortality connected with pregnancy and reproductive functions. For example: the maternal mortality rate (MMR) is more than 400 deaths per 100,000 births in poor countries such as Mauritania, Somalia, and Yemen; while in the rich countries such as Kuwait the situation is different, the maternal mortality rate being in the range from 4 deaths per 100,000 (Arab Human Development Report² 2009).

It is also worth noting the problematic consequences of unwanted pregnancies among married women in the Arab world. These lead not only to abortions, which are unsafe, but also to physical and emotional pressures on mothers and their children. Likewise, the sterility problems and miscarriages from which Arab women suffer are ignored, a matter that seriously harms their mental and social wellbeing. Failure to bear children leads some women to resort to dangerous treatments (electric cauterization, dilation and curettage, and inflation of the fallopian tubes) that expose them to serious health hazards. It also contributes to social pressures and high rates of divorce (UNIFEM in Arabic 2004: 54 cited in AHDR 2005).

¹ Arab Human Development Report: towards the rise of women in the Arab worlds, (AHDR) 2005, is one of the latest reports which provides the latest updates on the current situation of Arab/ Muslim women, thus I am depending on it heavily in supporting my argument.

² Arab Human Development Report: Challenges to Human Security in the Arab Countries , 2009

In terms of birth attending by trained personnel, the report indicates that it exceeds 80 % in most Arab countries, which indicates an improvement in health coverage. However, the situation is different and remains weak in less developed countries such as Mauritania, Somalia and Yemen. For example, in Yemen only one quarter of births are attended by trained health workers, which in many cases puts the life of the mother and the infant at risk.

Another worrying issue of concern that demands rapid and serious measures and intervention by both national and international bodies is the Acquired Immune Deficiency Syndrome, known as the (AIDS) virus. Although the Arab region remains one of those regions currently least affected by the AIDS virus, according to "WHO and UNAIDS³ estimates in 2007, the number of those living with HIV in Arab countries was 435,000, 73.5 per cent of whom were in Sudan.

An important observation in this context is that the estimated numbers of those living with HIV/AIDS in the *Maghreb* (particularly Algeria, Morocco, and Tunisia) are far higher than those in the *Mashreq* (which includes Egypt, Jordan, and Syria)" (AHDR 2009: 160). Despite this, Arab women and girls are becoming infected in increasing numbers and now present half of the total number of people carrying the virus in the region. Women are now at risk of catching the virus and contracting the disease: the probability of infection among females from 15 to 24 years age is double that of males in the same age group" (Joint United Nations Programme on HIV/AIDS, in Arabic, 2005 cited in AHDR 2005).

These figures are not just a worrying sign of the problem, but also serve to demonstrate the hidden segment which consists of the reasons that resulted in such a status and that

³ The Joint United Nations Programme on HIV/AIDS

call for a rapid and progressive solution. These are (a) poor quality of health services, (b) lack of information on methods of protection, (c) high rates of illiteracy, (d) harmful practices such as FGM⁴, as a result of using unsterilized tools during the operation, (e) lack of body awareness by many girls and women, and (f) women's economic dependency on men which increases their reliance and makes them more exposed to sexual subjugation and physical violence.

This results in limitation of their chances of protection from the AIDS virus. According to the Joint United Nations Programme on HIV/AIDS (2004: 39-40): "Estimates indicate that the vast majority of women in the Arab region infected by the virus contracted it from their husbands" (cited in AHDR 2005:73).

In addition, in some Arab-Muslim countries young females are subjected to one of the most harmful practices which is Female Genital Mutilation: this is known also as Female Circumcision (FC), Female Genital Operation or surgeries (FGOs) and Female Cutting (FC). Female Genital Mutilation (FGM) is a general term used to describe the traditional practice of cutting off either parts or entire organs from the vulva of a girl. The term has been adopted by the United Nations Fourth World Conference on Women in Beijing in 1999. The old-rooted traditional practice involves the cutting of the genital part of young girls and the stitching together of the vulva in some types of FGM. There are four different types of FGM, which are:

- *Sunnah*: refers to the traditional practice as described by a tradition of the Prophet Muhammad (peace be upon him), which says that light cutting could be practiced, and hence, the Muslim community's belief that Islam requires female

⁴ Female Genital Mutilation

circumcision. It has to be highlighted, however, that this *ḥadīth* is believed by many to be inauthentic.

- Excision: classified by the WHO as type II: where there is a partial or total removal of the clitoris and the labia minora, with or without excision of the labia majora (WHO 2010).
- Infibulation: classified by the WHO as type III: Narrowing of the vaginal orifice with creation of a covering seal by cutting and appositioning the labia minora and/or the labia majora, with or without excision of the clitoris (infibulation) (WHO 2010). It is also known by the term Pharaonic: the term "Pharaonic" is a Sudanese colloquial reference to infibulation and also implies a historical origin, which is still open to question. The same type of FGM is referred to as "Sudanese Circumcision" in Egypt.
- Type IV: classified by the WHO as: all other harmful procedures to the female genitalia for non-medical purposes, for example: pricking, piercing, incising, scraping and cauterization. It is also known as re-infibulation, according to Dr. Asma El-Dareer, the Sudanese doctor who carried out the first national research on FGM in 1979, and classified the fourth type as "re-circumcision" or to be more precise "re-infibulation". Known also as "*adel*" in Sudanese colloquial, it literally means "reconstruction" or making the opening as tight as in the original circumcision. It is usually carried out on women who have been pharaonically or intermediately circumcised and rarely in the case where women have undergone the *Sunnah* type.

FGM is usually carried out by old women from a low economic and social class in the community, not educated in most cases, seeking respect by providing this type of service, which is also a good source of income. Additionally, the operation is mostly

done under less than sterile circumstances, with rudimentary instruments such as razors, knives, glass, tin cans and with no anaesthesia and in poor light. There are serious health complications, which occur either immediately after the operation or in the long term.

FGM is practiced in 28 countries in Africa, as well as in some cases in Asia and the Middle East. Numbers are also increasing in Europe, America, Canada, and Austria among immigrant communities. The estimated number of girls and women who undergo the operation is between 100 and 140 millions. Additionally, each year about 2 million girls are at risk of undergoing FGM. Reasons for practicing FGM can be classified under cultural, religious, and health heading / justifications.

While the rationale for practicing FGM is to control women's sexuality in the name of protecting the honour of society (Elgousi 1999), the phenomena of early and forced marriages which are considered as common social norms and traditional practices are still haunting the lives of young girls in some parts of the Muslim world, in such cases the age range of the girl will be between 14 and 15 years old.

Such practice has serious multiple impacts on the reproductive health of women and girls. The majority of the girls are hardly aware of the sexual life they are entering at the time of marriage. Their vulnerabilities expose them to an initial trauma through which they pass immediately after marriage, and which is often instrumental in developing a negative attitude towards sexuality.

An example of that is Bangladesh, where in 37 percent of registered marriages the brides were underage, and 82 percent involved a dowry payment, both of which are illegal. Moreover, marriage entails social isolation for the young bride, since after dropping out from school, her post-marital residence is usually patrilineal, and

restrictions on her mobility set strong limits on the social networks that are available to her in her husband's home (MOWCA⁵ 2002, cited in SEARO⁶.WHO).

In Afghanistan, an estimated 57percent of girls are married before the age of 16 due to the significant role played by the economic aspect of such marriages. The term "bride money" is a common practice in the Afghan society, which means that the girl child becomes an exchangeable asset for money or goods if her family faces indebtedness and economic crisis. The scenario will begin by sending the girl at the age of 6 to 7 years to the family on the understanding that the actual marriage will take place when the child reaches puberty.

In most cases it is rarely observed and the little child may be exposed to sexual violation by the groom or even by the older male in the family (UNIFEM⁷ 2006). In addition, recent statistics shows that more than 87 percent of all women in Afghanistan suffer from domestic abuse, making the country one of the most dangerous places in the world to be a woman (UNIFEM 2010).

Another factor that affects women's mental and physical health negatively is gender-based violence which targets women around the globe. According to CEDAW, gender-based violence is: "violence that is directed at a person on the basis of gender and sex. It includes acts that inflict physical, mental or sexual harm or suffering, threat of such acts, coercion and other deprivations of liberty" (UNHCR⁸ 2003). This definition is an umbrella term for acts which result in jeopardizing women's lives and wellbeing, such as honour killings and crimes against women in conflict zones.

⁵ Ministry of Women and Children Affairs (Bangladesh).

⁶ South-East Asia Regional Office.

⁷ United Nation Development Fund For Women.

⁸ United Nations High Commissioner for Refugees.

The rationale of honour killings could be understood from the following saying, “The family’s honour will only be restored with blood”, and with this understanding of the family honour, a large number of women have been victimized and killed by their family members. The murder will be carried out by either father, brother, husband or even son. “Honour killings” take place in Pakistan, Turkey, Jordan, Syria, Lebanon, Iran, Yemen, the Gulf Countries, Iraq, the occupied Palestinian territories and also in European countries such as Germany, France and the United Kingdom within the immigrant communities. In Pakistan 4000 women and men were killed in the name of honour between 1998 and 2003; the number of women being more than double the number of men (UNIFEM 2006).

Statistics indicate that in the period from May 2004 to March 2005 there were 20 victims of honour killing, and 15 attempts in the occupied Palestinian territories. Also 20 women were killed in Jordan annually (AHDR 2005). Reasons behind such a cruel practice vary amongst the following:

1. Many women were killed because they had been subjected to rape;
2. In some cases “honour” is used as a pretext to hide the male’s greedy desire to obtain large portions of the inheritance at the expense of female siblings;
3. In some cases unfounded allegations that the woman has a relationship with a male other than her husband are used as a reason for honour killing (UNIFEM, in Arabic, 2005, 17 and UNIFEM Facts and Figures 2006).

While women in the case of honour killing have been victimized and killed by their family members, they are also in some cases victimized by their own citizenship during civil wars. With the tremendous growth of tensions in the region and world-wide that lead to armed conflict, women’s bodies become part of the battleground for those who use terror as a tactic of war.

In many countries women have been subject to such violations, including in Chechnya, Afghanistan, and former Yugoslavia (UNIEFM 2006). In Darfur, Sudanese women have reported that they have been subjected to rape, abduction, and sexual abuse by the militants who support the government. In Iraq the situation is no better, as for example women prisoners in *Abū Gharīb* prison have been subjected to various violations and abuses including rape and sexual degradation, leaving no choices for the women victims but to commit suicide, while others have been killed by relatives to wipe out the “dishonour” (Haifa Zangana in Arabic, *al Quds al-Arabi*, 30 October 2005- cited in AHDR 2005).

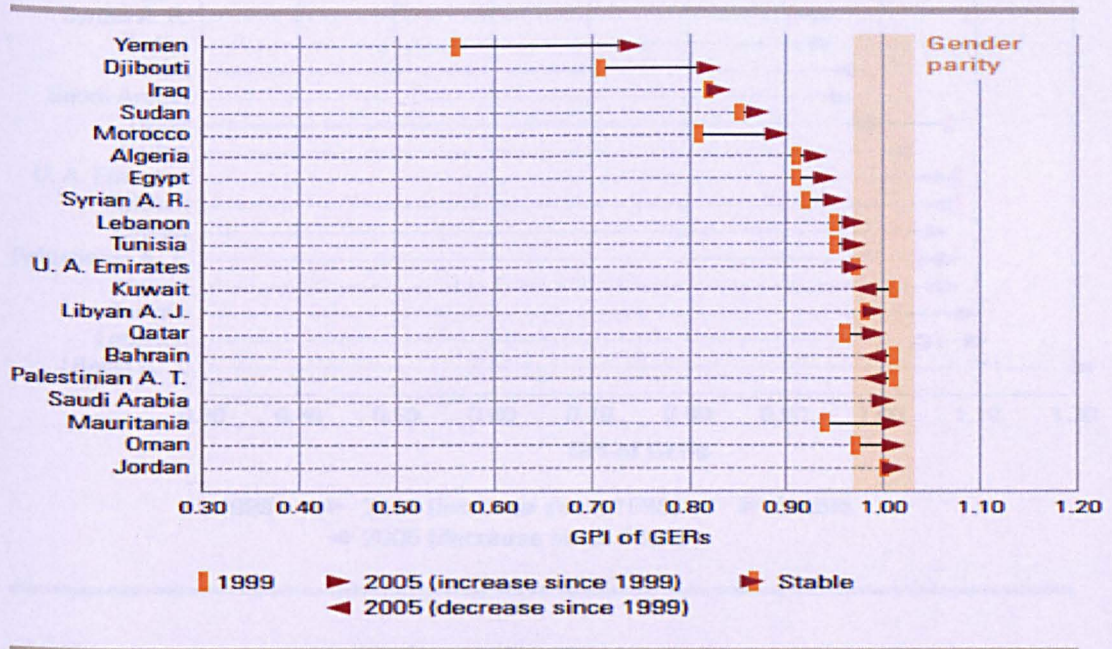
The next question to ask is whether Arab Muslim women’s educational status is any better than the health issue, or does education have its own challenges? To understand the complete picture about the situation of education in the Arab region, it is crucial to examine the illiteracy rates. Illiteracy among women and access to education remains one of the most challenging key factors that have a negative impact on the dynamics of the development process that advocates women’s empowerment not only in the Arab region but also in the underdeveloped countries as a whole.

Despite the tremendous efforts by the governments and the various international organizations to improve the situation, female illiteracy is much higher than male illiteracy. In terms of enrolment at the various levels of education, the Arab region displays the lowest rate. This is in spite of the success of some Arab States, most notably those in the Gulf, in increasing the percentage of girls’ school enrolment and narrowing the gap between the sexes at the three levels of education (AHDR 2005).

Although “gender disparities have been reduced in the region, [they have not been] eliminated. Only Jordan and Qatar have achieved the gender parity goal in both primary

and education by 2005. It is worth mentioning that gender disparities often favour boys and are greater at higher levels of education” (UNESCO 2008: 4 - 5).

Figure 1: Changes in gender disparities in primary education gross enrolment ratios, 1999 – 2005 in the Arab region (UNESCO 2008: 5)



However the situation is different when it comes to girls' enrolment in secondary education. According to the UNESCO 2008 report⁹ on education, countries like Mauritania, Morocco and Yemen made significant progress, especially with regard to girls' participation increasing more than that of boys. In Yemen, in particular, the GPI¹⁰ increased by 32% between 1999 and 2005, but the participation of girls in secondary education is still less than half that of boys.”

⁹ Education For All Global Monitoring Report: Overview Arab States (2008) United Nation, Educational, Scientific and Cultural Organization (UNESCO) check this in terms of accuracy of presentation

¹⁰ GPI: gender parity index. Ratio of female to male values (or male to female, in certain cases) of a given indicator. A GPI of 1 indicates parity between sexes; a GPI above or below 1 indicates a disparity in favour of one sex or the other

Figure 2: Changes in gender disparities in education gross enrolment ratios, 1999 – 2005 in the Arab region (UNESCO 2008: 5)

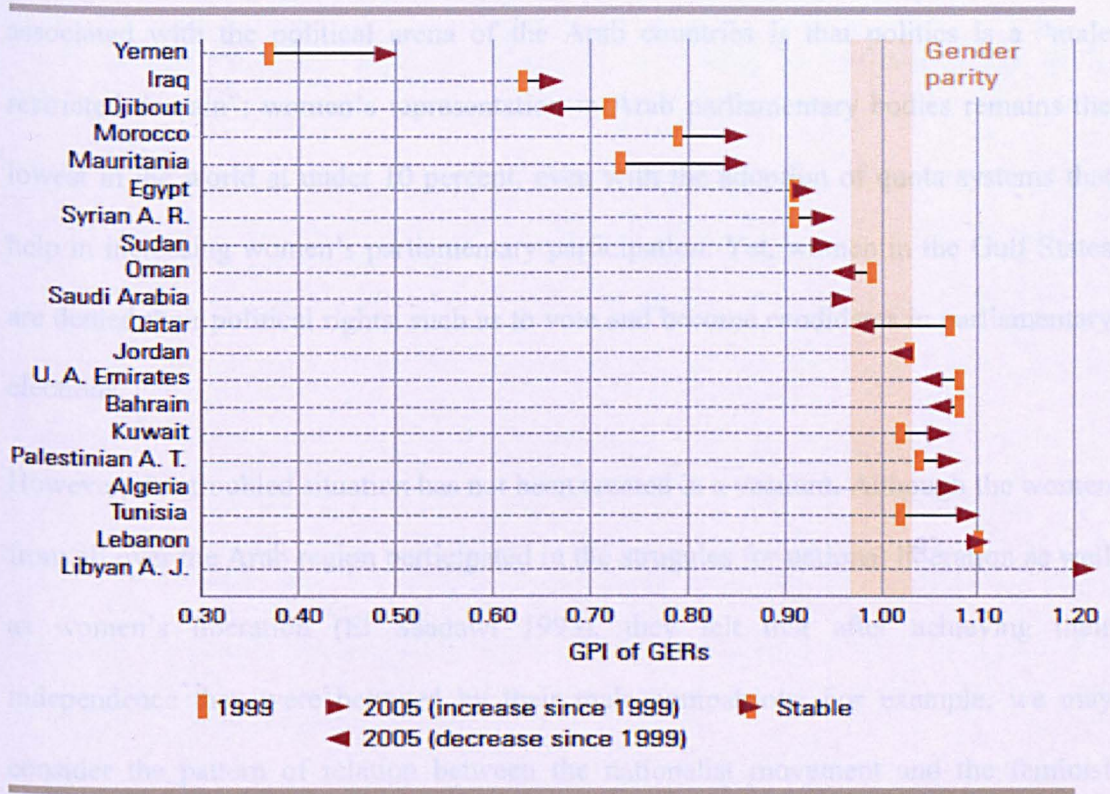


Figure 2 shows that the disparities against girls increased for example in Djibouti, in comparison with the situation of boys' enrolment in countries such as Kuwait, the Palestinian Autonomous Territories and Tunisia, which became worse. It is worth noting that since 1999, boys' enrolment in these countries was already at a lower percentage than girls.

As for the university, the percentages of female enrolment have risen, although the fields of engineering and sciences are still less attended as females hold a preference for the fields of literature, humanities and social sciences which limit their chances in the job market (AHDR 2005). However, discrimination against women in Arab countries limits their access to equal opportunities to acquire and utilize knowledge for the advancement of the society (AHDR 2005).

The final area which I endeavour to examine here is women's political representation and participation in Arab countries in particular: one major characteristic that is often associated with the political arena of the Arab countries is that politics is a "male restricted domain"; women's representation in Arab parliamentary bodies remains the lowest in the world at under 10 percent, even with the adoption of quota systems that help in increasing women's parliamentary participation. Yet, women in the Gulf States are denied their political rights, such as to vote and become candidates in parliamentary elections.

However, this troubled situation has not been created in a vacuum. Although the women from all over the Arab region participated in the struggles for national liberation as well as women's liberation (El Saadawi 1993), they felt that after achieving their independence they were betrayed by their male compatriots. For example, we may consider the pattern of relation between the nationalist movement and the feminist movement in Egypt during the twentieth century.

The relationship between the nationalist movement and feminism was by no means as harmonious and positive as it may appear at first glance. Initially, male nationalists accepted women's nationalist activism (demonstrations, economic boycotts, etc). However, 'after 1919, when nationalist pressures emerged in the wake of promulgation of a constitution for Egypt, women's political rights were not mentioned. Their equality with men was not discussed. (Philipp 1978 cited in Al-Ali 2000:62).

It is worth mentioning that Lebanon was the first Arab country to grant women political rights in 1952. Although a number of Arab countries appoint women as government ministers, Saudi Arabia is still running along the outer track of women's political rights (AHDR 2005).

Section Two

2.2. Islam and Women's Rights: Does Islam as a Religion Call for Discrimination against Women and the Devaluation of their Role?

This is a question which surfaces continuously whenever there is a discussion related to the present situation of Muslim women across the globe. We can simply answer such an inquiry by declaring that Islam as a theology does not call for discrimination against women, which explains why women accepted Islam rights from its beginning. However, this declaration needs evidence to support it and one way to do so, is by delving (reviewing) into the history of pre-Islam, followed by a spiritual journey exploring the unique relationship between Prophet Muhammad (PBUH) and his wives as well as with Muslim women in general.

2.2.1. An Overview of the Situation of Arab Women in the Pre-Islamic Era

In the following section, I have limited my review to the women in the Arabian Peninsula. Generally speaking the situation was not as dire as it is often described, as women were classified according to their social status. Women in the upper class enjoyed many rights and privileges associated with their social status. Those rights were:

1. Owning assets: either through inheritance from their deceased husband and their parents, or through a dowry or marriage gift. For example, *al-sayyidah khadijah* the Prophet's first wife had acquired a large property from her deceased husband. Yet, access to inheritance was not assured in the pre-Islamic tradition; it was an issue that the final decisions were taken by the men of the husband's clan or by her own relatives.

2. Running their commercial business.
3. Being respected and protected by their tribal clan, so that in certain cases blood could be shed to defend their honour.
4. Indirect participation in the political and war matters: an example is Hind Bent ʿutbah and her participation in the battle of *Uḥud*; she was encouraging her tribesmen to fight against the Muslim army (Da Costa 2002:4) (see also: Ahmed1992, Mernissi 1991).

Leila Ahmed cited the example of Hind in the following terms, “mar Ibn Al-khaṭṭāb, reportedly observed to a fellow Muslim: ‘ I wish you had heard what *Hind* was saying and seen her insolence as she stood on a rock reciting *rajaz*-poetry against us’ He recited part of what she had said and then satirized her” (1992:70).

However women of the lower classes were the ones who suffered mostly and were victimized by their communities, which based their discrimination on their gender. Such discrimination goes beyond any rational thinking; the practice of burying female infants alive (infanticide) was common and well rooted in their tradition. They based their practice on their fear of poverty or shame. Da Costa explains, “in proportion to his eagerness to have a son, Arab fathers regarded the birth of a daughter as a calamity, partly because of the degraded status of women, and many fathers used to bury their daughters alive as soon as they were born”(2002: 8).

As to the marriage institution, historians have classified the types of marriages prevailing in pre-Islamic Arabia into four different types:

- Type one: A man would give his daughter in marriage after an agreement between himself and the would-be husband about the dowry.

- Type two: A husband would send his wife to cohabit with another man in order to conceive.
- Type three: A women would be allowed to cohabit with a number of men, and in case she gave birth to a child, she would choose a man among them as the father and the man had to accept.
- Type four: Similar to the third one, except that seers would be used to “tell” which man the child belonged to (Da Costa 2002:7).

In addition, temporary marriage or “marriage of pleasure” was also known and practiced among the Arabs. This form of marriage was based on a mutual agreement between the man and the woman to spend an agreed period together, and when the time is due, the woman has the right to leave the marriage. Yet, sexual relations in pre-Islamic society, broadly speaking, are considered to be liberal since prostitution was freely practiced (known as the red flags) as was adultery and different other forms of sexual relationship.

Polygamy was also practiced, and the number of wives that a man could have was unspecified and depended on his financial means. Forced marriages were common too, according to Da Costa:

This often happened on the death of a man leaving widows. His son or other would immediately cast a sheet of cloth on each of the widows (except his natural mother), and this was a symbol that he had annexed them to himself, [and so] the heirs of the deceased would refuse to pay the dowry. This custom is described as the inheriting of a deceased man’s widows by his heirs, who in such cases would divide them among themselves like goods (2002:5).

Such a situation shows clearly that wives were part of the inheritance, and the women were treated like objects whose destiny was in the hands of their male heirs. (Mernissi 1991, Da Costa 2002). In terms of divorce, the man could divorce his wife more than 10 times and he could also take her back to the marital bond (Da Costa 2002). Moreover

women practiced the right of divorce too. According to *Kitāb al-Aghānī*: “Women in the *jāhiliyyah*, or some of them, divorced men and their [manner of] divorce was that if they lived in a tent they turned it round, so that if the door had faced east it now faced west... and when the man saw this he knew that she divorced him and did not go to her” (cited in Ahmed 1992:44).

2.2.2. Why Did Women Embrace Islam?

When Islam was declared as a new religion, it was seen as being very progressive in comparison to the social norms prevalent at the time. It has bestowed on women many rights. Above all, Islam treats women as human beings with a free soul. It is really impressive that when we glance at the Universal Declaration of Human Rights that has been adopted and proclaimed by the General Assembly resolution 217 A (III) of 10th December 1948, we find articles that reiterate what was championed by Islam.

For example articles 1 and 3, which emphasized and called for freedom, right to life, dignity, and equality for everyone.

Article (1): "All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood".

Article (3): "Everyone has the right to life, liberty and security of person"
(Universal Declaration of Human Rights)

These are, in fact, the core principles that Islam advocated and called for. Most importantly, Islam emphasized the notion of women and men sharing key values based on consent, belief in women's and men's sense of responsibility, and accountability. (Elgousi and Omer 2000).

Sūrah (40:40) *Ghāfir* (Forgiver) says, “He that works evil will not be required but by the like thereof: and he that works a righteous deed – whether man or woman– and is a

believer – such will enter the garden (of Bliss): therein will they have abundance without measure¹¹.

Adding to the above *āyah* Islam constantly lays emphasis on the issues of both women and men being, equally accountable for their deeds and equally rewarded or punished for them. This equality was mentioned in *Sūrah* (4: 32) *Al-Nisā'* (The women): “And in nowise covet those things in which Allah hath bestowed his gifts more freely on some of you than on other: to men is allotted what they earn, and to women what they earn: but ask Allah of his bounty. For Allah hath full knowledge of all things”. In addition, Islam has promoted many rights for both women and men. The following are examples of the fundamental rights for women.

The right to life

The Qur'an upholds the sanctity and absolute value of human life. Islam restored women's right to life in clear opposition to the practiced tradition of burying baby girls alive for fear of shame and poverty. According to the Qur'an in *Sūrah* (81: 8-9) *Al-Takwīr* (The Overthrowing): “And when the female (infant) buried alive, is questioned. For what crime she was killed”

And in *Sūrah* (16: 58-59) *Al-Nāhl* (Bees): “When news is brought to one of them, of (the birth of) a female (child), his face darkens, and he is filled with inward grief!. With shame does he hide himself from his people, because of the bad news he has had! Shall he retain on (sufferance and) contempt, or bury it in the dust? Ah! What an evil (choice) they decide on? ”

¹¹ Translation by Abdullah Yūsuf 'Ali (1999) *The Meaning of the Holy Qur'an*. Amana Publications, Beltsville, Maryland, USA

The right and the freedom to choose one's marriage partner

There is no doubt that the marriage institution in Islam holds a great position. Islam perceived marriage as the only way that a human being can fulfil his/her sexual desires and procreate children. The Prophet Muhammad (PBUH) considered marriage for Muslims as half of their religion because it protects [them] from adultery and other harmful acts that result in causing harm to society. The following prophetic traditions stressed the importance of marriage.

The Prophet Muhammad (PBUH) said "When a man gets married, he has fulfilled half of his religion, so let him fear Allah regarding the remaining half"¹². And he also said, "Marriage is part of my way and whoever keeps away from my way is not from me (i.e. is not my follower)"¹³. With this perspective, Islam recognized the importance that women have to choose their husbands. Prophet Muhammad (PBUH) also forbids forced marriages; the following story can illustrate this statement in a clear manner:

A girl came and stated that her father had given her in marriage to his nephew and she disliked him. I told her to wait till the Prophet arrived. When the Prophet came, I told him the full story of the girl. He at once sent for the father of the girl and enquired whether the facts stated were true, after which he told the girl that she was at liberty to choose or repudiate her husband. The girl replied that she chose to retain her marriage, and she wanted only to know whether women had the rights in the matter.¹⁴

Moreover, Abū Hurayrah reports that the Prophet (PBUH) said: "A grown-up girl shall be asked [for her consent]. If she is silent, it is her permission; and if she declines, there shall be no compulsion on her"¹⁵.

¹² Anas bin Malik cited in Bayhaqi, (available at <http://www.iqra.net/Hadith/marriage.php>)

¹³ Anas bin Malik cited in Sahih Bukhari : Volume7 , Book 62, Number 1
(available at: http://www.iium.edu.my/deed/hadith/bukhari/062_sbt.html)

¹⁴ Al- Nisā'ī cited in 500 Ahādith database: 408
(available at: http://www.iium.edu.my/deed/hadith/other/hadith_500.html)

¹⁵ Cited in Sahih Muslim: Book 8, Chapter 9: 3303

The right to work and maintain a business (property)

Every human being has the right to a means of living, and those who hold economic or political power do not have the right to deprive others of the basic necessities of life by misappropriating or misusing resources which have been created by God for the benefit of humanity in general. Earning a living is one of the main sources of sustenance and is encouraged for both women and men. *Sūrah (4:32) Al-Nisā'* demonstrates, "To men is allotted what they earn, and to women what they earn".

An important element here is that women and men are entitled to the fruit of their work, and hence should be entitled to the means of earning a living. One such means is the right to access, manage and control assets. Hence Islam granted both women and men the right to access property, and to enjoy financial autonomy in the management of their source of income.

The right to inherit

This brings us to one of the controversial issues of distribution of inheritance among women and men. *Sūrah (4: 7) Al-Nisā'* clarifies, "From what is left by parents and those nearest related. There is a share for men and a share for women. Whether the property be small or large- a determinate share".

The guideline for the distribution is provided in *Sūrah (4: 11- 12) Al-Nisā'* as follows:

Allah (thus) directs you as regards your children's (Inheritance): to the male, a portion equal to that of two females: if only daughters, two or more, their share is two thirds of the inheritance; if only one, her share is half, For parents a sixth share of the inheritance to each, if the deceased left children; if no children, and the parents are the (only) heirs, the mother has a third; if

the deceased left brothers (or sisters) the mother has a sixth. (the distribution in all cases is) after the payment of legacies and debts. Ye know not whether your parents or your children are nearest to you in benefit. These are settled portions ordained by Allah; and Allah is All-knowing, All-wise.

In what your wives leave, your share is half, if they leave no child; but if they leave a child; ye get a fourth after payment of legacies and debts. In what ye leave, their share is a fourth, if ye leave; but if ye leave a child they get an eighth; after payment of legacies and debts. If the man or woman whose inheritance is in question has left neither ascendants nor descendants, but has left a brother or a sister, each one of the two gets a sixth; but if more than two, they share in a third; after payment of legacies and debts; so that no loss is caused (to anyone) thus it is ordained by Allah; and Allah is All-Knowing Most Forbearing”.

These verses outline that women could inherit from all their male relatives. The issue of unequal access to property is raised in the case of the female heirs inheriting only a half of the share of the male heirs. Nevertheless, there are other cases where women inherit: (1) equal to men¹⁶, (2) more than men and¹⁷ (3) women inherit while men do not¹⁸; but all these cases have in fact been overlooked and ignored in Muslim societies.

As for the role of the *ulama* in explaining these cases, they focus on one rule of women's inheritance which is the one between the sister and the brother. They have based explanation and justification of this clause on the fact that in 7th century Arabia, the Qur'an gave the responsibility of supporting the household and the role of breadwinner of the family (children, wife and extended family) to men, while women were entrusted with any financial obligations towards their family.

¹⁶ E.g. this is in the case where parents inherit their son or daughter, according to *Sūrah* (4:11) *Al-Nisā*: "For parents a sixth share of the inheritance to each, if the deceased left children;" (El-Khalawy 2007)

¹⁷ E.g. this is in the case where a woman dies leaving a mother, a husband, a step sister (on the mother's side) and two brothers. The step sister will inherit one sixth, while the two brothers will share the remaining sixth. (El-Khalawy 2007)

¹⁸ E.g. this is in the case where a woman dies leaving a husband, a sister and a step brother (on the father side). The husband will inherit 1/2, sister the other 1/2, while the step brother will inherit nothing, in contrast to this case, if the woman left a step sister (on the father side) this step sister will inherit one sixth. (Sultan 2004)

My contention here is that the *ulama* have failed to provide a comprehensive explanation of the inheritance and its dynamic system in Islam to the public; especially to women. They argue that the inheritance system as being complicated and not easy to be understood by the community; a point on which I can agree with them to some extent¹⁹. Yet, such a shortcoming has led some communities to exclude women from inheritance in the case of land (especially agricultural land).

The right of seeking knowledge and education

One of the fundamental principles in Islam is that human beings should be capable and have the right to make choices of their own free will. The ability to think, to distinguish between right and wrong, to do good and avoid evil is acknowledged for both women and men. The right of women to seek education and knowledge is considered a progressive decree of Islam at all times. Islam advocates women's education as one of the means for empowering them through knowing their rights and becoming active in developing and enhancing themselves and their communities. Education is also considered the core step towards women's liberation.

According to the Muslim tradition the first revelation that Allah sent to the Prophet Muhammad (PBUH) through his angel Gabriel is the first verse of *Sūrah* (96:1), *Iqra'* (Read), which is a clear order from Allah to his messenger to read and to equip himself with knowledge. A narrative by 'A'isha reports that she praised the women of the Medina, known as the *Anṣār*, for their spirit of enquiry and learning, saying, "How praiseworthy are the women of *Anṣār* that their modesty does not prevent them from

¹⁹ However, there are good examples of *ulama* who provided a comprehensive and simple explanations regarding the inheritance system, e.g. Abia El-Khalawy (2007) and Salah Sultan (2004).

attempts at learning and the acquisition of knowledge”²⁰. Another tradition reports that women went to the Prophet (PBUH) and requested him to offer them a separate day (class) so they could have more time for their inquiries about religion and issues of concern. It is recorded by al-bayhaqī that the Prophet (PBUH) said: “Seeking knowledge is mandatory on every Muslim male and female” (Da Costa 2002:23).

The woman’s right to dissolve her marriage (*Khulʿ* and *Tamlīk*)

Islam tries to oppose divorce as far as possible and views it in negative terms. In spite of that, Islam as a religion has a unique understanding of the nature and psychology of the human being, and thus it permits the right of divorce (*ṭalāq*) for men and at the same time maintains the rights of women to free themselves through using the following two methods, which are the (*Khulʿ*) or (*Tamlīk*) when it is required. The difference between the two practices, are explained by Mernissi (2003:61-62) in the following terms:

The techniques of *Tamlīk* confer upon the wife the power to divorce her husband if he delegates such power to her. The repudiation formula ‘I divorce thee’ becomes I divorce thee whenever thou decide it. According to *Imam Mālik* it’s the right to self determination (*mālikat amrihā*) whenever she decides becomes legally binding. [as for] *Khulʿ* it literally means to ‘cast off’. Legally it refers to the husband’s renouncing his rights over the woman as a wife after she has agreed to pay him [his dowry back] “

This right is clearly stated in the Qur’an and also in the prophetic tradition. *Sūrah* (2: 229) *Al-Baqarah* (The Heifer) explains,

A divorce is permissible only twice: after that, the husbands should either retain their wives together on equitable terms, or let them go with kindness.

It is not lawful for you, (Men), to take back any of your gifts (from your wives), except when both parties fear that they would be unable to keep the limits ordained by Allah.

²⁰ Cited in 500 Aḥādīth database: 401
(available at: http://www.iium.edu.my/deed/hadith/other/hadith_500.html)

If ye (judges) do indeed fear that they would be unable to keep the limits ordained by Allah, there is not blame on either of them if she gives something for her freedom.

These are the limits ordained by Allah; so do not transgress them if any do transgress the limits ordained by Allah, such persons wrong (themselves as well as other)".

A *ḥadīth* by Ibn 'Abbas also clarifies this matter in the following terms:

The wife of Thabit bin Qais came to the Prophet and said, "O Allah's Apostle! I do not blame Thabit for defects in his character or his religion, but I, being a Muslim, dislike to behave in [an] un-Islamic manner (if I remain with him)." On that Allah's Apostle said (to her), "Will you give back the garden which your husband has given you (as *Mahr*)?" She said, "Yes." Then the Prophet said to Thabit, "O Thabit! Accept your garden, and divorce her once"²¹.

With this understanding of the Qur'an and the Prophetic tradition we can conclude that Islam deals with women and men on an equity footing in the matters of marriage and divorce.

The right to respect

The Qur'an deems all human beings worthy of respect, and states that they should not be exposed to mistreatment and discrimination. Islam recognizes that women are much more vulnerable to adultery allegations, so it deals with this matter in a very firm way that assures and maintains protection for women's reputation. This is well explained in *Sūrah* (24: 4) *Al-Nūr* (The Light): "And those who launch a charge against chaste women, and produce not four witnesses (to support their allegation) - Flog them with eighty stripes, and reject their evidence ever after: For such men are wicked transgressors".

²¹ Cited in Bukhari : Volume 7, Book 63, Number 197
(available at : http://www.iium.edu.my/deed/hadith/bukhari/063_sbt.html)

2.2.3. The Relationship between the Prophet Muhammad and his Wives and Muslim Women in General

There is no doubt that the life of the Prophet Muhammad (PBUH) was full of meanings and a journey for ongoing teaching that he affirmed in a perfect manner in order to lay down the rules for his Muslim followers, both women and men. From his tradition we can conclude that he placed women in a high position, he showed his respect to them, appreciated their views, and also in a number of cases he followed their advice.

In the following section I will give examples from the Prophet's life to illustrate the kind of relationship that existed between him and his wives and the Muslim women. One famous example is his love for his wife 'A'isha²². Mernissi reports that when the Prophet was asked by his companion 'amr Ibn al'-As about who was the person he loved the most in the world, he replied [that it was] 'A'isha. The companion was surprised to hear that it was not a man who held first place in his leader's heart (Mernissi 1991).

Another example is that of Um Salama's²³ advice in an event called (treaty of) *al-ḥudaybiyyah*. Um Salama was married to the Prophet during the fourth year of the *hijrī*. She was with the messenger at the time of *al-ḥudaybiyyah*, and after the treaty had been signed, the Prophet instructed the Muslims to shave their heads and slaughter animals to

²² A'isha Bint Abi Bakr, the third and favourite wife of the prophet, was born in Mecca about 614. She has been given by the Prophet the Kunya (nick name) Umm Abdal Allah, after the name of her nephew Abd Allah b. Al-Zubayr. It is said that 1210 traditions were related on her authority, but barely 300 of these were retained by al-Bukhārī and Muslim. She was also noted for her knowledge of poetry, and ability to quote it, and also for her eloquence; and she was versed in Arab history and other subjects. She died in Ramadan 58/July 678. (E.I.,1960, Vol. I, pp.307-308)

²³ Um Salama Hinda bint Abi Umayya B. Murghira: she accompanied her first husband Abu Salama 'Abdal Allah b. 'Abd al-Asad on both emigrations of Muslims to Abyssinia. After the death of her husband from wounds received at the battle of *Uḥud* she married the prophet in 4/626. She was second only to Aisha among the female sources of *ḥadīth*; she transmitted over 300, a handful of which are from her alone. Classical Muslim scholars counted her among the legists (*Fukahā'*) of female companions, women of intelligence and sound judgement. She was the last of Prophet's wives to die in 59/679, 60/680 (E.I., 2000, Vo.I X, p.856)

end the state of *iḥrām*. The Muslims were not satisfied and agreed to the treaty, so they refused to comply. The Prophet complained to his wife, and her advice to him was to go and shave and slaughter the animal. When the Muslims saw him doing so, they all followed his example.

It is also related that the Prophet assisted his wives in domestic work. A man called Aswad asked ‘A’isha about the Prophet’s practice inside his house, and she answered him that he served his wife, meaning that he carried out work for his wife²⁴. In another *ḥadīth*, ‘A’isha said: God's messenger (PBUH) used to patch his sandals, sewing his garments and conduct himself as anyone of you did in his house²⁵.

As to His relationship with his daughters, it is common knowledge that Prophet Muhammad (PBUH) had four daughters from his marriage with *Khadījah*, of whom Faṭimah was the youngest. Faṭimah married her father’s cousin Ali Ibn Abī Ṭālib and is mostly venerated as the mother of Hassan and Hussein. According to Muslim scholars, Faṭimah resembled the Prophet in his tolerance, way of walking, self expression, bravery and in general behaviour. A *ḥadīth* by ‘A’isha reports that whenever Fatimah paid a visit to her father it was the Prophet’s custom to kiss her on the forehead and make her sit beside him in his seat. (Da Costa 2002; Abu-Shaqqah 1995).

Another story that demonstrates the extent to which the Prophet Muhammad (PBUH) adored and cared for his daughter is when Ali Ibn Abī Ṭālib proposed to take the daughter of Abū Jahl as second wife, and then the Messenger of God ascended the pulpit and said:

²⁴ Cited in Bukhari : Volume 7, Book 64, Number 276
(available at: http://www.iium.edu.my/deed/hadith/bukhari/064_sbt.html)

²⁵ Tirmidhi cited in 500 Ahādith database: 193
(available at: http://www.iium.edu.my/deed/hadith/other/hadith_500.html)

Indeed *Banī Ḥashim* want to marry their daughter with Ali Ibn Abī Ṭālib and seek permission from me. But I won't give them permission. I would never give them permission. Of course, Ibn Abī Ṭālib can do so after divorcing my daughter. Fatimah is a limb of my body. Anyone who offends her will offend me. Indeed Fatimah is a part of me, and I fear that (by her husband taking another wife) she may be put to trial in regard to her religion.... I do not make unlawful what is lawful nor do I make lawful what is unlawful. By God! The daughter of the messenger of God and the daughter of the enemy of God cannot gather together (Siddiqi 1982 cited in Da Costa 2002: 66).

It is also recorded that the Prophet incited Muslims to treat their female offspring in the same manner as they would treat their male offspring, if not better. Anas Ibn Mālik reports that the Prophet said:

Girls are models of affection and sympathy and a blessing to the family. If a person has one daughter, God will screen him from the fire of hell owing to his daughter; if he has two daughters, God will admit him to paradise; if he has three, God will exempt him from the obligation of charity and Jihad.²⁶

Likewise Abū Hurayrah said, "The Prophet of God said that if a person has three daughters whom he provides for and brings up, God will surely reward him with paradise" (ibid.). Another *ḥadīth* by 'Abdullah Ibn Mas'ūd relates that the Prophet is reported to have said: "If a daughter is born to a person and he brings her up, gives her a good education and trains her in the arts of life, I shall myself stand between him and hell-fire" (ibid.).

In his famous and final *Khuṭbah* (speech) on the mount of °*Arafat* which is known as *Khuṭbat al-waddā'* the Prophet advised and ordered the men to be respectful to women and treat them (their wives) with kindness and in a good manner by saying: "Fear God regarding women. Verily you have married them with the trust of God, and made their bodies lawful with the word of God. You have [rights] over them, and they have [rights] over you in respect of their food and clothing according to your means".

²⁶ Kanz al-Ummal:277 cited in 500 Ahādith database: 391
(available at: http://www.iium.edu.my/deed/hadith/other/hadith_500.html)

It is also known that he said,

Among my followers the best of men are those who are [best] to their wives, and the best of women are those who are best to their husbands. To each of such women is set down a reward equivalent to the reward of a thousand martyrs among my followers, again, the best of women are those who assist their husbands in their work, and love them dearly for everything, save what is a transgression of God's laws (Da Costa 2002:29).

In terms of religious practice, Prophet Muhammad encouraged women to attend the mosque and warned Muslims not to hinder women in the practicing of their faith. Muslim reports that the Prophet (PBUH) said: "Do not prevent the bond-maids of Allah from (going to) Allah's mosques". And in another tradition he said, "If someone's wife asks his permission to go to the mosque, he should not deny it to her"²⁷

From the above we find it contradictory to the spirit of Islam to find that mosques in the majority of Muslim countries have no place for women to pray, and in some mosques only a small designated area was added only in the last few years as a result of women's demand. Such a negative response towards women attending prayers in the mosques can be traced to the time after the Prophet's death, when some Muslims did not understand the teachings of the Prophet.

This can be summarized in the following account reported by Sālem Ibn ʿAbdullah Ibn ʿmar who heard his father say²⁸:

I heard Allah's Messenger (PBUH) say: Don't prevent your women from going to the mosque when they seek your permission. Bilal Ibn ʿAbdullah said: By Allah, we shall certainly prevent them. On this ʿAbdullah Ibn ʿmar turned towards him and reprimanded him too harshly as I had never heard him do before. He (ʿAbdullah Ibn ʿmar) said: I am narrating to you that

²⁷ Cited in Sahih Muslim: Book 4: Chapter 27: 0884 – 0887, (available at: http://www.iium.edu.my/deed/hadith/muslim/004_smt.html)

²⁸ Cited in Sahih Muslim: Book 4: Chapter 27:0888, (available at: http://www.iium.edu.my/deed/hadith/muslim/004_smt.htm)

which comes from the Messenger of Allah (PBUH) and you (have the audacity) to say: By Allah, we shall certainly prevent them.

2.3. What has Led to the Current Situation?

What we can understand and learn from the above-mentioned teaching accounts which are stated clearly in the Qur'an and also in the Prophetic tradition is that women's rights in Islam, constitute one of the core principles that are advocated and guarded by religion. Therefore the question of Muslim women's rights is not the question of the existence of these rights, but rather the question of their application in Muslim societies and how the ways these rights are perceived and are deeply affected by prevailing local cultures and traditions, and therefore the element of diversity which should be borne in mind when evoking Muslim women and their rights. The question which presents itself firmly is: If Islam's principles and rights have not changed since the revelation of Islam over the past 14 centuries, what are the roots of women's oppression and discrimination in Muslim societies?

To answer this question we need to begin with a basic fact, which is that when Islam appeared in the Arabian Peninsula during the 7th century, it was not perceived merely as a new religion which focused on guiding people to worship one God (Allah), but it was a social revolution and a reform movement which challenged well-embedded social structures, which often resisted if not opposed promoting and advocating improvements in the status of women.

Islamic teachings are based on two main sources from which Muslims draw their understanding of their religion as well as their legislation. These are the Qur'an and the Prophetic traditions (*Aḥādīth*). While the Qur'an in Muslim tradition/ perspective an immutable source of faith and also the source of Islamic law (*Shari'ah*) and due to the fact that it remains the word of Allah as revealed to the Prophet, it will not lend itself to

any amendment in the legislation. As for the Prophetic tradition, it refers to the narrative of the Prophet's life and conduct, later known as *Sunnah*. The importance of the Prophetic tradition is due to the fact that in some cases it provides explanations of some Qur'anic teachings.

However with the rapid growth of the Muslim community, it became required to set legal forms of governing the Muslims to gain political and religious authority. "The *Aḥādīth* became critical both to debates about governance and to settling competing historical and legal claims" (Barlas 2002:44); hence the emphasis on the importance of the Prophetic tradition, based on it being the Prophet's actual words. However in the process of achieving this goal the practice of the scholars and political rulers was not by imposing on people a uniform or monolithic reading of Islam or the Prophet's *Sunnah* rather than incorporating it into the rubric of existing Islamic ideas, discourse and practices, including some in tension and even in contradiction with the Qur'an's teachings.

As a result, the "*Aḥādīth* and *Tafsīr* made possible the textual and religious eclecticism necessary for accommodating cultural pluralism" and when conflicts arose, scholars resolved them in favour of the *Aḥādīth* and *Tafsīr*. From the previous explanation regarding how the *Aḥādīth* were functioning we can understand their impact on women. According to Von Grunebaum (1976), "The very pluralism of tradition worked against women's interests as [the] ideas and customs of the earlier civilization penetrated more deeply into *Shari'ah* by being formulated as *ḥadīth*" (cited in Barlas 2002:45).

What is of major concern here is that some *Aḥādīth* were introduced to the "Official Corpus" portraying women as dangerous, destructive to the political order, evil, and the greatest *fitnah* and this became the main driver for the present attitudes towards women.

Both Mernissi (1994) and Sadiqi (1990) as cited in Barlas (2002), provide inquiry rather than comments on how the misogynistic *Aḥādīth* have been used by men as a device against sexual equality in Islam:

It is ironic that even though there are only about six misogynistic *Aḥādīth* accepted as *Sahīh* (reliable) out of a collection of 700,000 it is these six that men trot out when they want to argue against sexual equality, while perversely ignoring dozens of positive ones, [the ones that] emphasize women's full humanity, counsel husbands to deal kindly and justly with their wives, confirm the rights of women to acquire knowledge, elevate mothers over fathers, records of women's attendance of prayers during the Prophet's time....etc (2002:46).

Conclusion

There is no doubt that Muslim women in general and Arab women in particular have made tremendous strides of achievements in the field of civil rights. Yet the road is still long and hard for women to obtain their full rights on the basis of their citizenship. Although Arab Muslim women or (the Muslim Middle Eastern women) share the same religious values and language, the fact that they live in different political environments, traditions and cultures which influence their social structure, with theological interpretations that may rank from radical to non radical which determine the degree of their enjoyment of their rights stated by their religion, the level of vulnerability also differs from one community to another.

Muslim and Arab women have been challenged by many existing forms of discrimination based on gender on the one hand, inequity in accessing and enjoying basic needs and services such as reproductive health care, and education etc... provided by the State to secure better livelihood, and on the other hand by their society that persists in holding onto traditional perceptions of women based on their roles in life as wife and mother etc..., but not as a human being with full and independent rights.

When Islam appeared in the Arabian Peninsula and was declared as a new religion during the 7th century, it was not perceived merely as a new religion which focused on guiding people to worship one God (Allah), but it was a social revolution and a reform movement which challenged well embedded social structures which often resisted if not opposed promoting and advocating improvements in the status of women. Islam treats women as human beings with a free soul, possessing fully-fledged individual status. Still these rights are denied to Muslim women in some parts of the Muslim-majority countries, where radical interpretation of the Qur'an's teachings has been used as a tool for the suppression of women under the name of Islam.

In the following chapter the discourse will focus on the status of the *ulama* in contemporary Egypt through examining their relationship with the State on the one hand and their role within Egyptian society on the other.

Chapter Three: The “*Ulama*”, Al-Azhar, and the State in Contemporary Egypt

Introduction

This chapter aims to shed light on the status of the *ulama* in contemporary Egypt through examining their relationship with the State on the one hand and their role within Egyptian society on the other. While it is crucial to highlight the different historical phases that have influenced the status of the *ulama*, it is also important to define the term *ulama* with reference to the particular context of this study.

3.1 Defining the Term *Ulama* [scholars, *fuqahâ*]

It is necessary to define at the outset the major term that we will be constantly referring to, namely the ‘*ulama*’. Shadaab H. Rahemtulla defines the term “*ulama*” as “legal and religious scholars of Islam” (2005:15), or people who deal with the interpretation of the Qur’an. Those scholars mainly graduated from al-Azhar University, where they studied Qur’an and *Sunnah* interpretations, different schools of *fiqh*, Islamic law and Islamic jurisprudence etc.

It is important to draw attention to an important point, namely that not every al-Azhar graduate who has studied Islamic studies is considered one of the *ulama*. This is because the *ulama* should possess the ability to conceptualize what they have learned and to draw upon it. *Ulama* are not a unified class; rather, they differ according to their knowledge and understanding of the sacred text (the Qur’an).

Another point to emphasize regarding the *ulama* is that they should be graduates of al-Azhar, based on the view of the vital role played by al-Azhar in shaping the religious knowledge in Egypt and throughout the Muslim world. Malika Zeghal (2007:108) has

stated that “al-Azhar, with its long history of a more or less tight partnership with the political powers, is today an institution that anchors itself in the Egyptian State as well as in the social, educational, and religious lives of Egyptians”.

Having said that, it is important to draw attention to the reality that al-Azhar *ulama* are not a homogeneous identity; that there is in fact a division within the corpus of the *ulama*, and therefore it is crucial to distinguish between these divisions. Salwa Ismail refers to one of these groups, and according to her there is a line of discourse driven and represented by ‘conservative Islamism’:

Conservative Islamism is not confined to an oppositional role in Egyptian politics. Rather, it can be located in State institutions in the words and personage of a number of *shaykhs* associated with the State. It also finds expression in the official media. State-affiliated conservative *shaykhs* such as *Shaykha Sha‘rāwī* and *abd al-Sabour Shāhin* are given a forum for their ideas in state-sponsored newspapers ... [and] further their frequent television appearances (2003:28).

There is also another group of *ulama* which been called - especially by militant activists ‘parrots of the pulpit’ (*babghawaṭ al-manber*), ‘stooges of the government’ or ‘religious mercenaries’ (Saad Eddin Ibrahim 1988:637). Furthermore, there is a new trend or phenomenon in reference to the *da‘wah* within the Egyptian society, represented by those whom Wa’il Lutfi (2000) has labelled as the “new *dā‘ī*” or as the “Televangelists”.

To understand the factors which have resulted in the creation of such divisions and of the new trend of “new *dā‘ī*” or the “televangelists”, it is crucial first to examine the status of al-Azhar and the *ulama* in the Egyptian society from its historical and political context, then to focus attention on the new trend of *dā‘ī* ..

3.2 Historical Context

One of the significant characteristics of *Mamlūk Beys [Bīh]* period in the 18th century was the rise of the political and economic importance of the *ulama*. However, once

Muhammad Ali came to power in 1805, their importance and influence immediately witnessed a decline. The *ulama* not only played their expected role in guiding people to proper religious practices and issues, but also played the role of the intermediate agent between the rulers and the ruled in dealing with political matters. The latter was due to the fact that both of those groups were formed of different ethnic and linguistic units. To the Egyptian people, the *ulama* were thought of considered part of them, i.e. they were Egyptian people while the rulers were considered as foreigners.

Marsot Afaf Lutfi al-Sayyid provides a moderate description to further illustrate the role of the *ulama*:

They were fairly consistent so that one can regard them as intrinsic to their functions and every bit as valuable as their primary roles of acting as educators, judges, muftis and the purveyors of religion in general. Their secondary roles, which were by-products of their religious function within a Muslim framework, were politically those of advisors, confidantes, official messengers and negotiators, and public opinion makers and manipulators. Socially, they served the whole population in as many different roles as were possible and necessary, from acting as guardians and bankers, to comforting the bereaved and entertaining the high and the mighty (1973: 131).

However, the power of the *ulama* did maintain its stability all the time; it mainly depended on the various sorts of governments that ruled. For example, when the government was strong and exercised its authority fully, the *ulama* played a secondary role, such as acting as advisors to the rulers in their private capacity. Yet, when authority was weakened and the rulers became insecure, then they were in agreement with the advice given by the *ulama*, and they occasionally sought their advice.

Another source from which the *ulama* derived their powerful status was the fact that people perceived them as “possessing the word of truth, and their approval was the seal of legitimacy for any situation” (ibid.,:33). So they were capable of either arousing or calming public opinion when needed or according to the desire of the ruling groups.

Marsot explains, “the *ulama* therefore acted as the natural leaders of the country, as distinct from its actual leaders. Whatever moral and political influence the *ulama* exercised on the ruling elite depended on their personal relations with the *Beys*” (Marsot 1973:133).

As the early nineteenth century approached, a fundamental social transformation resulted in changing existing social structures, a feature which affected the status and influence enjoyed by the *ulama*. These transformations were driven by new economic and political parameters that emerged in the Middle East as a result of the enormous changes that took place in Europe, and resulted in the colonial powers competing over their interests in the Middle East.

3.3 Al-Azhar *Ulama* and the State in Contemporary Egypt

A close look at the relationship between al-Azhar *ulama* and the rulers of Egypt throughout history, demonstrates that the *ulama* of al-Azhar enjoy a powerful presence in the Egyptian society as well as having a deep influence on the political arena. M. A. Faksh (1976) in his review of the historical education system in Egypt refers to the position of the *ulama* in the Egyptian society. According to him the elite of the Egyptian society is divided into two main groups; “the military leaders known as ‘men of the sword’ and the *ulama* (religious leaders) – known as ‘men of the pen’ ” (1976: 234).

While the former were in charge of the State and administration, the latter, due to their prime function as guardians of the true faith, were in charge of the intellectual and social life, of the *Shari‘a* (religious law) and its application; that is, they were the teachers, the scholars, the *qadis* (Muslim judges) and *mufitis* (juris-consults and interpreters of the true faith). Indeed, it was this body of religious scholars that controlled almost all existing intellectual activity in Egypt (ibid.,:234).

However, Fouad Ajami has a different view regarding the position of the *ulama* of al-Azhar and their relation to the State. He argues that the position of the *ulama* is

determined by how much power they hold over the State rather than by the depth of their involvement in the fabric of the society: “Largely disconnected from the populace, the *ulama* were and remain dependent on the patronage of the State. Power came their way when the State faltered, but their power declined again when the State reasserted itself” (1983:19).

Since the establishment of al-Azhar in 972 A.D, it has always stood as the most important religious institution in Egypt. Zeghal provides a comprehensive definition for al-Azhar as a religious institution:

the humanly devised constraints that shape the interaction between men and God, or to be more precise, a structure of mediation between the divine and the human that offers interpretation of scripture to the faithful, manages religious ritual and transmits religious knowledge (2007:108).

Yet, the period 1805 – 1848 witnessed the first attempt at systematically challenging the power of the al-Azhar’s religious institution, as implemented by Muhammad Ali Pasha, under the notion of building a modern Egypt (Tamir Moustafa 2000, Ibrahim 1988). This took different forms, starting with:

1. Weakening of their financial status through nationalizing a large sector of the *waqf* (endowment) land which generates the financial resources which provided support for mosques and religious schools. Because the *waqf* land has always been the economic backup of the *ulama*, such action resulted in targeting the financial autonomy of the *ulama* and led to their dependency on the State's financing channels;
2. Establishment of an independent justice system which stripped the *ulama* of their social status as a legislating authority;

3. Founding of a secular school system which led to more vocational schools such as the medical school, law, etc..., which in turn resulted in a general loss of interest in religious schools.

In the light of the above, we cannot overlook the hidden agenda beneath these reforms, which is the weakening of the presence of al-Azhar. Muhammad Ali Pasha and many other Egyptian rulers evaluated their relationship with al-Azhar based on the degree of flexibility and cooperation shown by the *ulama* with the political authorities. Yet the *ulama* have been rejected by the majority of these political authorities, especially when the former positioned themselves as an opposition to the ruling elite.

Such an apprehensive relationship between the *ulama* and the rulers was not a new trend in the political arena in the Islamic world. In fact it can be traced in the course of history, specifically during the Umayyad Caliphate, as Munir Shafiq explains:

Ever since the founding of the Umayyad Caliphate, the gap between the *ulama* (scholars) and religion on the one hand and the State on the other gradually began to widen. The ruler no longer represented the rightly guided model (with the expectation of the Umayyad Caliph *‘mar Ibn ‘abdu ‘Aziz* whose rule was considered rightly guided). Since then, and until the end of the Ottoman period, the regime was described as ‘rule of avarice and conquest’ (2000:146).

It is ironic to find that similar measures were adopted by Nāṣir in breaking the final straws of the *ulama's* power in 1952, when he nationalized the entire *waqf* land, and then followed up this move by excluding the *ulama* from the judicial courts (Mustafa 2000, Zeghal 1999). In June 1961, a law which brought radical changes to al-Azhar's management and financial structure was passed. Under the provision of the 1961 law al-Azhar was:

1. transformed into a modern university which offered a wide range of modern subjects and degrees in secular disciplines beside the Islamic law and theology;

2. placed under the authority of the Ministry of Endowments "*Awqāf*" in terms of the restructuring of its management system;
3. financed directly through government channels.

In the process of this reform the "Egyptian government has been keen to gain control over Egypt's thousands of mosques" in its attempt to exercise full control of al-Azhar. (Moustafa 2000:7). Furthermore, and during Sādāt's administration in the 1970s, the government's control took another form through establishing a "network of district offices in all Egyptian governorates" with specific responsibilities and tasks, e.g. selecting the *Imams* for the mosques after they had been approved by the committee which screened the candidates for any "radical religious or political sympathies; those who meet the approval of the committee are provided with a license to preach and are assigned to a specific mosque". Another committee was established which is the High Council for Islamic Preaching, with the "authority to decide the topics to be covered in State-controlled mosques. *Imams* who stray too far from the outlined topics are punished" (ibid.,:8).

However, the most radical changes had to do with the appointment of the *Shaykh* of al-Azhar, where full authority was given to the Egyptian President and the Minister of Endowments carrying out this task. Daniel Crecelius (1966) summarized this transformation in the following statement: "In a word, al-Azhar has been nationalized" (cited in Faksh 1976: 242).

These structural changes to al-Azhar were received with tremendous opposition from the *ulama* and al-Azhar *shaykhs*. One of the most vocal critics against these changes and the control of the government over al-Azhar is *Shaykh Abd al-Ḥamīd Kishk*, a famous preacher in Egypt and the Arab world. He argues that the government's manipulation has soiled the integrity and position of al-Azhar. According to him "ever

since the reform [of 1961], the leadership of al-Azhar has ceased to render any service to Islam." He has also pleaded for the government to restore the institution to its original status prior to 1961 (Moustafa 2000). It is worth mentioning that an estimated "eighty-three scholars were removed as they were the most vocal in their opposition to government control". Moreover, Law No. 818 of 1963 formed committees that were designed to purge al-Azhar of all the faculties which were unwilling to support the programs of Nāṣir 's regime" (ibid.,2000:5).

Nevertheless, "under President Sādāt, [al-Azhar's] power remained largely unchanged, although its symbolic importance was acknowledged by presidential decree 350 of 1975 stating that the rector of al-Azhar is the Grand *Shaykh* in charge of all religious matters" (Ismail 2003:76).

3.4 State's Motivation: Reform or Power Control?

In light of these changes and transformations in al-Azhar, a fundamental inquiry needs to be addressed here, which concerns the State's motivation, agenda and its anticipated gain from this process. There is no doubt that al-Azhar as a religious institution has gained a huge reputation within the Egyptian society and the Islamic World due to the dual role and function it has played both as a place of worship and knowledge acquisition. al-Azhar's *ulama* have maintained their deep influence on the social fabric of the Egyptian society and also on the political arena.

During the course of history, many instances illustrated the engagement of the *ulama* in the political sphere; their role was not limited to opposing or challenging the State, but they were also the key players in combating colonialism. As Shafiq puts it:

The *ulama* had become the authority to whom the people turned in times of crises and difficulties, when oppression and degradation totally unbearable, or when disasters, crises or war befell the country (2000:147).

A case in point is how in the year 1798, al-Azhar became a major focal point of indigenous and urban resistance to the French when Napoleon invaded Egypt (Jankowski 2000, cited in Rahemtulla 2007). The relationship between al-Azhar and the Egyptian government has always received high attention by the State. A recognition of the power which al-Azhar and its *ulama* possess has been the main driving force that determines the shape of the relationship with the State on the one hand, while crafting the degree of control which is needed to subjugate such power on the other.

Al-Azhar also provides a buffer zone between radical and/or political Islam on the one hand and State-defined Islam on the other, while at the same time receiving their impact and echoing their diverse definitions of tradition. Egyptian State authorities have striven to define al-Azhar as the citadel (*hisn*) of Islam, often describing it as the shield maintained by the State in defence of tradition of the 'middle way' (*wasat*) or mainstream (Zaghal 2007: 109).

Having established this understanding, we can understand the motivation behind the steps taken by Nāṣir's regime in reorganizing al-Azhar. Nāṣir was in need of gaining support from al-Azhar regarding his domestic and international policy (Ibrahim 1988). An example of this is the case of land reform; "Nāṣir used his new leverage over al-Azhar to secure *fatwas* [sic] that supported the regime's increasingly socialist policies, particularly to legitimize the government's commitment to land reform". He also "financed students from all over the Muslim world to study at al-Azhar in order to increase the university's connections with other religious establishments and build international influence" (Moustafa 2000: 7).

"While securing these *fatwas* [sic] from al-Azhar, Nāṣir also established the Supreme Council of Islamic Affairs, which addressed the prospective connection between Islam and socialism" (ibid.,:7). Furthermore, during al- Sādāt's regime (1970-81), more precisely in 1977, when al- Sādāt announced his journey to Jerusalem, "al-Azhar has

been willing to repeat the utterances of the State and to give deeds of rulers religious sanction and cover. The men of al-Azhar have always been ready to quote scripture and use it against rebels or Marxists, for or against socialism or war" (Ajami 1993: 15).

Today in Egypt such mechanisms between al-Azhar and the State are still in operation. An example of this is in the late 1970s and following the assassination of President al-Sādāt in 1981, when the militant groups including *Jihad, al-takfir wa al-hijrah / al-jamā'āt al-islamiyyāh* launched violent activities, turning Upper Egypt governorates into a battlefield for those activities. Their intention was to overthrow the Egyptian government using violent means. But they also posted a serious claim, accusing the Egyptian government of undermining and manipulating the position of al-Azhar as a major religious authority, which resulted in increasing the subordination of religion to the needs of the government and questioning the integrity of al-Azhar.

Thus, Mubārak's government relies on al-Azhar's *ulama* to combat those groups through denouncing their activities by providing a theological response (Mustafa 2000, Zeghal 1999, Ismail 1998, 2003,)

Some of the *ulama* were under the control of the Ministry of Interior, visiting the imprisoned members of the *jamā'āt*, seeking to correct their religious thought. The regime itself propelled al-Azhar into the public sphere as a shield protecting society from the violence of militant Islam. al-Azhar took advantage of this situation, it agreeing to criticize violent radical Islam and, [subsequently, gaining] more leverage over Mubārak's government (Zeghal 1999: 385).

Even though both al-Sādāt and Mubārak followed Nāṣir's footsteps in utilizing their power over al-Azhar and securing (*fatāwā*) that support their policies, yet in the process, al-Azhar gained more influence over the government, especially in respect to applying the Islamic law mainly with regard to women's rights; an issue that will be discussed later in the following chapters.

3.5 The New Trend of *Dāʿī* and the “Televangelists”²⁹

To start with, it is important to define the term “televangelists”. The televangelist is someone who talks about religion on television in order to persuade people to become Christians and to give money to their organization. This type of activism is mainly associated with Christianity and has become popular in the United States of America. However, with the rapid development of the media, such a phenomenon has also gone on to carve out for itself a path within the Egyptian society and the wider Muslim world. But before proceeding to discuss the factors that have produced such a phenomenon, it is vital to give a description of the typical *dāʿī* or televangelist.

Lutfi (2000) has provided a comprehensive description. According to him, such a person is one who received his religious education outside the official religious establishment of al-Azhar, and educated himself either by self-education or in one-to-one instruction by one of the *ulama* in the home or in a religious workshop. In addition, he holds a successful career or is a professional. He is an independent preacher, dressed in European clothing and providing a simple discourse linking religion with life and social problems in their current context.

In addition, these new *dāʿī*³⁰ and the televangelists have a vital characteristic in common with regard to their discourse directed at women. They have managed to devote a substantial portion of their discourse to targeting women, through discussing issues of concern, and by addressing them on an equal basis with men and also honouring them through narrating stories about the female companions of the Prophet Muhammad (Lutfi 2000). That explains why the majority of their audiences are young women.

²⁹ e.g. : ʿamr Khālid

³⁰ e.g. : Khālid al-jindī

Furthermore, there is also a new phenomenon which has appeared, exemplified in a group of "educated women who emerged as *da'yāt* (women preachers) for female audiences [that] has attracted much media attention" (Sherine Hafez 2001:18). These types of women normally attend *Da'wa* Institutes for two years and graduate as *da'yāt* certified by the Ministry of Endowments. It is noteworthy that a large number of urban women attend their lessons in mosques. Their lessons focus on strengthening their relation with Allah, teaching the proper way of reciting the Qur'an, ways to be good wives and mothers through following and implementing Islamic principles in life; in other words, they are mainly concerned with the spiritual dimension (Lutfi 2007, Hafez 2001).

Having said that, there are many factors that serve to promote such a trend of *Da'wa* :

1. the fact that the religious establishment [the official Islam of al-Azhar] has lost its credibility and integrity as a consequence of its absolute attachment to the State authority;
2. the shortage or indeed lack of any revivalist spirit in the religious discourse;
3. the fact that the majority of these new *dā'ī* have maintained their frequent appearances on the private channels rather than on the State-controlled channels, and these are for many reasons, since in order to appear on State-controlled channels he/ she should (a) be a scholar, which means '*ulama*', or hold a high degree in Islamic studies, law, jurisprudence; or (b) hold a prestigious position at al-Azhar University or the Ministry of Endowments; and (c) (which is the most important criterion) be accredited. 'Accreditation' here means that he/she should be in line with the policies of the State.

However, these criteria carry no weight with the privately-owned channels. Thus we can find many scholars or *dā'ī*, regardless of their conservative or moderate

discourse, who appear in programmes on these channels and are not in line with the policies of the government³¹.

Conclusion:

There is no doubt that al-Azhar as a religious institution has gained a huge reputation within the Egyptian society and the Islamic World due to the dual role and function it has played both as a place of worship and knowledge acquisition. al-Azhar's *ulama* have maintained their deep influence on the social fabric of the Egyptian society and also on the political arena. Al-Azhar *ulama* are not a homogeneous identity; that there is in fact a division within the corpus of the *ulama*, and therefore it is crucial to distinguish between these divisions.

Even though both al-Sādāt and Mubārak followed Nāṣir's footsteps in utilizing their power over al-Azhar and securing (*fatāwā*) that support their policies, yet in the process, al-Azhar gained more influence over the government, especially in respect to applying the Islamic law mainly with regard to women's rights.

In the following chapter, the discourse on women's rights will be narrowed down so as to focus on the status of Muslim women in Egypt, their challenges, and their achievements but above all on their achievements of their feminist movement.

³¹ e.g. Muhammad Hassān , Yusif al-Qaradāwī, Abī Ishā al-huwanī

Chapter Four: The Egyptian Feminist Movement: Past and Present

Introduction

In 1974, The Egyptian Cinema House produced a film entitled "I want a solution" (*Urīdu Ḥallan*), written by Ḥusnah Shāh and played by Fātin Ḥamāmah, a popular movie star in Egypt and the Middle East. The film discussed one of the pressing social problems facing women at that time, namely Egyptian women's difficulty in obtaining their right to divorce, which, consequently, has negative impacts on their wellbeing.

The story of the film revolves around a woman who wants to get a divorce while her husband refuses. She approaches the court to seek a solution for her problem but finds out that many women whom she meets during the court sessions have been waiting for so long to get a divorce. Some of them were waiting for almost 15 years, while others were seeking a divorce for almost 20 years, and still, they could not obtain it. The film sheds light on the misery and unjustified suffering that women endure during their quest for divorce- one of their basic human rights.

Twenty-six years later, Muḥammad Sayidd Ṭanṭāwī the late great *Imam* of al-Azhar stood in the Egyptian People's Assembly (*Majlis al-sha'ab*) and declared that, according to Islamic law (*Shari'a*), women should be granted the right to free themselves from a marriage when they no longer feel that they are able to continue in the relationship. As a result, a then-new law called *al-Khul'* (literally meaning to cast off) was issued. Within three years from issuing this law, five thousand *Khul'* cases were approved by the court. Despite the fact that the law was considered one of the major victories of the advocates of women's rights, it is also seen by others as a threat to the Egyptian family structure.

Following this event, in October 2004, the Egyptian government established a specialized family court to adjudicate all family disputes. The role of this court was to streamline the divorce process by consolidating all disputes into a single case heard by one court, potentially reducing delays (Human Rights Watch 2004). Another remarkable achievement for Egyptian women was attaining their rights to be appointed as judges, which they secured on the 14th of March, 2007. It is worth mentioning that Egyptian women gained their political rights [e.g. the right to vote in public elections] in 1956.

However, in the midst of all these achievements, a set of genuine questions are still searching for answers: (a) if the provision of *al-Khul'* was mentioned in both the Qur'an and the *Sunnah*, why did Egyptian women have to wait for so long before they could have access to and enjoy those rights? (b) Are there any rights which remain 'hidden'? and (c) what is the role of the Islamic *ulama* in maintaining the true image of Islamic teachings?

This chapter aims at discussing the status of women in Egypt through looking at the beginnings of the Egyptian feminist movement, its achievements, and the emergence of Islamic feminism. But before that, a brief excursion into the Ancient Egyptian era, and in particular during the Pharaonic period, is necessary to shed light on women's status in Egypt and their rights.

4.1 Women's Status in Ancient Egypt: the Pharaonic Era

The status of women in ancient Egypt is clearly illustrated in Pharaonic temples, where they referred to women as Goddesses, a source of knowledge and wisdom. According to Mahmoud Al-Zanati (2000), women in Pharaonic Egypt were held in high esteem and achieved a relatively equitable social position with men. Women were seen in the

context of the predominant role of mothers, a role supported by social and legal practices. Socially, women were considered the “absolute truth of the miracle of creation”, and “mothers were considered God’s gifts” (cited in Elgousi and Omer 2000: 21)

The image of women as valuable and visible contributors to the well-being of their households and community is best perceived through the high value given to women’s educational role “if you teach a man, you teach an individual, if you teach a woman, you teach a whole family”³², as well as the linkage between the country’s prosperity and stability with women’s security and mobility.

The social values promoted in relation to women were respect, enlightenment and culture. Women were economically active and engaged in market activities to earn an income and procure assets. The business position of women was secured by law if they could write and had three children (Flinders 1923).

This clearly proves that women’s education was highly valued and well supported by the then-existing political and social systems. By law, women could enter into contractual agreements directly, whether in marriage or in the case of a property contract (Elgousi and Omer 2000)

On the other hand, access to polygamy was granted mainly to the king and other sovereigns; priests, however, were limited to one wife. With regard to ruling and political positions, women were granted the right to hold the rule of the Kingdom, if it went in the female line. In theory the kingdom was like any other property; it sometimes descended through the female line. An example of this is Queen Nefertiti, who held the

³² Egyptian proverb.

title of "Ruler of the Nile" and the "Daughter of Gods". She was the Queen of Egypt, where she co-ruled Egypt with her husband king Akhenaton between 1379 and 1358 BC. Generally speaking, women's equality was a common practice across social class and age. However, as Egypt was invaded and occupied by other empires such as those of the Greeks and the Romans, this unique system was negatively affected and eventually vanished as it was overtaken by foreign cultures and traditions, and resulted in the deterioration of women's status within the Egyptian society. This was the situation till Egypt fell under the aegis of Islam during the rule of the second rightly-guided Caliph, ʿmar Ibn Al-khaṭṭāb.

The socio-political status of Egyptian women was subject to numerous changes according to the type of the political ruler and/or ruling conditions. The following section goes beyond documenting the Egyptian Feminist Movement to argue that women's rights in Egypt were and still are subject to the political and religious interests and agendas of the *ulama*, more than being a fundamental concept of rights provided by God.

I will be defending my argument by reviewing historically important events beginning with the establishment of the first midwifery school in 1832 (during Muhammad Ali Pasha's reign), to the first social reform movement by Rifāʿah al-ṭaḥṭāwī and Muhammad ʿabdū, and later on by Qāsim Amīn, highlighting female figures that participated in the struggle. This discussion will cover the period of both Nāṣir and al-Sādāt, up until the present period. In general, and throughout world history, the plight of women has been influenced by one, and sometimes several, factors.

4.2 In Egyptian History: Is it a Social Reform Movement, a Political Agenda or a Genuine Feminist Movement?

To answer this question, we need to go back to the year 1805 when Muhammad Ali Pasha, known as the founder of modern Egypt, became ruler of Egypt. Nominally under Turkish suzerainty, he remained in power for 43 years (Ahmed 1993, Fahmy 1998), with the initial intention of detaching Egypt from the Ottoman Empire and making it an independent State.

Muhammad Ali introduced his plan to modernize Egypt through establishing a modern army, modernizing the administrative sector, increasing revenues, introducing new agricultural and industrial schemes, and advocating education. To achieve this goal, over 300 citizens were dispatched, during his regime, to study and acquire the latest knowledge in different fields such as medicine, law, translation etc ..., to various countries in Europe, and mostly to France.

The returning students became the elite of the Egyptian society and got engaged in several debates over the question of the modernization of their society, particularly regarding the status of women. This particular debate was raised as a result of the comparison between the status of women in the Egyptian society and that of European women.

One of the most important events that Egypt witnessed during Muhammad Ali's rule in the first half of the nineteenth century was the establishment in 1832 of the Midwifery School, which aimed at teaching young women the basics of modern medicine. The school attracted many travellers and historians, such as Dr. Wilde, a Fellow of the Royal College of Surgeons in Ireland, who noted that he was impressed by how Muhammad Ali was "mindful, not only of the lives of his soldiers and subjects but also of the lowest

female in his dominions". Similarly, La Verne, the leading historian of the subject, also took note of this novel institution, arguing that the school was remarkable for beginning the "first governmental education institution for women in the Middle East" (Fahmy 1998:36).

The study program in the midwifery school was divided into six years, the first two years focused on Arabic literacy, while the latter four years involved specialized trainings in specific fields such as obstetrics, dressing wounds, vaccination etc.... The establishment of such an institution played an important role in changing the life of those young women, particularly in a society that used to regard women as objects that needed to be hidden under the veils. As Fahmy states: "Indeed, it is seen as decisively changing the position of Egyptian women in a way that made them more prepared than other women in the Middle East to ask for their liberation" (1998:36-37).

Although no one can deny Muhammad Ali's role in developing Egypt and introducing modernity, his motives in doing so can be questioned. I argue that introducing women to formal education was not based on his belief that women had the right to education, but rather a response to an urgent need to stop epidemic diseases that affected his army at that time from spreading to the Egyptian population at large thus jeopardizing his plans.

This view further explains why the State took no steps in further developing female education from the establishment of the school of midwives in 1832 until 1870. In addition, when we look into the Pasha's motives behind the establishment of the school and the social affiliation of the first batch of women who were mainly African slaves and orphaned girls, it becomes clear that Ali's motives were not driven by gender equality (Ahmed 1993, Fahmy 1998).

Lila Abu-Lughod, Ahmed and Fahmy all support this argument about the motives behind the establishment of midwifery schools:

Not only did the low status of the women recruited to the school compromise their social standing even after they were trained, but more important, that the motives for setting up the school were, on the one hand, to demonstrate to visiting Europeans how progressive and modern Muhammad Ali was, and on the other hand, to increase the efficiency and reach of the State in forcing new forms of regulation and surveillance of the population necessary for improving the health of his army (Abu-Lughod 1998:10).

Before proceeding to the analysis of the discourse regarding the movement piloted by the elite students and their heated debate regarding the status of Egyptian women, it is crucial to analyze and highlight the changes that occurred in the society as a result of the economic changes which were a result of the government's open market policy, which consequently affected the Egyptian culture in different ways.

The manifestation of the European powers as a driven colonial force encouraged changes in Middle Eastern societies (Ahmed 1993, Badran 1995). In terms of the shift in economic and political patterns, these new changes had negative impacts on rural working women and lower classes in countries such as Egypt and Syria. Women were the largest group affected by these political and cultural shifts, which ultimately affected their lives in various ways, resulting in further repression of them by the society (Ahmed 1993).

Nevertheless, the presence of the British colonial power in Egypt brought about some gains for women. The best examples are the eradication of slavery and the challenging of the existing social institutions that produced and sustained women's seclusion and exclusion from becoming active participants in their society (Badran 1995).

These changes also affected Turkey and Syria as their markets were inundated by the European products, while the other Middle Eastern countries were less directly affected till the end of the century. We can conclude that these changes in the economic and political conditions, as well as the contacts established between the East and the West through the returning students who studied abroad, somehow paved the way for discussions with modern views on the role of women. This was a notably remarkable transformation for a society whose social system contained a mixture of the worst aspects of Mediterranean, African and Middle Eastern cultures, in addition to the most negative interpretation of the status of women in Islam.

The discussion of women's rights took the form of the exchange of ideas and writings between Muslim intellectuals in both Egypt and Turkey. They discussed the idea of nationalism, social norms and cultural reform, including the veil but most importantly, the topic of women and education, a feature on which they based their advocacy campaign. Ahmed states, "for the first time since the advent of Islam, the treatment of women in Islamic custom and law – the license of polygamy, easy male access to divorce, and segregation- were openly discussed in the Middle Eastern society" (1993:128).

On the other hand, in Iran these debates lacked the strength that accompanied them in countries such as Egypt and Turkey, due to Iran's linguistic isolation in comparison to the rest of the Arab world. In addition Iran was never a part of the Ottoman Empire. Another important aspect that may have influenced the shape of the debates is that society in Iran experienced relatively small-scale economic and social structural changes compared to its Turkish and Egyptian counterparts (Hoodfar 1999).

Undoubtedly Egypt was at the forefront of the foundation of a feminist movement in the Arab and Muslim worlds, as demonstrated by Ahmed: "Egypt was at the forefront of the changes overtaking the Arab world over the course of the nineteenth and twentieth centuries, and in many ways it was, and continues to be, a mirror of developments in the Middle East" (Ahmed 1993:130).

Hoodfar confirms the above statement (Ahmed 1993) as follows: "Many modernist and reformist ideas were transmitted to Iran via considerable contact between Iranian intellectuals and their counterparts in Istanbul and Cairo" (Hoodfar 1999:5).

The discourse of female education and reforming the laws on polygamy and divorce was the basis of the argument by Muslim intellectuals such as Rifā^h al-ṭaḥṭāwī who accompanied the first Egyptian study group to France from 1826 – 1831, during Muhammad Ali Pasha's reign. He was also the first to advocate education for girls and the necessity of allowing women to enter the employment arena (Abduallal 2004).

Following in his footsteps was Muhammad ʿabdū, who is considered the most influential male thinker and reformist with respect to women. He was a student of Jamāl al-dīn al-afghānī and was known to be a committed religious thinker. ʿabdū promoted action, based on a fundamental idea that it was the right time to throw off the ignorance and misinterpretation of Islam that had accumulated throughout the centuries, resulting in the degradation of the status of women.

During his lifetime, he expressed his views explicitly in his articles published in *al-waqāif al-miṣriyyah* in 1880 and in *al-manār*, a weekly publication during the 1890's. Ahmed regards him as, "the first to make the argument, still made by Muslim feminists today, that it was Islam and not, as Europeans claimed, the West, that first recognized the full and equal humanity of women" (Ahmed 1992:139).

Although the discourse was initially around the issue of girls' education and social reform in terms of divorce and polygamy, it shifted and carved out another path for discussion, namely, the issue of the veil that was regarded as one of the primary reasons behind women's discrimination and segregation.

A pioneer in this domain was Qāsim Amīn, a lawyer who was taught by both al-afghānī and ʿabdū. As Ahmed testifies: "Amīn's work has traditionally been regarded as marking the beginning of feminism in the Arab culture" (1992:145). His fame came to light after his controversial book was published in 1899 with the title "The Liberation of Women". He argued that the causes of the decline in the position of women in the society had nothing to do with the teachings of Islam. It was rather generated by customs and traditions. He believed that equality of the sexes was based on Islamic values.

Like his teacher Muhammad ʿabdū, Amīn called for women's education and participation in social life. Moreover, he discussed the issues of women's veiling, polygamy and divorce. He articulated that such issues needed to be interpreted differently and had to be understood in the context of Modern Egypt. Amīn's views received support from religious authorities who endorsed women's education, while they opposed some of his ideas on the basis that Islamic culture should provide models for women and the family. It is worth noting that his book was aggressively attacked by his opponents (Ahmed 1992, Badran 1995, Baron 2007, Abdullah 2004).

In the midst of these events, women were not passive actors at all; on the contrary, they shared and participated in the struggle for their rights with their fellow male constituencies.

Heideh Moghissi (1999:126) explains:

In Egypt and Iran, debates over women's rights started with male reformers such as Muhammad 'abdū, Qāsim Amīn, Mirza Fath-Ali Akhundzadeh and Mirza Aghakan Kermani, but women's eloquent voices against patriarchal traditions as practices have also been recorded as early as the mid-nineteenth century. In hindsight, one can say that these expressions were feminist

'ā'ishah al-Taymūriyyah, a writer who lived from 1850–1902, tackled women's domestic seclusion through her poems. Following in her steps, Mayy Ziyādah, a Lebanese writer, and the Egyptian Malak Ḥifnī Nāṣif, known as (*Bahithat al-bādiyyah*). They along with other women hailed al-Taymūriyyah as the founding mother of feminist expression (Badran 1995:14).

In 1892, the struggle for women's rights took another perspective, as a new tone shaped their discourse when Zaynab Fawwāz wrote an article in *jarīdat al-nīl* (The newspaper of the Nile) calling for women's struggle for political rights, as religious rights:

We have not seen any of the divinely ordered systems of law, or any law from among the corpus of religious law (in Islam), ruling that women are to be prohibited from involvement in the occupations of men. Nature has nothing to do with this ...woman is a human being as man is, with complete mental faculties and acumen and equivalent parts, capable of performing according to her own abilities (Badran 1995:15).

There is no doubt that literacy plays an essential role in providing women with a chance to establish a dialogue with men through their poems and written essays which assist them in exposing male's complicity in keeping women behind (Badran 1995). Moreover, literacy creates a platform for women to exchange their views regarding their lives and rights, and also it becomes a powerful tool to highlight and advocate women's rights, awareness and understanding. Abu-Lughod (1998:6) elucidates: "The rediscovery of women's writings and the analysis of the active women's press, especially in turn-of-the-century Egypt but also in Iran and Ottoman Turkey, have enabled feminist scholars to shift their attention from prominent male reformers to

many women who were active participants in shaping the new discourses on women". However, the debate on women's rights went beyond the social reforming frontier to invade and challenge the existing political arena, as demonstrated by Huda Sha^crāwī, (1879– 1947) and Nabawiyyah Mūsā (1886–1951). Huda Sha^crāwī perceived her fame when removed her veil in a public act after her return from a conference in Rome in May 1923, an act for which the majority of the Egyptians remember her. However there is much more to remember Sha^crāwī for such as being the founder and the first leader of the Egyptian Feminist Union.

But before proceeding, it is worth giving some brief background on how upper and middle class women reached such positions. First, we need to note that at the turn-of-the-century, when we look into the Egyptian society it is notable that peasant women enjoyed their freedom in comparison to upper and middle class women. As they were not veiled, the culture of the harem was not applied to them, they used to work with their husbands in the fields, and were consulted in matters related to agriculture, where the women in the urban domain were subject to harem culture, their only duty being to supervise their home affairs. They, however, enjoyed access to education which was provided to them in their own homes, where they were often taught by foreign teachers (Ahmed 1992, Badran 1995, Talhami 1996).

Because the institutions of veiling and seclusion were perceived as Islamic religious requirements, upper and middle class Muslim Egyptian women experienced more pressure to wear the *hijāb*, while peasant, Copt and Syrian women were not under such obligation. Moreover, with the opening of trade with Europeans, many minority families who were engaged in trading got rid of what they called "backward" norms and opened up to the modern aspect of life. As Badran describes: "Previously, class rather than religion and ethnicity had primarily defined women's social practice and the

interaction of the sexes" (1995:47). However, upper and middle class women adopted a strategy which enabled them to break the circle of domestic seclusion through their involvement in social and charity work, which aimed at helping needy women and children in society, through creating modern secular philanthropy. Through its activities, they were able to create their own space for meeting, getting together, and sharing ideas. Badran explains that "these women gave themselves a door to the outside world and new social roles building on religiously-based humanitarian traditions" (1995:48).

It has to be highlighted, however, that only women with feminist awareness were able to make the best of such meetings and activities. They embraced more active roles through their engagement in discussing issues regarding their rights and status within the Egyptian society. In addition, they engaged in raising consciousness through lectures and talks. Thus, it was not surprising in Egypt in the 1920s and 1930s for those women with a feminist consciousness to understand that the veil became a camouflage; they were encouraged by their independent feminist movement to choose and decide for themselves if, or when they should unveil. Comparing them with their sisters in Turkey and Iran, the situation was different, as the State took measures to impose unveiling (Ahmed 1992, Badran 1995).

Prior to the year 1920, in particular in 1911, Egyptian feminist women articulated their demands in public at the Egyptian National Congress. Their demands were around women's accessibility to education, participation in prayers in mosques, reforming the family status law, changing the personal status code with special focus on marriage and divorce, and above all, confronting British colonialism. As 1919 approached, Egypt as a nation was sitting on the edge of a volcano. When the British government exiled the nationalist leader Sa'ad Zaghlul Pasha, who was demanding independence for Egypt,

the revolt broke out in every corner of the Egyptian land requesting the return of their leader. That included every sector of the Egyptian nation.

One of the key elements that had an impact on the feminist movement and paved the way for them was the support of the nationalist male elite, in both camps: the religious and secularly oriented nationalists. They both used the “women question” (referring to topics that related to women’s education, divorce, marriage etc...) as the field upon which they pitched their battles (Baron 2005). Thus, we can safely argue that the Egyptian Feminist Movement was also split between the two camps. This was reflected clearly in the ways women expressed their demands. And it can be illustrated from two key examples, which are the veil and prostitution.

With regards to the veil, when all strong voices were demanding that women should unveil, Malak Ḥifnī Nāṣif (1886-1918) and Fatimā Rashid were holding a different view with regard to women and veiling. For Malak Ḥifnī Nāṣif, her opposition to unveiling was based neither on her conservative stand nor on her inability to accept the new changes that were taking place in Egyptian society. Nāṣif in fact made her viewpoint clear in an admirably rational exposition, explaining that as far as women were ignorant and the men were corrupt, women should not unveil, as she referred to the degradation of the status of women as a result of their lack of awareness of their rights and men benefiting from such a situation that served their own interests. She also advocated education of women as it was the only way forward for women’s emancipation, as she illustrated in a clear manner in her articles:

Which path should we take, which group [should we] follow? The majority of us women continue to be oppressed by the injustices of man, who, in his despotism, commands and forbids us so that now we can have no opinion even about ourselves... if he orders us to veil, we veil and if he now demands that we unveil, we unveil, and if he wishes us to be educated, we are educated. Is he well intentioned in all he asks of us and on our behalf, or

does he wish us ill? There is no doubt that he has erred grievously against us ...in decreeing our rights in the past and no doubt that he errs grievously...in decreeing our rights now (Ahmed1992: 181).

While Faṭīma Rashīd wrote in 1908 that “this veil is not a disease that holds us back, rather, it is the cause of our happiness” (Baron 2005:35), such statements were well received by the religious nationalists who continued to support veiling as a sign of modesty and moral virtue. Also they symbolized women as an emblem of cultural purity.

In 1920, the Egyptian feminist women launched their campaign against prostitution in sequence with Muslim leaders, driven and motivated by the fact that it symbolized women’s exploitation. They also tackled the issue from a health and moral perspective and in terms of its repercussions on society. Although no one can deny the importance of combating legally-sanctioned prostitution in Egypt at that time, for the Egyptian Feminist Movement it was an important issue as it concerned with women’s exploitation. But the feminists were also driven by their fears of being perceived and labelled as “prostitutes” just for becoming unveiled and for mixing with men in the society.

After independence was achieved in 1923, the Egyptian feminist women felt that they were betrayed by their nationalist male compatriots, as the latter turned their attention away from women’s liberation (Badran 1995, Ahmed 1992, Talhami 1996, Al- Ali 2000). This was the turning point for the Egyptian Feminist Movement, as in 1923 feminist women established the Egyptian Feminist Union (EFU). When the EFU was born, the women’s movement was purely national, and their adherence to the policies and platform of the larger movement was taken for granted (Talhami 1996).

According to Badran, three things occurred from the beginning of a highly visible organized feminist movement. These are as follows,

1. Feminist leaders removed the veil as a political statement demonstrating their rejection of female invisibility;
2. Women, for the first time in a highly public and unequivocal way, used the adjective *nisā'iyyah* to signify feminist instead of the ambiguous "women"; and 3. Women created the structure for their new feminist movement; an association, publications, facilities and formal affiliation with the international movement (1995:91).

Creating a body such as EFU assisted those women to begin their struggle independently. They declared their program for the first time at the International Women Suffrage Alliance Congress in Rome in May 1923. And that was the beginning of a new era for the Egyptian Feminist Movement and their quest for political rights. They finally attained their political rights when President Jamāl Abd al-Nāṣir introduced the 1956 constitution on the 16th of January 1957, and announced that women would receive their political rights (Talhami 1996).

In July 1962, Abd al-Nāṣir declared free university education for men and women. This policy helped to open the door for thousands of women to access higher education; but more importantly, it opened up new and wide-ranging employment opportunities for women. It is worth noting that elementary and secondary education became free for both boys and girls in early 1944. As Talhami noted, "this opportunity revolutionized the employment picture for women and had been a long-term goal for the early feminists, especially Sha^crāwī, and Nabawiyyah Mūsā" (1996: 20).

During Nāṣir's era, women were appointed for the first time to a number of significant posts, such as undersecretary of the Ministry of Education and Ministry of Social Welfare. Yet, one simple question presents itself here: were all these rights granted to women as a result of Nāṣir's regime's perception of women's rights, or was it simply

driven by the regime's interest in mobilizing women in the mêlée for economic production? Although Nāṣir's political, social and economic reforms answered some of the feminist demands, the regime failed in dealing with one of the fundamental issues that women were so long waiting for, namely, the family law (Talhami 1996).

Following Nāṣir's death in 1970, Muhammad Anwar al-Sādāt became the president of Egypt. Al-Sādāt came to power at a time when the country was passing through a difficult phase in its history: the period that followed the 1967 Arab-Israeli war, also known as the six-day war, and the defeat of the Arab armies. On the 6th of October 1973, the Egyptian troops crossed the Suez Canal, and gained a victory, following which Egypt signed the peace agreement with Israel in early 1974.

During al-Sādāt's time, Egypt witnessed tremendous changes in the economic, political and social arenas. The open-door policy (*infitāḥ*) brought sudden wealth for a few, yet this was accompanied by corruption, high inflation, serious shortages, particularly in housing, low wages, unemployment, and poor working conditions (Ahmed 1992).

However, women gained many victories in their quest for their rights, which can be illustrated as follows: (1) In terms of employment, equality between women and men was granted by the presidential decree in the year 1971, in terms of salary, financial compensation, promotion and retirement; also the labour law prohibited the employment of women in harmful environments; (2) in the same year, a presidential order resulted in the establishment of the Higher Council for Adult Education as a response by the government to the issue of illiteracy as it affected women's lives; and (3) the Ministry of Social Welfare was again entrusted to a woman, °ā'ishah Rātib , in 1971 and later to Amāl'cuthmān.

Above all, the notion of the nature of the Egyptian society which was based on social integration, emphasis on family as the main pillar of society and the guarantee of equality of opportunity for all citizens, was reaffirmed in the September 1971 constitution. Article 11 of the Constitution of the Arab Republic of Egypt states: “the State shall guarantee coordination between woman’s duties towards her family and her work in the society, considering her equal to man in the political, social, cultural and economic spheres without detriment to the rules of Islamic jurisprudence (*Shari‘a*)” (egypt.gov.eg. 2010).

The constitution was promising provision of equalities in terms of opportunities for both men and women in all aspects of life-cultural, political and social as long as these equalities corresponded with the *Shari‘a*. Talhami has explained this situation as: “mention of *Shari‘a* in conjunction with women’s equality with men made women’s constitutional rights conditional and was [weaved with] the language of the previous constitution” (1996:78). In April 1974, the government announced its intention to introduce changes in the structure of the Arab Socialist Union. Among the changes that were announced was a clear reference to the inherent equality of men and women, which provoked protest from some al-Azhar clergy, who demanded that women’s equality should always be within the domain of *Shari‘a* (Talhami 1996).

The heated debate on women’s rights reached its peak when the government passed the Personal Status Law No.44/1979, which amended both the laws of 1920 and 1925. The law bestows the following rights for the wife: (a) to keep the family house in the case of divorce; (b) to inform her in case of the husband’s marriage to another; as well as her right to demand divorce on that occasion. This law became known as “Jihān’s Law” referring to President Sādāt’s wife, Jihān al- Sādāt. Issuing such a law created tension between the government and the Islamists who perceived it as being against the *Shari‘a*.

Following Sādāt's assassination in 1981, Muhammad Husnī Mubārak became the fourth President of Egypt. During his administration, the country has witnessed significant achievements as well as regression on women's rights. As an example of the latter, in 1985 the Supreme Constitutional Court declared that the existing Personal Status Law known as "Jihān's Law" was unconstitutional as President Sādāt had passed the law by presidential decree rather than having it debated in Parliament as normal procedures dictated. Both significantly and paradoxically in this cases was not the court's verdict rather the fact that Islamist women (members of the Islamist movement) marched and demonstrated in 1985 against the law, even though it gave women more rights than any other such law (Karam 1998).

However, almost two decades after this incident, two major victories were gained by women rights activists, which are the introduction of *al-Khuḥ* in the legal systems and the alteration on the legislation of Egyptian Nationality. The introduction of *al-Khuḥ* is in my view a proof that when women are educated in Islamic scholarship they become capable of demonstrating their knowledge of the Islamic texts, through challenging the existing injustices towards women applied in the name of religion.

As for the alteration on the legislation of Egyptian Nationality, Article no. 11 of the Egyptian Constitution grants equal rights and duties to all citizens; however, according to the old nationality law, wives and children of Egyptian men were automatically granted Egyptian citizenship, while Egyptian women married to foreigners were not accorded the same right. With the new law issued in 2004, women who have married foreigners have access to such rights by passing their nationality onto their children. It is worth mentioning that the passage of this law took years of advocating and lobbying by women and human rights activists.

It is important to conclude this section with Badran's (2001) account of the historical context of "the women question" in Egypt. According to her, "the issuing of conflicting agendas over the 'women's question' in Egypt may be arranged within four historical periods: the modern State building of the 1800s – 1922, the liberal projects of reform of 1923-1952, revolution and nation-building of 1952-1970s and, lastly, the period of *infitāh* (open door policy), capitalism and Islamist resurgence of the 1970s to the present" (cited in Hafez 2001:21).

4.3 The Islamic Feminist Movement: A New Approach to the Quest for Women's Rights

Before proceeding to the following section on the Islamic Feminist Movement, it is crucial to define key concepts which will be referred to throughout the remainder of the chapter: '*feminist*', '*feminism*' and '*Islamic feminist movement*'.

Feminist movement is defined as a collection of social theory, political movement and moral philosophies that are driven and motivated by the liberation of women from the subordination to men, as on the one hand it is critical of patriarchy, and on the other it promotes an ideology committed to women's emancipation. At the heart of feminist social and political analysis is the challenge of the public/private divide in politics, which has historically denied women access to the public political arena and therefore compromised the representation of their interests.

Feminism is invariably engaged in resistance to prevailing notions of gender. While feminism must be seen as an activist demand for political and economic reform, it has always been informed by a serious reflection on the nature of sexual difference and the mechanisms by which sexual difference is enmeshed in, even created out of, relations of power and oppression.

A '*feminist*' is: "a person whose beliefs and behaviours are based on feminism". Feminists have challenged 'sexist' images of women in popular culture and in the pornography industry in relation to a growing understanding of women's 'political subordination under patriarchy'.

As for *Islamic feminism*, Moghadam³³ defines it as "a Qur'an-centered reform movement by Muslim women with the linguistic and theological knowledge to challenge patriarchal interpretations and offer alternative readings in pursuit of women's advancement and in refutation of Western stereotypes and Islamist orthodoxy alike." The ideology of Islamic feminism is based on the fact that Islamic teachings on women's rights and their status in the society had been interpreted in "patriarchal and often misogynistic ways over the centuries" where the *Shari'a* law has been misunderstood and misapplied, particularly the content of Muslim family laws that boosted men with rights at the expense of women's rights. Thus the movement is deeply critical of "women's legal status and social positions and agree that women are placed in subordinate positions by law and by custom in the family, the economy, and the polity" (Prado 2005).

Although the discourse and practice of the movement is articulated within an Islamic Paradigm (Badran 2005), it still faces a tremendous challenge to gain acknowledgment and acceptance even amongst women. Moghissi's argument goes beyond the definition of the term itself; she questions which paradigm the Islamic Feminist movement can articulate.

³³ Valentine Moghadam, an activist and academic working for women's justice and also the head of Gender Quality and Development Section at the UNESCO

According to her:

Still, Islamic feminism is not as self-explanatory as the term may suggest. Certainly, such feminism would not be only about articulating women's experience in religious terms. In fact, the 'Islamic' in 'Islamic feminism' raises many questions. For instance, what kind of 'Islam' and what sort of relations with it are presumed? Do we mean 'Islam as a medium uniting women and supposed cosmic power in response to personal, gender-specific need, or does the term instead entail a prescribed set of ideas, teaching, text, as applied to women, indeed an entire pre-established moral and legal order? (1999:125).

The question then becomes: Is Islamic feminism a new approach? Or is it an alternative to the term 'feminism' which is known to be a problematic term for many Muslims? As it refers and links to the Western world, the source of the Western feminist movement which they reject, as they believe that it is based on anti-male attitudes as well as it promoting lesbian and gay rights. With all the rejection that it entails, especially with regard to memories of colonialism and the degradation of the human condition inherent in neo-liberal globalization (Prado 2005), Muslims have failed to distinguish between the differing manifestations of the feminist movement.

It is essential to note that the Western feminist movement has followed three waves since its birth: the first wave was during the nineteenth century and early twentieth century; the second wave was during the early 1960's and lasted through to the end of the 1980s; this was then followed by the third wave, from 1990 till the present. The most significant development of the second wave is the production of radical feminism which considers the eradication of women's oppression as a fundamental pre-requisite in every human society, and challenged that standard by broadly inverting perceived gender roles along with promoting equality between men and women. Although the second wave continues to have its adherents, some young women prefer to identify themselves with the third wave which evolved as a response to the perceived failures of

the second wave. It was also a response to the backlash against initiatives and movements created by the second wave.

As for feminism in the Muslim world, it is divided into three different types:

1. Western-style feminism, which claims that Islam as a theology calls for gender inequality and that Islam in itself should be fought;
2. Arab feminism, which calls for the freedom of women from within an Arab/Muslim cultural paradigm, yet still criticizes and perceives Islam as a patriarchal religion which is responsible for the current deterioration of the status of women; and
3. Islamic feminism, which promotes the idea that there is a possibility of attaining equal rights for men and women within the Islamic paradigm. It rejects male superiority and/or domination which exists as a normal trend in the majority of Muslim societies and results in discrimination against women. It also believes that Islamic traditions have been degraded and that the sacred texts have been misinterpreted.

So, we return to the fundamental question in this section of whether the Islamic Feminist Movement is a new or old approach to the quest for women's rights. According to Moghissi, *the Islamic Feminist Movement*: "from the start [feminism] was adopted and pushed from outside societies, it was [chiefly] the work of Diaspora feminist academics and researchers of Muslim background living and working in the West" (1999: 125), while Tariq Ramadan views it as a means of engagement in a liberation movement within and through Islam. According to him, Islamic feminists "promote an Islamic [kind of] feminism that does not mean the uncritical acceptance of the fashions and behaviour of their western [follow] citizens. They are fighting for recognition of their status, for equality, for the right to work and to equal pay, but that

does not mean that they want to neglect or forget the demands of their faith” (2004:142). I disagree with the statements made by both Moghissi and Ramadan, as Fatima Mernissi (1991) referred to a woman who approached the Prophet Muhammad (PBUH) with a serious inquiry regarding the Qur’an and why it only addressed men, when women too accepted God and his Prophet. Most scholars have referred to this woman as “a woman”, but, Mernissi stated that the woman was Um Salama, the prophet’s wife:

I had asked the Prophet why the Qur’an did not speak of us as it did of men. And [to] my surprise, one afternoon, [while] I was combing my hair, [I heard] his voice from the *minbar*. I hastily did up my hair, and ran to one of the apartments from where I could hear better. I pressed my ear to the wall, and [I heard] the Prophet say: O people! Allah has said in his book: Men who surrender unto Allah, and women who believe...etc. And he continued in this vein until he came to the end of the passage where it is said: Allah hath prepared for them forgiveness and a vast reward³⁴ (Mernissi 1991: 118).

Her question occasioned the revelation of the Qur’anic verses explicitly addressing women as well as men; a response that shows God’s and the Prophet’s readiness to hear women and is considered a magnificent illustration of Allah’s recognition of women. Mernissi was arguing the reasons that Um Salama constructed and based her inquiry upon (Mernissi 1991). She concluded that it was a concern shared by the Muslim women at that time, where some Muslim women approached the wives of the Prophet with their serious inquiries regarding why Allah addressed men in the Qu’ran and had not mentioned women; “it represented a veritable protest movement by the women.

³⁴ *Sūrah*_(33:35) *Ahzāb*_(the clans , the coalition)" For Muslim men and women, for believing men and women, for devout men and women, for true men and women, for men and women who are patient and constant, for men and women who humble themselves, for men and women who give in charity, for men and women who fast (and deny themselves), for men and women who guard their chastity, and for men and women who engage much in Allah's praise, for them has Allah prepared forgiveness and great reward. (Ali 2003: 422).

Um Salama's question was the result of political agitation and not the capriciousness of an adored wife" (Mernissi 1991:19). In light of this event, we can claim that the Islamic Feminist evolved and started during the Prophet Muhammad's time, when women were active in questioning their rights and in challenging the prevailing pre-Islamic traditions, practices and customs that ruled relations between the sexes, which resulted in positioning women at the bottom of the society. Islamic Feminism is not a new quest for women's rights, but an old approach which evolved and passed through different timelines; it may have captured its formal representation only recently through the work of both academic researchers and women's rights activists.

Going back to Um Salama's story and the lessons learnt from it, it is very essential that women's questions were answered by Allah. Another important lesson learned from the history of the feminist movement as manifested strongly in the struggle for women's rights is the vital ability to communicate perfectly with different key players at the different layers of struggle within society.

4.3.1. Islamic Feminist Movement in Egypt

Through observing the current situation of the women's rights movement in Egypt, we can divide the existing movement into three feminism streams which represent different ideologies: Secular, Islamist and Islamic where they remain within the upper and middle social classes. As for the Islamists, they have a wide range of audiences as they used a hegemonic language of Islam (Karam 1998). While both Islamists and Islamic feminists operated within the framework of Islam in articulating women's rights in society, they nonetheless refuse to identify themselves as 'feminists'.

Sherifa Zuhur (1995) has provided an in-depth analysis of this condition. According to her, it is crucial when we study Islamic women to take into account the diversity within

this group which is based on their discourse. She goes further on "criticizing the view that regards Western feminism as a universal paradigm and sees it as a detriment to non-white women and women of the third world" (Zuhur cited in Hafez 2001:14). According to her, Islamic feminism can be categorized as liberal, moderate and conservative; she defines as 'womanist'.

Both Yvonne Haddad and Jane Smith agree with Zuhur in employing the term "womanist", where they perceived and understood Islamic women activists as follows: "Islamist women who do participate actively in promoting the rights and opportunities that they believe Islam truly accords them generally do so out of a position that speaks from within their own culture, consciously avoiding articulation that represents foreign ideologies or perspectives that seem to reflect Western Feminism" (Haddad and Smith in Suha Sabbagh 2003: 147).

Before proceeding to discuss who these groups of women are, and how and when did they operate in Egypt, one crucial concept needs to be clarified as we need to distinguish between the terms *Islamic feminist* and *Islamist feminist*. The term *Islamic feminist* has already been defined in the previous section. Karam argues that Islamist feminists operated from their understanding that:

Women are oppressed precisely because they try to be equal to men and are therefore being placed in unnatural settings and unfair situations, which denigrate them and take their integrity and dignity as women. They uphold that what is happening to women is part of social processes where in proper Islamic principles are absent, or at best are misused by a morally bankrupt and corrupt State regime. [Thus] they see their mission as a structural Jihad which aims at a change towards more Islamization, which, in turn, occurs through active participation in all spheres of life (1998:10).

Therefore, they operated as a political movement aiming at gaining support for themselves in their quest for holding the State power and legislation. To understand how Muslim women organized themselves and how they work within their own perception of Islam, we need to go back to the year 1937 when Labībah Ahmed established a women's organization and named it Muslim Sisterhood (*al-akhawāt al-muslimāt*). The organization first operated in Cairo, but during the Second World War

they moved their headquarters to *Isma'īliyyah*. Labībah Ahmed had in fact had a long history as a semi-secularist feminist before joining the Muslim brotherhood. However, her tendency towards embracing the Islamic concept and solution dates back to when she was the president of the Society for the Renaissance of Egyptian Women (*Jam'īyyat nahḍat al-sayyidāt al-misriyyāt*) before finally becoming part of the Muslim Brotherhood (Talhami 1996).

Her Islamic activities were greatly influenced by the wide range of services which were provided by the Muslim Brotherhood at that time targeting the poor areas in Cairo. Therefore, she devoted her efforts to educating the women of these areas. Her education message focused on raising women's awareness of the nature of the British occupation in addition to the proper conduct of women based on true Islamic teachings.

Based on the comprehensive description of these activities by Talhami, "the women centres were used to disseminate religious knowledge, to explain the duties and rights of Muslim women, and most important, to explain the means of raising good Muslim children and keeping a Muslim home. Women were educated about the lives of female members of the Prophet's family. By 1935, a special program was [launched] to teach general cultural topics [about] women" (Talhami 1996:47). One of the notable activities by the organization is the establishment of home visits which were conducted by skill-full female workers aiming at reaching the women who were not allowed to attend public meetings.

Although Labībah Ahmed was considered one of the members of the Egyptian Feminist Movement that had a long history struggling against the British occupation in Egypt, nevertheless her activities recorded that she did not bring in any political issues to her organization as she was more dedicated to social changes rather than politics. She

demanded reform of the personal laws and in particular the divorce section. She also requested reformation of the law according to the Qur'an. One of her remarkable demands regarding personal law is her call for issuing a new law that allows clarification regarding the prospective husband's financial and medical status prior to entering into a marriage contract. "Labībah Ahmed remained committed to providing social welfare services to women, but she never advocated equality or inducting women into the world of politics" (Talhami 1996:49).

In contrast to Labībah Ahmed, Zaynab al-Ghazzalī, another example of the Islamist feminist, gained recognition as an Islamic leader and role-model. Her relation to the Brotherhood dates back to the year 1937 during the foundation days of the Muslim Sisterhood. In one of her statements, she mentioned that Ḥasan al-bannā, the supreme guide of the Muslim Brotherhood, requested to merge her organization with the Brotherhood; she rejected the idea as she valued the autonomy of her organization. However, her rejection did not influence the relationship between the two organizations.

Zaynab al-Ghazzalī was subjected to jail and torture during the second wave of persecutions under Nāṣir's regime that targeted large numbers of the Muslim Brotherhood including Sayyid Quṭb in 1965. She viewed her role as an Islamist feminist continuing until Islamic rule was realized and established in Egypt, so then Muslim women would retreat to their natural domain as nurturers of the nation's men (Talhami 1996).

Since the 70's strong Islamist voices maintained their appearance frequently on the surfaces of the Egyptian Society demanding that women should leave their jobs and return to what they refer to as the natural work of women (domestic work). However these voices have overlooked a fundamental fact. Due to economic hardship most

families that reach or maintain middle class status cannot accomplish that without a second income. This is just a simple example from the economic point of view, regardless of the point of women's rights to acquire a profession and realize financial independence and self-fulfilment. Haddad and Smith account on this specific issue as followed:

An Egyptian writer suggests that if all women working in Egypt were sent home where they belong; there would be no problem of unemployment in Egypt since all men have jobs. Many Islamist today, even those who might have supported such manipulation earlier, are affirming the ongoing responsibilities of women as contributors to the State (Haddad and Smith in Suha Sabbagh 2003: 147).

In response to these voices, the Islamists maintain their position by calling and advising working women to embrace a proper Islamic behaviour in the work place through donning the veil. Similarly, a prominent figure like the late *Shaykh* al-Sha'rawī declared that "if [women] must work, they should comport themselves properly and have no physical contact with men in work situations" (Abu-lughod 1998:252). These outlined statements take us back to the same old discourse that was raised during the Egyptian feminist movement at the-turn-of- the-century which is that the veil and the relationships that form the interaction between men and women in the society.

However, Badran argues that: "in the late 1980s, there has even been a liberalization on gender issues to Islamist women like Şafinaz Każim and Hiba Ra'uf who insist on taking women's rights out to the public sphere" (Badran 1993 cited in Abu-lughod 1998:252). It is important to point out that the Islamist feminists developed into different timelines and generations: starting with the mother of Islamist feminism, Zaynab al-Ghazzalī, who was followed by Şafināz Kāzim ³⁵, and recently by Hibah

³⁵ A well know Egyptian contemporary Islamic journalist, writer and literary critic.

Ra'ūf³⁶ (Karam 1998). Yet, this categorization will lead us to search for answers to simple inquiries about, for example, the position of Labībah Ahmed in the academic literature on Islamist feminists, and why the role of Islamist/Islamic women is often overshadowed and remains unknown to many as very little was written about them regardless of their great achievements. Does this have to do with the political agenda that determines the sort of information which can be revealed to the public media?

To winding up this section, we can learn and conclude from women's history that provision of information that can help in raising awareness of the society regarding women's problems and issues of concern has always been the key strategy that any movement heavily depended upon, and the way this is used or misused ultimately has resulted in the success or failure of the movement in achieving its goals.

With regards to women's rights, the achievements at the turn-of-the-century were much greater than they are now. Although there are similarities in the surrounding environment whose main feature is hostility towards women's rights and opposition to all calls for changes, the problem has been intensified, for Middle Eastern women, by the stereotypical and misleading literature describing their lives and experiences, which in the past century have been presented to the West in lieu of research-based findings that accurately describe women in the true roles they have played across the ages (Afshar 1993). In addition, the available literature on the achievements of the current movements is fewer and scattered, a fact which highlights the need for rapid, serious and collective action to handle this critical situation.

³⁶ Political scientist, lecturer, writer and women rights activist.

Furthermore it is always difficult for women to engage in pioneering work since even though feminists have long history since they founded their movement, part of the problem for them has always been the absence of adequate documentation and the invisibility of their activities.

Mernissi (2005) has rightly noted that it is not only women's roles in early Islam that have been overshadowed in the Muslim world, but even their feminist movements at the turn-of-the-century have been totally forgotten, with their memory swept aside by the wave of conservative and fundamentalist opinion prevalent at the present. This also applies in the case of Islamic feminism literature. According to Hafez (2001), the efforts of Islamic women and their achievements were often overlooked in the studies on Middle Eastern women's activism, as they have been treated and perceived as part of the male Islamist movement, and thus any claim for power on the women's part was either ignored or misrepresented. Yet "literature on Islamic feminism which has only recently been produced shows a pronounced interest in women's Islamic 'voice' that rises against its patriarchal oppressors" (Hafez 2001:11).

Having said so, it has been noticed that most of the publications on Middle Eastern feminism are in foreign languages such as English and French and often destined for a foreign readership and for the minority of Middle Eastern readers who can read in those languages. There are very few sources written in or translated into Middle Eastern/Muslim languages, e.g. Arabic, Farsi, Urdu, and Malay. This has resulted in the exclusion of the majority of Middle Eastern women, the primary subjects of these sources. Moreover, most of the feminist activists are using language that is quite complicated to be understood by women and men at the grass-root level in the society, which creates a huge gap between them and their audience, especially considering the high level of illiteracy that exists in Muslim societies.

Mernissi (2005) emphasizes the essential and crucial action to be urgently taken by the feminist movement today in order to preserve their heritage, learn from their past, analyze their strengths and weaknesses and reflect on their previous achievements, which will assist them in analyzing their own situation in the contemporary Muslim world and contest it on historical grounds. It is vital for today's Arab and Muslim women to know who these pioneers were and the circumstances in which they organized their movement. This is because it is very important to understand the significance of the movement, its achievements and shortfalls, and the lessons learnt from the pioneering women.

But the most important aspect is to revive the memory of Muslim women through lengthy historical journeys to their past, and thus to reflect and learn from their own rich heritage. By this I mean the heritage that demonstrates that the deterioration of the status of women is not a result of religion; on the contrary, it is a result of the blind following of traditions and customs that are detrimental to women and most importantly, that are far away from Islam.

Conclusion

Undoubtedly education remains one of the most influential and fundamental components for women's emancipation, as it assists them in attaining and claiming their rights, contributing and participating in the development of their society.

Accordingly, Ancient Egyptians translate their understating of this concept into reality, where they documented the significant role played by women in the Egyptian civilization by drawing on temple walls. Yet, this privilege changed as Egypt was invaded and occupied by other empires such as the Greeks, and the Romans.

Accordingly, this unique system was affected and eventually vanished as it was overtaken by the incoming cultures and traditions, and resulted in the deterioration of women's status within the Egyptian society.

Although women's questions including female education and reforming the laws on polygamy and divorce present themselves firmly, rising with the first social reforming movement by Rifā'ah al-ṭaḥṭāwī and Muhammad 'abdū, and later on by Qāsim Amīn. Nonetheless, these main issues remain the same battle fields for women to date. The struggle to reform personal laws, eradicate illiteracy among women, and achieve women's political participation in addition to equal citizenship has made the overall struggle harder and more aggressive, particularly with the surfacing of Islamist groups in Egyptian political life.

The discourse has not changed much since then. While secular feminists maintain their claim for women's equality as a basis for human rights, the Islamic feminists hold and stress on the claim that women's rights are fundamental privileges granted by Islam and their current status in the society has nothing to do with Islam, as it has been misinterpreted in "patriarchal and often misogynistic ways over the centuries" where the *Shari'ah* law has been misunderstood and misapplied, particularly the content of Muslim family laws that boosted men with rights at the expense of those of women.

With the second article in the Egyptian constitution firmly stipulating *Shari'ah* as the fundamental source of law in Egypt (article 2: Islam is the religion of the State and Arabic its official language, Principles of Islamic law (*Shari'ah*) are the principal source of legislation), the heated debate between the secularists and Islamists will indeed be persistent.

In the light of the above, it is crucial to examine the Egyptian constitution, from its historical perspective, its main articles, and its influential role on women's entitlement rights in the Egyptian society. Also there is a need to provide an overview of the formulation of Islamic law and define the concept of *Shari'a*. This discussion will therefore be the main focus of the following chapter.

Chapter Five: The Egyptian Constitution and its Influence on Women's Rights

Introduction

The Egyptian Constitution is known as the first legal document to have adopted a Western style in both the African continent and the Middle East. It dates back to 1871, when Egypt's French-educated Prime Minister, Muhammad Sharīf Pasha, was asked by the Khedive Ismā'īl to design a French-style constitution. Since then the constitution has passed through numerous changes and developments which have played a significant role in influencing the formulation of the Egyptian law in general and the Egyptian family law in particular (*Al-Ahram Weekly*, 3-9 March 2005. Issue No 732).

In this chapter, I aim to examine the constitution and its relation to the Egyptian family law. To make this possible, it is necessary to: (a) highlight the historical phases which the constitution has gone through and its main articles; (b) provide an overview of the formulation of the Islamic law and define the concept of *Shari'ah*; and (c) analyse women's rights and entitlement in the Egyptian society, in respect to family laws, through providing the historical context of their emergence and their impact on Egyptian Muslim women.

I have therefore limited my analysis to the family law and women's reproductive rights. Hence, I have arranged this chapter into three main sections. The first section gives a historical background to the evolution of the Egyptian Constitution and its main articles, while the second section gives an overview on the formulation of the Islamic law, in addition to defining the concept of *Shari'ah*. The third section deals with the

Rights of Muslim women in Egypt, illustrating these with an example of the Personal Status Law (PSL) and reproductive rights.

5.1 Egyptian Constitution: Historical Development and Main Articles³⁷

Following the first constitution document produced in 1871, numerous documents were drafted. In early 1882, a new document was drafted and then was cancelled due to the British occupation of Egypt in the same year. Subsequently another two documents were produced and passed in 1883 and 1913 respectively. With this in mind, the most relevant and significant constitutional events that took place since that time can be summarized as follows:

The 19th of April, 1923 constitution is considered the most liberal constitution in the history of the Egyptian nation. This constitution stated clearly that Egypt was a sovereign parliamentary democracy with a king heading it, and made a clear and complete separation of powers between the judicial, legislative and executive authorities (*Al-Ahram Weekly*, 3-9 March 2005. Issue No 732).

On the 21st October, 1930, another constitution was passed. However it was considered a catastrophe and had a negative impact on the nation as the Prime Minister Ismā'īl Ṣīdīqī conferred the King's absolute power over the existing executive authority. Nonetheless, four years later and due to a nationwide protest led by Cairo University students, the constitution was cancelled and the version which was passed in 1923 was restored once again on the 30th of November, 1934 (*Al-Ahram Weekly*, 3-9 March

³⁷ See Appendix I : Egyptian Constitution

2005. Issue No 732). Baudouin Dupret and Nathaile Bernard-Maugiron, in their review of the Egyptian law, summarized the above events in the following account:

Since the first adoption of its first constitution in 1923, Egypt experienced protracted constitutional instability. The constitution of 1923 was abrogated and replaced in 1930. In 1934, the 1930 constitution was abrogated in its turn, and one year later, the 1923 constitution was again put into force until 1952 (2002: xxvii).

The situation remained unchanged until 1952, when the Free Officers' movement succeeded in overthrowing the King through a revolution known as 'the July 23 revolution'. As Muhammad Najīb, the interim president, attained his position he cancelled the 1923 constitution on 10th December 1952. Later on in 1953, a new constitution was drafted by a commission formed for this purpose. Yet, the new constitution was not applied until 1956, providing the leaders of the Revolution with sweeping powers, which were not subject to any parliamentary supervision. "The republic has had four constitutions in fifteen years (1956, 1958, 1964 and 1971), in addition to two constitutional declarations (1953 and 1962) to the purpose of interim administration" (Dupret and Bernard-Maugiron, 2002: xxvii). On 11th September 1971, a new constitution³⁸ was passed, and remains effective till today.

Yet, from time to time some amendments on certain articles that deal mostly with political practices and elections are incorporated. Previous amendments were approved in a public referendum on the 22nd of May 1980, and the most recent one was passed on the 26th of March, 2007 (Al-Ahram 2005, Dupret and Bernard-Maugiron 2002, °Abd al-Mu°ti, 2007).

³⁸ See Appendix I: Egyptian Constitution Articles

Our primary concern here regarding the constitution is that its second article firmly stipulates *Shari'ah* as the fundamental source of law in Egypt:

Article (2)³⁹: Islam is the religion of the State and Arabic its official language. Principles of Islamic law (*Shari'ah*) are the principal source of legislation.

Before proceeding into the discussion of the impact of Islamic law on women's rights in general and the Egyptian Personal Status Law in particular, it is necessary to have a quick glance at articles no. 11 and 40 as they deal with and refer to women's rights in Egypt. In addition, it is crucial to examine the elements which formed the Islamic law and its sources, at the same time providing a definition of the concept of *Shari'ah*.

Article (11)⁴⁰: The State shall guarantee coordination between [a] woman's duties towards her family and her work in the society, considering her equal to man in the political, social, cultural and economic spheres without detriment to the rules of Islamic jurisprudence (*Shari'ah*).

Based on this article, the constitution did not just affirm the political rights of women but also perceived women as equal to men in the social, cultural and economic spheres. Yet, the *Shari'ah* appeared again as the main vehicle in determining these rights. I am not arguing here the issue of *Shari'ah* in itself, but rather the body responsible for explaining and interpreting the *Shari'ah* and its roles, abilities and limitations. The following is an interesting example to support my argument, based on Margot Badran's account of feminism and Islam (2001:50):

[Dr.] Su'ad Salih, seeks to be appointed as a *mufti*, armed with the highest training from within the Egyptian learned Islamic establishment, al-Azhar. And knowing there is no religious impediment for women to act as *muftis*, she applied to the Grand *Mufti* of Egypt (Dr. Farid Wasil at that time) to be officially authorized to give *fatwas*. His refusal to answer her repeated

المادة (2) " الإسلام دين الدولة، واللغة العربية لغتها الرسمية، ومبادئ الشريعة الإسلامية المصدر الرئيسي للتشريع "39

المادة (11) "تكفل الدولة التوفيق بين واجبات المرأة نحو الأسرة وعملها في المجتمع، ومساواتها بالرجل في ميادين الحياة السياسية والاجتماعية و الثقافية والاقتصادية، دون إخلال بإحكام الشريعة الإسلامية."40

requests has politicized this distinguished professor of *fiqh*, who, on many gender issues, had conventional views, casting her as a feminist.

It is worth noting that Dr. Salih is a Professor of Comparative Jurisprudence at al-Azhar University, and held the position of Dean of the Faculty of Women's College, which allowed her to sit in committees examining al-Azhar doctoral candidates in Islamic jurisprudence (Badran 2001). Dr. Salih is also a well-known public figure in both State and private media, where she has appeared on a number of TV programs that deal with Islamic thought and sciences.

(Article 40)⁴¹: All citizens are equal before the law. They have equal public rights and duties without discrimination between them for reasons of race, ethnic origin, language, religion or creed.

Although the above article affirms that all citizens (men and women) share the same level of equality before the law, it is incapacitated by the content of "article 6" which indicates that the "Egyptian nationality is defined by law". Yet, the situation was in actual practice deferred. A clear case which explicitly demonstrates the inequality between men and women in this matter is the issue of provision for the Egyptian nationality. While children of Egyptian men are automatically granted Egyptian citizenship, Egyptian women married to foreigners were unable to do so. This situation remained as such until 2004, when a new law bestowed upon women access to such rights by passing their nationality onto their children.

By illustrating these two examples, can we claim that the issue of women's rights in Egypt is justified by the State and the religious agenda rather than a right that is granted and affirmed by the constitution or religious principles or the international declaration for human rights? The answer to this question will become apparent through the

المادة (40) "المواطنون لدى القانون سواء، وهم متساوون في الحقوق والواجبات العامة، ولا تمييز بينهم في ذلك بسبب الجنس أو الأصل أو اللغة أو الدين أو العقيدة"⁴¹

following discussion. Yet, before we do so it is crucial to define the concept of *Shari'ah* and provide an overview of the formulation of Islamic law.

5.2 An Overview of the Formulation of Islamic Law: Defining the Concept of *Shari'ah*

Whenever the term *Shari'ah* is mentioned, for many people around the world the first images which come to mind are the corporal (*hudūd*) punishments such as, amputation of hands or stoning of women who committed adultery, together with the images of women veiled in black from head to toe. These practices are to be found in a majority of Muslim countries. Thus, the word *Shari'ah* is heavily loaded with negative connotations, yet there is a misunderstanding of the concept which results in such unwelcoming feelings whenever *Shari'ah* is mentioned.

So, the question is: what is *Shari'ah* and what does this concept refer to? To begin with, we should mention one basic fact, namely that there is a common understanding that *Shari'ah* means the classical Islamic law; yet it is a very narrow definition of the term. According to Brannon Wheeler (1996) the term *Shari'ah* means "definition of practice, the *Shari'ah* determines how certain aspects of everyday life are to be practiced according to the model provided by the canon" (cited in Barlas 2002:70). William E. Shepard (1996), in his analysis of Muhammad Said al-Ashmawi's⁴² scholarly work on

⁴² Al-'Ashmawi graduated from the Faculty of Law at Cairo University in 1954 and became Assistant District Attorney and then District Attorney in Alexandria. He was appointed a judge in 1961 and rose to become Chief Judge of the Supreme Court, the Supreme Criminal Court, and the Supreme Court for State Security. He has developed expertise in Islamic theology (*usul al-din*) and *Shari'ah* and in comparative law, undertook formal advanced study at Harvard Law School and elsewhere in the United States in 1978, and has lectured at the American University of Cairo, as well as at universities and institutes in Europe and the United States (Shepard 1999: 42). He is widely recognized for the forcefulness of his writings in the struggle to redefine Islam in the modern world. His refutation and condemnation of Islamic fundamentalists and extremists earned him praise from many liberals as well as criticism from

Shari'ah provides a meaning of the word and its definition based on al-Ashmawi's understanding of the concept:

Al-Ashmawi examines the few appearances of the word *Shari'ah* and other words from the same root in the Qur'an and concludes that its meaning there, as in the classical dictionaries, is *tarīq, sabīl, minhāj* ("path, "way", "method" respectively). The *Shari'ah* of Islam is thus the way or method of God, [and consequently] of Islam. *Shari'ah* in the Qur'an [neither] means law (*qānūn*) [nor] legislation (*tashrī*). [By] time, however, its meaning expanded, first to include all of the rules [of] worship and society found in the Qur'an, then those in the *sunna* [sic] of the Prophet, and finally all the opinions and judgments of the scholars. But, these opinions and judgments are properly called *fiqh*, and the final result of the development is that in common usage the term *Shari'ah* has come to mean *fiqh*" (1999:43).

Said Ramadan (1970) explains that *Shari'ah* is based on two main categories, which he has classified into chief and supplementary sources. As for the chief sources, he divided them into two sub-categories; the first two chief sources are (a) the Qur'an, and (b) the *Sunnah* or the authentic traditions of the Prophet Muhammad. These two sources were recognized as binding during the life-time of the Prophet.

As for Muslims, the Qur'an is both the source of truth and the means of realizing it in action; it is the "quintessential source and language of the faith", and Muslims treat the Qur'an as "the methodology of ascent to God" (Taha 1987 cited in Barlas 2002:32). The other two chief sources are (c) *Ijmā'* (the consensus of opinion) and (d) the *Qiyās* (meaning judgment upon juristic analogy). "The *Sunnah* derived its authority from clear injunctions of the Qur'an. Individual opinions did exist, but only in the absence of an applicable text in the Qur'an and the *Sunnah*, and within the spirit of the two chief sources" (Ramadan 1970:33). Thus, we can safely note that " *Ijtihād* (critical reasoning)

was considered closed fairly early in Muslim history" (Barlas 2006:71), in fact it was urged by the Prophet and was thus legalized (Ibn Kathir cited in Ramadan 1970).

As for the Supplementary Sources, these were introduced at least a century after the Prophet, and were built upon opinions of individual jurists. These sources are:⁴³ (a) *al-istihsān* (b) *al-istiṣlāḥ* and (c) *al-ʿurf* (Ramadan 1970). Therefore, it is necessary to distinguish between chief sources and the rest. "The question of the sources which the jurists relied upon, or of the opinions they derived thereof from, is always open to re-consideration as to their compliance with the Qur'anic and Prophetic texts and the fulfilment of their objectives" (ibid., 1970: 34).

These are the fundamental rules on which the four established schools of law (*al-madhāhib*)⁴⁴ in *Sunni* Islam are based. These schools are named after their founders (Abū Ḥanīfah, Anas Ibn Mālik, al-shāfiʿī and Ibn Ḥanbal).

It is worth mentioning that these famous schools of law which have deeply influenced the Muslims were not the only ones, as there were many more schools that did not reach the same prominence as these four: "not less than nineteen schools of law and legal opinions appeared in Islam, [and] this fact alone is sufficient to show how

⁴³ a) *al-istiḥsān*: the deviation from certain issues, from the rule of a precedent to another rule for a more relevant legal reason that requires such deviation; (b) *al-istiṣlāḥ* (the unprecedented judgment motivated by public interest to which neither the Qur'an nor the Sunnah explicitly refer; (c) *al-ʿurf* (the custom and the usage of a particular society, both in speech and in action) (Ramadan 19970:33).

⁴⁴ The more systematic development of Shari'a began with the early Abbassid era (after 750 CE). This view of the relatively late evolution of Shari'a as a coherent and self-contained system in Islamic history is clear from the time-frame of the emergence of the major schools of thoughts (*madhāhib*, singular *madhhab*), the systematic collection of Sunnah as the second and more detailed source of Shari'a, and the development of judicial methodology (*usul al-fiqh*). All these developments took place about 150-250 years after the Prophet's death. In other words, the first several generations of Muslims neither knew nor applied Shari'a in the sense that this term came to be accepted by the majority of Muslims.

The early Abbassid era witnessed the emergence of the main schools of Islamic jurisprudence, including the main schools which survived up to the present day which are attributed to Ja'far al-Sadiq (died 765- the founder of the main school of Shi'a jurisprudence) Abu Hanifah (died 767); Malik (died 795); al-Shafi'i (died 820); and Ibn Hanbal (died 855) (Abdullahi Ahmed An-Na'im 2006:8-9).

incessantly our early doctors of law worked in order to meet the necessities of a growing civilization" (Iqbāl 1951 cited in Ramadan 1970:89).

To conclude, it is crucial to point out that during the history of the development of the Islamic faith, the diversity of juristic opinion, and difference among Muslim scholars was received by some Muslim communities as a source of confusion rather than "an active sign of the flexibility of the *Shari'ah* and not as a dogmatic seal on its applicability" (ibid.,:37). In my opinion, these communities failed to recognize a fundamental principle in Islamic law which States that "everything is allowed unless explicitly prohibited and not the other way round" (ibid.,:46).

For this reason, and as Tariq Ramadan (2009) emphasizes, there is an urgent need today for Muslims who want to maintain the true spirit of the faith and want to be faithful to its principles to encourage the revival (*iḥyā'*) of religious sciences, as Abū Hāmid al-gazālī⁴⁵ did in the early years of the twelfth century and later Jamāl Al-dīn Al-afghānī and Muhammad 'abdū, who followed in his footsteps by calling for advocating "The deep insight that faithfulness to Islam through history required via a continuous effort of research, renewal, and reform the thought (and methodologies) has been present in the world of Islamic sciences from early days to the present, with periods in which it thrived and others when thinkers were hostile to it" (Ramadan 2009: 9).

⁴⁵ Abū Hāmid Muhammad B. Muhammad Al Tūsī (450/1058 – 505/1111): an outstanding religious reformer. He was born at Tus in Khurasan. During his life, he passed through a phase of skepticism and emerged to begin an energetic search for a more satisfying intellectual position and practical way of life. His greatest work both in size and in the importance of its contents is *iḥyā' uṣūl al-dīn*, "The revival of the religious sciences" in four volumes, which is divided into four "quarters", dealing with *'ibādāt* (cult practices), *'ādāt* (social customs), *muhlikāt* (vices, or faults of character leading to perdition), *mundjīyāt* (virtues, or qualities leading to salvation). Each volume contains ten books. The *iḥyā'* is thus a complete guide for devout Muslims to every aspect of their religious life, worship and devotional practices, conduct in daily life, the purification of the heart, and advance along the mystic way (E.I., 1965, Vol. II, pp.1039 – 1040).

5.3 Muslim Women's Rights in Egypt: The Personal Status Law (PSL) and Reproductive Rights as an Example

Article (2) of the Egyptian Constitution states: Islam is the religion of the State and Arabic its official language. Principles of Islamic law (*Shari'a*) are the principal sources of legislation.

From reviewing article 2, it becomes obvious that the source of the Egyptian legislation is based on the *Shari'a*, but that does not mean that the *Shari'a* is the sole source of legislation in Egypt, as it also includes parts of the French and British laws. For many Egyptians, this is a logical state of affairs due to the fact that Muslims make up the vast majority of the Egyptian population. However, an in-depth analysis of the article reveals its problematic nature. Before we examine this problematic aspect of article 2 in light of the implementation of *Shari'a*, it is important to review the historical context that produced such an article.

5.3.1. Article 2 of the Egyptian Constitution: its Historical Context

There is no doubt that the timing when the 1971 constitution was issued, is considered a critical time in the history of the country as Egypt had been defeated in the 1967 war with Israel, known as the Six-Day War. As a result of this defeat, the general feeling amongst the Egyptian people was to turn to religion as a way of seeking salvation and the only way to recover from the devastating defeat which befell the Muslim nation. Such an attitude is a natural reaction to the big tragedy which had instilled a deep feeling of helplessness among the Egyptians which could only be resolved by turning to God through a fundamental attitude towards religion. Such feelings were overwhelming to both the Muslims and the Copts.

Fadwa El Guindi provides an inclusive analysis of religious revival in its broad work.

According to her:

The relationship between this religious revival and the military and moral defeat becomes more understandable if we consider the role of religion in society and culture. One common view in the anthropological approach to religion emphasizes the manner in which religion reinforces traditional social ties by strengthening and perpetuating the social structure of a group. A less static, but more social-psychological variant of this same orientation emphasizes that religion satisfies the cognitive need for a stable, comprehensible and coercible world and that it enables people to maintain an inner security in the face of uncontrollable disaster (1981: 469).

While Sana Abed-Kotob (1995:323) summarizes the Egyptian's notion as follows:

"Whether the problem is Egypt's defeat by Israel in 1967 or the lack of affordable housing in 1993, activities promote Islam as a political, social, economic, and spiritual embodiment of the solution", many Egyptians regarded the defeat of 1967 as a failure of Nāṣir's secular and socialist nationalist ideology (El Guindi 1981, Ismail 2003). Yet the Islamic solution presented itself firmly, as the Islamists argued that "the failure of both socialism and capitalism to address Egypt's (and the entire Muslim nation's) grievances indicates that only a return to Islam at both the individual and collective levels will bring God back to the side of Muslims" (Abed-Kotob 1995: 232).

Islamic opposition groups, especially the well-established Egyptian Muslim Brotherhood⁴⁶, took advantage of this political climate to manifest themselves once again on the surface of the political arena, after enduring a long persecution by Nāṣir's regime, which was based on the allegation that the Muslim Brotherhood was involved

⁴⁶ The Muslim Brotherhood, founded in 1928 by Ḥasan al-bannā (d.1949): his objective was to build a new generation of believers who will support the *da'wa* and become models for others, [which will] ultimately result in the liberation of the Islamic nation from foreign dominance and a free Islamic State will be established. According to al-bannā's objectives this can only be achieved through the building and reforming of individuals' hearts and souls (Abed-Kotob 1995).

For more details see: LIA, B (1998) The society of the Muslim Brothers in Egypt: the Rise of an Islamic Mass Movement, 1928-1942.

in plotting Nāṣir's assassination in Alexandria on the 26th of October 1954, while he was delivering a speech addressing the nation. The assassination attempt resulted in the execution of a large number of the Muslim Brotherhood's key leaders and intellectual figures, and the long-term imprisonment of many others, while some of them managed to flee and find refuge in exile. According to Saad Eddin Ibrahim (1988:640), the execution included "top theoreticians such as Abdel Qader in 1955 and Sayyid Quṭb in 1965". However the situation was slightly changed during al-Sādāt's regime. Thus it was crucial to highlight on the development of the relationship between the Islamic group and al-Sādāt's regime.

5.3.1.1. The Islamic Group (Political Islam) and Al-Sādāt's Regime

In June 1961⁴⁷, a law which brought radical changes to al-Azhar's management and financial structure was passed. Following these changes a serious question appeared on the surface of the Egyptian Society whether al-Azhar gained or lost its credibility and integrity as a result of the reforms, Zeghal (1999) argues that the modernization of al-Azhar resulted in unforeseen consequences.

The motivation proclaimed by Nāṣir's regime for reforming al-Azhar was to facilitate the integration of the traditional *ulama* into the modernizing process of the whole society, and even though the *ulama* were forced to accommodate and accept these new changes imposed by the regime, they opposed them as a disadvantage to the influence and the reputation of the institution and its *ulama* in the society during the 1960s. Yet, the consequences of these reforms paved the way for the *ulama* to emerge once again in 1970 as a new player within the scope of their own levers of power in the Egyptian

⁴⁷ This point has been explained thoroughly in Chapter Three.

political arena, providing a unique trend. "Thus, the regime of the 1960s played a major role in reshaping al-Azhar's function in the public sphere for the second half of the 20th century" (Zeghal 1999: 3).

While Zeghal (1999) provides a broad framework of the events which resulted in the uprising of al-Azhar's *ulama* as a political player, both Saad Eddin Ibrahim (1980) and Salwa Ismail (2003) articulated the same point through providing a wide definition of the term and concept in respect to Islamic resurgence in Egypt. As for Ibrahim, he classified the Islamic movement in Egypt into three different tendencies; the Islamic establishment, Sufi Islam⁴⁸, and activist Islam. According to him:

[Having] these three tendencies that constitute the resurgence movement, a brief account of what has come to be known as 'Islamic fundamentalism' is in order. In a sense it is this 'fundamentalism' that binds all three tendencies together. The differences among these three tendencies are very much matters of emphasis, concerning such details as their mode of organization, strategy, and tactics (1988: 632).

He also explained that the concept of fundamentalism "is often used in Western mass media more than in Muslim countries. Its closest equivalent in Arabic is *uṣūliyyah* -from *uṣūl al-dīn*, meaning origins or roots of religion. The Arabic term *salafīyyah* that of the past or predecessors is sometimes used interchangeably with *uṣūliyyah*" (Ibrahim 1988: 633).

Parallel with the above explanation of the definitions and concepts, Salwa Ismail (1998, 2003) focuses on defining the terms of conservative Islamist discourse and its role in shaping the political sphere in Egypt. According to her, it is crucial to draw a distinction

⁴⁸ The Grand *Mufti* of Egypt, *Shaykh* Ali Goma, affirms that he himself is a Sufi follower. For more information consult: Al-masry Al-Youm newspaper in Arabic (18.06.2007; Issue No 1100) <http://www.almasry-alyoum.com/article2.aspx?ArticleID=65088&IssueID=709>. (accessed 4 April, 2009)

line between two main concepts in this discourse, namely, conservative⁴⁹ and radical Islam⁵⁰. These distinctions are as follows:

A first distinction between radical Islamism and conservative Islamism, therefore, concerns their respective strategies and modes of action. The former adopts violent means to bring about social transformation, while the latter works within the existing institutions to Islamize society while preserving the political status quo. A second distinction relates to the content of their respective ideologies. The radicals articulate a clear denunciation of society as *jāhiliyyah* (state of ignorance before Islam) and of government as un-Islamic. The concept of *ḥākimiyyah* (God's sovereignty) is central to their doctrine and to their call for jihad. The conservatives anchor their discourse in popular traditions with concerns about the afterlife, the spirits, and rituals. Finally, there is a need to emphasize the location of both within the overall political configuration by looking at their relations to the State, to other political groups, and to one another (Ismail 2003: 28-29).

There is a common platform shared by both radical and conservative Islamist groups which concerns the morality, yet the conservatives “do not dwell on the issue of the legality of present-day government” (Ismail 2003:29). Ismail emphasizes that it is vital to use a comprehensive approach which includes the socio-economic status held by these groups whenever we distinguish between the two groups. While Nadjé Al-Ali argues in favour of denoting the meaning of the term ‘fundamentalist’ as ‘Islamist’. In her view:

Islamist movements and political activists comprise a variety of political positions, ranging from radical militant to moderate. Some Islamist groups are exclusionary and fascist, as is characteristic of fundamentalist movements all over the world. However, there are Islamist individuals and groups who pursue their political goals of establishing an Islamic State and implementing the *Shari‘a* (Islamic law) while considering the rights of religious and ethnic minorities (Al-Ali 2004:147).

⁴⁹ Example: Shaykh Sha‘rāwī and Abdel al Sabour Shahin (Ismail 2003:28)

⁵⁰ Example: Shukri Mustafa the leader of *al-Takfir wa al-Hijra*, Muhammad Faraji the leader of *Jihad* (Moustafa 2000:10).

During the era of al-Sādāt in the 1970s, the government's tendency was to support some of the Islamist groups especially inside the university in order to weaken the existing political organizations and bodies of the leftist and Nāṣirist groups. According to Rudolph Peters (1988), some of these groups received discreet government support to carry on with their task. Peters elucidates, "As a result of the government's more favourable attitude towards political Islam, many Muslim Brethren [sic] were released from the prison camps and many others were allowed to return from exile" (ibid., 1988: 232). Following this policy, the Egyptian government started using more Islamic symbols and paved the way for political Islam. According to Shepard;

The regime of Anwar al-Sādāt was also secular but made more use of the symbols of religion, such as the label "The Believer President" and the slogan "The Government of Science and Religion." It allowed Islamist groups, including the Muslim Brotherhood, to form again—at least unofficially—in part as a counterbalance to the Marxists. This period was marked by what is commonly referred to as an "Islamic resurgence" which included among its various manifestations the call for the application of the *Shari'ā* (*taṭbīq al-shari'ā*) and by a lively debate between secularists and Islamists in the public media and in public forums (1996: 40).

This policy encouraged the birth of political Islam and its advocates to call for the implementation of *Shari'ā* law, and thus a number of private bills were introduced in the Egyptian parliament that aimed at enforcing such laws. The bills varied from dealing with corporal punishment to finances and bank interest, prohibition of the trading of alcoholic beverages and issues of public morality and behaviour. Moreover, between 1976 and 1978, one of the most significant adjustments took place, namely, the amendment of Article 2 of the Egyptian constitution. The article was reversed in its content, "[stressing] that the principles of the *Shari'ā* were the *principal source of legislation* and not just a *principal source* as in the wording of the original article" (Peters 1988: 236).

However this situation did not last for too long, as on the 4th of May, 1986 the Egyptian government through its parliament sent a clear message "that the proposals for codification of the *Shari'ah* had been shelved" (Peter 1988:246). By conveying such a message, the government was closing the door on such a law and preparing the way for the existing law to move on. However this procedure did not influence the position of the Family & Personal Status Law as it continued to base its legislations on the principles of the *Shari'ah*. As Mervat Hatem asserted:

It has been argued elsewhere that, in this way, the Egyptian State politically demobilized the use of Islam as an oppositional tool and continued the practice of what Abdel Baki Hermassi described as *de facto* secularism. Under both the Nāṣir and Sādāt regimes, most economic and political policies were formulated without any reference to Islamic concepts and perspectives. Religion remained marginal to legislation, decision-making and adjudication, with the personal status law [being] only [an] exception (1998: 92).

5.3.2. The Status of Women's Rights under the Existing *Shari'ah*-based Legislation

For the past decades and up to the present day, Egypt has witnessed a heated debate between two key players in the Egyptian society concerning the status of women in Egypt: the secularists, and the Islamists. The former camp advocates eliminating all forms of discrimination in the existing laws and replacing them with modern laws which provide for equality between women and men in terms of inheritance, abolishing polygamy, access to abortion, eradicating FGM, sexual freedom etc... Such demands have been faced by strong and ferocious opposition by Islamists.

However, before proceeding further into this discussion, it is quite important to highlight the different elements that shape and influence the relationship between the secular and the Islamist camps in Egypt. Hence, by using the word Islamist, I mean

here al-Azhar scholars and other groups advocating the implementation of *Shari'ah* in Egypt.

According to Nikki R. Keddie (2003:14), the terms secular⁵¹ and secularism refer to:

The term derived in Middle English from the Old French word secular (itself from the Latin *saecularis*), the word originally referred to clergy who were not bound by the religious rules of a monastic order [and] It was only in the nineteenth century that the word 'secular' came to be associated with 'secularists' who espoused a doctrine of 'secularism' - that is, the belief that religious institutions and values should play no role in the temporal affairs of the nation-State.

With a quick glance at the definition, we can understand the primary reason for the clash between the secular and the Islamist groups. Both groups are calling for a completely different set of ideas, identity, and vision, and above all they claim the correctness of their reasoning over each other; in other words a clash of 'us' versus 'them'. Therefore, there is a need to examine the historical events that have resulted in such a clash.

“[Dating back to] the first half of the ninth century a majority of the Egyptian population had adopted Islam through non-coercive means of Islamization on a massive scale” (Becker 1924 cited in El Guindi 1981). Since then, Islam has remained the dominant religion in Egypt and with the establishment of al-Azhar, it continues to influence the social, cultural and even the daily lives of Egyptians. However, with the first concrete encounters with European colonialism during the Napoleonic expedition to Egypt (1798-1801), the existing social and cultural structures of the Egyptian community were challenged.

⁵¹ The Cambridge Dictionary defines it as “the belief that religion should not be involved with the ordinary social and political activities of a country.”

<http://dictionary.cambridge.org/define.asp?key=71094&dict=CALD> (accessed 27 April, 2009)

Later on, and during Muhammad Ali Pasha's era, with his project of modernizing Egypt through dispatching students to Europe, mainly France, to attain the latest knowledge, more debates were initiated by the educated elite, challenging Islam and the foundations of the Islamic community. El-Guindi (1981:472) explains:

Receptiveness to western secularist nationalism, reinforced by revived patriotism, began to surface and appeared to challenge Islam and the foundation of the Islamic community. This challenge came from an indigenous intellectual elite influenced by European, especially French, thought and culture. In their writings this elite expressed arguments for secularist patriotist -nationalist ideology.

Along the lines of El-Gunidi's account of secularist nationalism, Margot Badran asserts that as by the later years of the 19th century, the notion of secularism was held and placed at the core of the new wave of "nationalist ideology of the Arab awakening emerging in Ottoman-controlled Arab land". The ideology they promoted was to build up an "Arab nation around a common past, cultural and territory over religio-ethnic nations of the Ottoman Empire" (2001:46).

However the religious elite who are represented by the *ulama* of al-Azhar did not let such challenges pass in a silent mode, nor did they accept them or hold passive positions towards the new wave. "Ironically, while they argued against secularist patriotism they were on the same side in the controversy with the throne. The secularists, on the other hand, influenced by western ideas, stood against both the throne and the western colonial forces (El-Guindi 1981:472). It is worth noting that the meaning of the term secular has a different meaning in the Middle East from a historical point of view; hence the notion was to refer to the context of encounters with modernization (Badran 2001, Keddie 2003).

Therefore, the prospect of both the secularists and the Islamists reaching an agreement or mutual understanding on the transformation of society will not be achievable; in fact

it may be out of the question. Abdullahi A. An-Na'im (2006) argues that the political activists who advocated and called for the implementation of the *Shari'ah*, have, in the course of this process, neglected the free choices of persons and communities in accommodating and accepting the proposed changes.

I am supporting this point of view, but I am also expanding the argument to include the secular activists too. Both of them want to transform the society according to their own understanding and on their own terms through controlling the State. In my view, both of them will sooner or later fail. I back up my view with the example of Turkey, where the State forced women not to wear the veil, which resulted in the exclusion of a large number of women from higher education (Badran 2001, Keddie 2003); while on the opposite side of the spectrum, we find the case of Sudan, where the State imposed the veil on women, which resulted in a high percentage of intellectual women migrating to Western countries.

With reference to the previous discourse on the debate between the secularists and the *ulama* regarding women's rights, it was noted that the result of this confrontation demonstrates that the final sayings in this regard are more or less in the hands of the Islamic mainstream body regulated by the *ulama*. However, I believe that one of the positive outcomes of this discourse is the active engagement of women representing almost all political, social, intellectual and economic segments of Egyptian society in studying the current existing laws alongside *fiqh* and Islamic law. Their aim is to understand the dynamics of these legislations and their impact on women's rights in the society.

Furthermore, such debates between the secularists and the Islamists send alarming signals warning women who strive for justice and equality that the road of struggle is

not only long but also that their achievements since the birth of the feminist movement are in danger. A document presented by the Communication Group for the Enhancement of the Status of Women in Egypt (1992) brings to light this issue:

As the twentieth century draws to a close, there is a very real danger that the momentum of the Egyptian women's movement may have been halted or even reversed. Enormous pressure is being brought to bear on the women of Egypt by forces actively working to create a general climate in the country that could eventually deprive them of their rights or impede their exercise of these rights, whether by invoking antiquated habits and customs or by wilfully misinterpreting both man-made laws and divine teachings to suit their purpose (cited in Karam 1998:140).

There is no doubt that the principle of the *Shari'a* has a focal influence in shaping and formulating laws regarding women's rights in Egypt, specifically laws that organise the family or Personal Status Law (PSL), inheritance and women's reproductive rights. However, it is also important not to overlook the legal dimension of the power relations between women's groups and the State. To elucidate this point, it is crucial to highlight and draw on some of these cases.

5.3.2.1. The Personal Status Law (PSL)

One of the most significant examples that can be illustrated here is the Law No. 44/1979, known as 'Jihān's Law' after the first lady Mrs. Jihān al- Sādāt, which was also known in the Egyptian Media as "the flat is the right of the wife"⁵². Jihān's Law replaced the existing laws at that time, which are Laws No. 25/1920 and 25/1929⁵³ (Arabi 2001).

⁵² Title of the film in Arabic "*Al-Chaqqā min Haq al- Zawgah*" or "الشقة من حق الزوجة", produced in 1985, discussing the law and its impact on the family.

⁵³ Laws No. 25/1920 and No. 25/1992 marked a substantial increase in the chance of a wife being accorded judicial divorce. Basing themselves on the Malikai [broad] interpretation of harm [dara], the Egyptian lawmakers gave wives greater freedom to sue for divorce, a state that was not allowed by the Hanafi Family Law, officially consecrated by the State in 1987 (Arabi 2001:2).

Three main changes were suggested and introduced by the designated law; Hatem (2003:185) summarized them as follows:

First, it required the notification of the first wife that her husband had taken another. Secondly, it considered the husband's decision to take a second wife to be a source of "harm" [or *dara*] to the first wife and, therefore, entitled her to file for divorce if she chose to. Finally, a divorced wife with children was entitled to keep the family [including the flat or house where they reside] until her children were grown-ups.

Although these changes were not radical in that they did not oppose men's right to polygamy or bestow upon women unqualified rights to divorce, they generated a tremendous controversy between supporters and opponents of the deal. The latter ones were coordinated by the Islamist groups, who managed to mobilize the public against the law. Their argument was based on the fact that the law violated *Shari'ah* law and the Islamic teachings which provide men with the right to polygamy. What is considered rather odd is the position of the leftist women during the course of these events, according to Al-Ali;

The *ittiḥād al-nissā' al-taqadumī* (progressive women's union, affiliated with the leftist Tagammu' party) argued that [the law] was passed unconstitutionally by [the late president] Sādāt and should therefore be annulled. In this debate nationalist leftist women, who opposed Sādāt's policies of *infitāḥ* and rapprochement with Israel, could be found arguing on the same lines as the Islamists and the Azhar who were enraged by the reformed Personal Status Law (2000:75-76).

Ironically, according to Ibrahim (1988), Mrs. al-Sādāt managed to secure the support of the *ulama* for her initiative regarding the reform of the Personal Status Law. The law was passed by presidential decree in June 1979⁵⁴.

⁵⁴ In 1985, the Supreme Constitutional-Court declared that the existing Personal Status Law, known as "Jihān's Law", is unconstitutional as President Sadat passed the law by presidential decree rather than had it debated in the Parliament as normal procedures dictated.

5.3.2.2. Reproductive Rights: FGM, Abortion and Family Planning

On 30th December 2007 the Complaints and Suggestions Committee⁵⁵ at the Egyptian People's Assembly approved a proposal regarding a draft law which constitutes an amendment of article 210 of the Penal Code No. 58 of 1937 on the permissibility of abortion for the female survivor of rape. In line with this event, the late *Shaykh* al-Azhar Muhammad Sayidd Ṭanṭāwī issued a *fatwa* to support such a law. Such a controversial *fatwa* provoked an outright rejection by the *ulama*. The *ulama* based their rejection on two points; according to them:

1. it would open the door for prostitutes to have access to legal and safe abortion in public hospitals;
2. it was perceived as a new method for humiliating women, due to the weakness of the community in protecting and providing safety for women.

Subjects such as abortion, FGM and family planning have always been a source [of] dispute and have always generated a heated debate within Egyptian society. Danna Lee Brown describes the situation as “a growing religious furore” (1997:161). The debate constantly focuses on one concern, [namely] what is “permissible” or “forbidden” by religion. But on the other hand, it has opened the door for women, and groups that are concerned with women's welfare, to challenge the religious authority and put pressure upon them to come up with alternative solutions rather than limiting themselves to the two words “permissible” or “forbidden”.

⁵⁵ Ikhwan-online (in Arabic): <http://www.ikhwanonline.com/article.asp?ArtID=3321&SecID=360> (accessed 2 May ,2009)

Yet, on the other hand, such sensitive issues contribute to the creation of high tension between the State and al-Azhar/Islamist groups. Therefore, it will be worthwhile to review the historical circumstances where the issues of women's reproductive rights appeared on the surface demanding attention by the State but also creating a clash with al-Azhar ulama. But before we proceed, there is a need to define the terms *reproductive rights* and *reproductive health*. The United Nations Population Fund (UNFPA)⁵⁶ defines the term *reproductive rights* as:

[Include] the basic rights of all couples and individuals to decide freely and responsibly the number, spacing and timing of their children and to have the information and means to do so. It also includes their right to decisions concerning reproduction free of discrimination, coercion, and violence as expressed in human rights documents (FWCW⁵⁷ Platform for Action Paragraph 95).

The term reproductive health "is a state of complete physical, mental and social well-being (not merely the absence of disease or infirmity) in all matters related to the productive system and its functions and processes⁵⁸". In Egypt, the term *reproductive rights* does not quite resemble and represent its accurate definition. Aide Seif El Dawla (2000:46) explained that "the Arabic equivalent of 'reproductive rights', *al-ḥuqūq al-injābiyyah*, literally means 'rights associated with giving birth'. This concept is not self-explanatory for Arabic-speaking people, as it has no significance in Arabic".

My aim in providing these definitions is to highlight what is in my opinion a crucial point, which is the significance of women's health and welfare as a fundamental principle in human rights.

⁵⁶ Sources: UNFPA: www.unfpa.org/intercenter/cycle/introduction.htm (accessed 5 May, 2009)

⁵⁷ Fourth World Conference on Women; Beijing, China - September 1995.

⁵⁸ Quoted from FWCW Platform for Action Paragraph 7.2

We need to return now to the previous discussion about reviewing the historical circumstances that influence the debate on women's reproductive rights in Egypt and the role played by the *ulama* in shaping those rights. Thus, I will focus on three main international forums:

(A) The Case of CNN and its Report on FGM (1993)

FGM⁵⁹ is a general term used to describe a harmful traditional practice targeting young girls in Egypt. For many years the debate regarding FGM was receiving attention among doctors, religious scholars, women, human and child rights activists in an attempt to eradicate the practice. Yet, while some support this practice others oppose it. In September 1993, CNN managed to record and broadcast an operation of FGM on a young girl while she was screaming and kicking. As a result of this coverage the Egyptian government was compelled to take active steps in condemning the practice. According to Badran (2009), the government took further steps beyond the condemnation:

The Egyptian government was compelled to give progressive activist forces the opportunity to organize themselves, public space to operate in, and facilitation of international contacts. The government in short, had to demonstrate to the international community that democracy, especially freedom of speech, existed, and it also had to provide strong security when religious conservative forces threatened disruption (2009:174).

⁵⁹ Female Genital Mutilation (FGM): Known also as female circumcision (FC), female genital operation or surgeries (FGOs) and female cutting (FC). The practice involves the cutting of the genital part of young girls and the stitching together of the vulva in some types of FGM. The term had been adopted by the United Nations Fourth World Conference on Women in Beijing in 1999. The practice is also known as "Sudanese Circumcision" in upper or southern Egypt, while in Sudan its known as "Pharaonic Circumcision". Some Muslim communities believe that Islam requires female circumcision, known as *Sunnah*, where the degree of the cutting is less than in other cases, their beliefs are based on a *hadith* by the prophet Muhammad (peace be upon him). Yet this narration on female circumcision is not reliable and is classified as "weak" by Abu Dawud. FGM is practiced in 28 countries in Africa, as well as some cases in Asia and the Middle East. Also numbers are increasing in Europe, America, Canada, and Austria among immigrant communities. The estimated number of girls and women who undergo the operation between 100 and 140 million. Additionally, each year about 2 million girls are at risk of undergoing FGM. Reasons for practicing FGM can be classified under cultural, religious, and health justifications.

However, such an act in its metaphoric sense was like adding oil to fire, as “from 1992 to 1996, al-Azhar increasingly opposed [the] government’s policy [towards] a number of sensitive issues” (Moustafa 2000:13). In response to the government’s policy on FGM, al-Azhar persistently defended the practice, and resorted to issuing a *fatwa* by al-Azhar’s Supreme *Shaykh* who at that time was Jad al-Ḥaqq Ali Jad al-Ḥaqq. In his *fatwa*, he was arguing the significance of the practice from a religious point of view: “if girls are not circumcised as the Prophet [Muhammad] said, they will be subjected to situations that will lead them to immorality and corruption” (Cordahi 1995 cited in Moustafa 2000). In addition, Jad al-Ḥaqq even “made the provocative claim that to speak against female circumcision was to speak against Islam” (Badran 2009:181).

In this respect, *Shaykh* Muhammad Shāltout (Former *Shaykh* of al-Azhar from 1958 to 1963) addressed the issue of FGM from both legal and religious aspects in his book *Fatwas: Research on the Problems of the Modern Muslim in Private and Public Life*⁶⁰. According to him, circumcising girls has no religious or medical justifications. He pointed to a general religious principle forbidding inflicting pain on a living creature except when the benefit outweighs the pain. He takes pains to explain the difference between male circumcision and that of girls and the reason that the former was required by Islamic law.

He also disapproves the claim made by many physicians that circumcision prevents women's sexual urges. He argues that women’s sexual urges, are influenced only by her body build and the strength or weakness of her glands. Proof of this, he says, is the inappropriate sexual practices of some women who have been circumcised. [In his

⁶⁰ For more details see M. Shaltout, *Fatwas – Research on the Problems of the Modern Muslim in Private and Public Life*. Al-Qahera, Dar Al-Sharouf, 2001

view] “the entire issue is contingent upon the people, the environment, education, and the amount of supervision. He concludes, nothing, whether religious, moral, or medical, requires circumcising girls or commands its necessity” (B. Chernitsky 2003).

In connection with this argument, the final say was by the late Muhammad Sayidd Ṭanṭāwī - former Grand *Mufti* and al-Azhar *Shaykh* - as he condemned the practice, and regarded it as a harmful custom which has nothing to do with Islam. Finally, it is noted that a large section from al-Azhar conservative *ulama* and the Islamists reject this view and advocate FC.

(B) The United Nations International Conference (ICPD) Cairo (1994)

This is considered one of the UN conferences that created tremendous controversy during its time. The conference was held in Cairo in 1994 with an agenda to focus on drawing the world’s attention to the interaction between religion, family planning methods and women’s issues, such as abortion and women’s sexuality. It also “generated considerable public discussion of abortion in the Cairo Press” (Brown J. 1997:171).

The conference was perceived by the *ulama* and the Muslim Brotherhood as anti-Islamic, especially as its platform was based on sexual relationships and abortion. Once again, the presence of al-Azhar’s Supreme *Shaykh* Jad al-Ḥaqq Ali Jad al-Ḥaqq come out against the conference, with the support of members of the Academy of Islamic Research who condemned the conference. The ICPD conference was considered important in terms of what “was supposed to give Mubārak’s government increasing legitimacy in the developing world” (Al-Wafd and Al-Ahram 1994 cited in Zagale 1999:391).

Nevertheless, the late al-Azhar *Shaykh* Muhammad Sayidd Ṭanṭāwī held a different view from that of Jad al-Haqq regarding the conference, as he defended it and asserted that, according to Islam, abortion is acceptable under specific circumstances. Ṭanṭāwī and his *fatāwā* always created controversial debates, since many Egyptian intellectuals perceived him as a progressive *Shaykh*, while the Islamists and some of al-Azhar's *ulama* saw him as the government's puppet.

(C) Family Planning Program (Mid 1980s)

Based on the Central Agency for Public Mobilization & Statistics (CAPMAS), the total population of Egypt reached 78.7 million in 1st of May 2008, the majority of whom resided along the Nile Delta. Population growth, as suggested by many economists, is one of the main elements that hinders the development and prosperity of the country. Kamran Asdar Ali (1996:15) mentioned that “the international consultants of the family planning program were one of the first to recommend the restriction of subsidies in Egypt”. They aimed at encouraging families to adopt family planning as a voluntary choice especially in light of the increasing economic burden of having many children as a result of reducing State support.

Since the implementation of the Family Planning Program under the international fund, the State has been met with a range of criticisms mainly by the *ulama* and Islamist groups (Ali 1996, Seif El Dawla 2000, Brown 1997). To counter these criticisms, the State has focused its message on the importance of having a healthy nation even with a smaller population, rather than unhealthy nation with a larger one. Furthermore, the Egyptian government has sought backup from its reliable religious alliance in the shape of the formal Azhar *ulama*, or the State's Azhar.

The support can be illustrated in the following writing by the late Grand *Mufti* of Egypt, *Shaykh* Muhammad Sayidd Ṭanṭāwī: “Once more we say: welcome to a good, big strong productive population, but not to a weak, poor and large population which goes astray from the right path and depends on others for its necessities; a small population is far better” (Ṭanṭāwī 1988 cited in Ali 1996:17).

Conclusion

There is no doubt that the second article in the Egyptian Constitution which firmly stipulates *Shari‘a* as the fundamental source of law in Egypt (article (2): Islam is the religion of the State and Arabic its official language, Principles of Islamic law (*Shari‘a*) are the main sources of legislation), has played a tremendously influential role in determining women’s entitlement rights in the Egyptian society.

It is noted that the result of the confrontation between the secularists and the *ulama* on women’s rights demonstrate that the final word in this regard is more or less in the hands of the Islamic mainstream body regulated by the *ulama*. However, the *ulama* and mainly the conservative group, maintain different insights on the discourse. They accuse the State of being too pliable and not following the *Shari‘a*, not just for the society as a whole, but explicitly on women’s issues.

With reference to the above cited examples, some pertinent questions present themselves firmly as follows:

1. in face of all these mutually contradicting and controversial *fatāwā*, how do Egyptian Muslim women act and react towards their new and current problems;
2. how do women accommodate the role of *ulama* in shaping women’s rights in Egypt, and also the role of the State in this regard; and

3. do the *ulama* still possess integrity in the contemporary Egyptian society?

To answer these questions, it is crucial to examine the current situation through conducting field research in Egypt where two main governorates were selected: namely Cairo and Qena.

In the following chapter, a comprehensive outline for the research plan and the selection of the research methodology and its paradigm will be presented.

Chapter Six: Part One - Research Design and Field Work

The aim of this chapter is to provide a descriptive presentation of the research design, and will include the following: (a) research main and subsidiary questions; (b) geographical areas of the research; (c) target informants/participants; and (d) data collection methodology. This chapter additionally provides an overview of the obstacles encountered during field work, which will be discussed and analyzed.

Section One

6.1. Rationale for the Research Approach/ Paradigm

To highlight the rationale on which the research approach of this study is based, it is useful first to define some key concepts.

6.1.1. Definition of Paradigm

John Gill and Phil Johnson (1997) define paradigm as “a perspective from which distinctive conceptualisations and explanations of phenomena are proposed”, whilst Michael Bassy (1990) defines it as a “network of coherent ideas about the nature of the world and the functions of researchers, which [is] adhered to by a group of researchers, conditions the patterns of their thinking and underpins their research actions” [sic] (cited in Jo Allan 2002:10).

According to Dean Garratt (2005: 207) the term paradigm can be traced back to 1970 in Thomas Kuhn’s work. For Kuhn:

Paradigm is connected with the set of beliefs, procedures and working practices that inform the dominant world view [sic] and which shape the context of modern science. A paradigm is nothing more or less than a conceptual framework, providing a model from which spring particular coherent traditions of scientific research such as Newtonian physics or wave optics.

Garratt states that although Kuhn “would acknowledge the presence of anomalies and inconsistencies in modern science, he would also emphasize that any normal period of science is governed by regulative ideas that constitute the prevailing view”. Michael Patton provides another definition of the term, which is:

Paradigm is a world view, a general perspective, a way of breaking down the complexity of the real world, paradigms are deeply embedded in the socialization of adherents and practitioners telling them what is important, what is legitimate, what is reasonable. Paradigms are normative; they tell the practitioner what to do without the necessity of long existential or epistemological consideration. But it is this aspect of a paradigm that constitutes both its strength and its weakness—its strength is that it makes action possible, its weakness is that the very reason for action is hidden in the unquestioned assumptions of the paradigm (1975:15).

According to Jo Allan (2002), traditional academic research focuses on one or two paradigms which are positivism and interpretivism⁶¹. The two groups hold opposing views about the “nature of reality, the former believing that there is one reality in [a] rational quantifiable world, whilst the latter perceives multiple realities in a world open to individual interpretation” (2002:10).

In accordance with Allan’s above statement, Bassy (1990) explains the interpretative approach in the following terms:

Conversely interpretivists reject the idea that there is one reality, existing irrespective of the influence of individual human beings. Interpretivism is a perspective from which reality is perceived as a construct of the human mind such that there can be different interpretations of what is real and, in consequence, no one reality which [sic] exists irrespective of individuals (cited in Allan 2002:12).

⁶¹ The interpretive approach is associated with two German philosophers, namely Max Weber (1864-1920) and Wilhem Dilthey (1833- 1991). Weber argued that social science needed to study meaningful social action or social action with a purpose. This argument tallied with that of Dilthey who rooted for ‘abstract explanations’ and emphatic understanding. Both Weber and Dilthey agreed on ‘emphatics understanding’. Thus interpretive social science is related to hermeneutics, a theory of meaning that originated in the nineteenth century. This theory is largely found in the humanities such as history, philosophy, religious studies, linguistics and literary criticism (Mwanje 2001:1).

In line with the above discourse, adding to the nature of the study, it appears that the most appropriate approach lies in the interpretative paradigm. The study seeks to investigate and understand the issues of contemporary Muslim women's rights in Egypt; that is, the issues of women who are deprived of their rights granted to them through their own faith. By scrutinizing Islamic *ulama's* texts explaining the Holy Qur'an, lawyers' opinions, women's views, attitudes, and reflections, this study attempts to reach a better understanding of the reasons why such violations of women's rights occur. The aim of this approach is to examine the impact of such violations on women's lives and social welfare.

6.1.2. Research Design and Methodology

6.1.2.1. Research Location

The study covers two major main governorates in Egypt⁶², namely Qena and Cairo:

- (a) **Qena**⁶³: The capital of Upper Egypt. It is in the south of the country, and covers a stretch of the Nile valley.

⁶² See Appendix II: Egypt Map

⁶³ During the course of history Qena has been known by a multitude of names: it was called Shabet (The Pharaonic name), Kinoyolous (Greek name), Maksimiat (the Roman name), and Qota {Kouta} (the Coptic name) from which it derived the name Qena. During the Ottoman reign, Qena followed the state of Gerga in 1826: the state of Gerga was divided into provinces, and thus Qena became a province of its own. Under the local authority system, Qena became a governorate. It is known for the importance of its location, as its became connected to Al-Qusser via a passage which was used by caravans travelling from Egypt to Hijaz through Al- Qusser port, and from which Hijazi Arabs come to help their brothers in Qena.

The governorate of Qena lies within the Upper Egypt regain, to the north there is Sohag, and to the south there is Aswan, while the Red Sea governorate lies to its west. Qena lies about 608 Km to the south of Cairo. It is the longest governorate bordering the Nile, its length being about 240 kms, which result in its being great agricultural activity. Qena is about 10798 square km whereas the populated area is about 1740.72 square km. The Governorate divided into 11 districts, which are from north to south Abo Tesht - Farshoot - Nagaa Hamadi - Dershna - Elwakf - Qena - Qaft - Qoos - Naqada - armant - Esna . Its include a total of 11 cities, 51 main villages, 136 sub-villages and 1637 pastures .As for the climate, it is very hot in the summer and cold in winter. Yet the climate is always dry. See Appendix III: Qena Governorate Map For additional information see <http://www.kena.gov.eg/eng/index.htm>

(b) Cairo⁶⁴: The capital of the Arab Republic of Egypt.

The choice of the research area is based on the fact that these two governorates display wide diversity in social, educational, economic, cultural and racial components.

6.1.2.2. Data Collection

This study has relied on a mixed qualitative and quantitative research methodology by using three data collection tools: questionnaires, in-depth interviews, and focus group discussions. The reasoning behind the use of a mixed methodology can be illustrated in Gretchen Rossman and Bruce Wilson (1985, 1991,) who “suggest that there are three broad reasons why qualitative and quantitative methods might both be used in research design: (a) to enable confirmation or corroboration via triangulation; (b) to elaborate or develop analysis by providing richer detail; and (c) to initiate new lines of thinking through attention to surprises or paradoxes to provide fresh insight. They perceive quantitative and qualitative techniques as having complementary strengths such that the former are most appropriate for (corroborating findings initially noted from qualitative

⁶⁴ It is the largest city in the Middle East and Africa and lies at the centre of all routes that lead to and from Asia, Africa and Europe. Cairo, the city of wonders with its civilization, culture and fascinating history is the largest capital in the Arab world. It extends 41.5 km, along the Nile from al Sahel in the North to Helwan and Tebeen in the South. It is where eight million Cairenes, plus a daily influx of two million persons, live on an area of 3435.3 square Kms, or about 0.3 % of the total area of Egypt. The Nile is what gives Cairo that certain “magic” that most of our visitors acknowledge.

Historical Cairo was founded on July 969 AD, 358 (AH) by the Fatimid leader Jawhar Al-Sequilli, by an order from the Fatimid Caliph Al-Mo'iz lideenallah. It was named "the city of the 1000 minarets". Fatimid Cairo is the natural northern extension of three previous Islamic capital cities: Al Fustat, built by Amr Ibn El' Aas following the conquest of Egypt in the Year 20 AH (640 AD), and the first Islamic city in Africa, then the Abbasid city Al Askar and then the third Al Qatai, built by Ahmad Ibn Tulun in 870 AD. The three cities together formed the Fatimid city of Cairo, Al Qāhira.

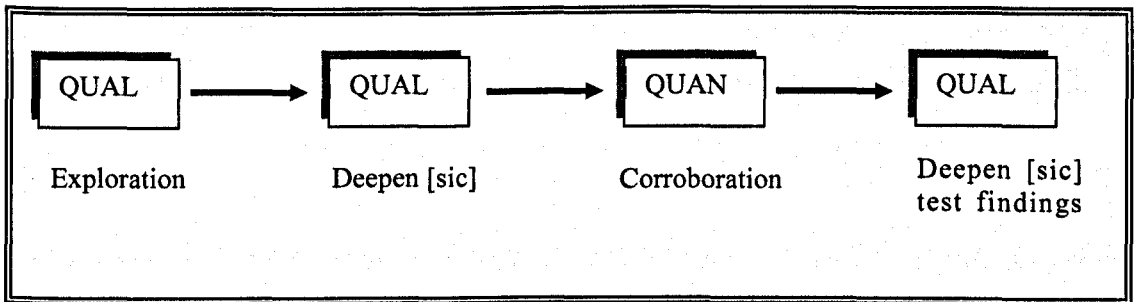
The reign of the Ayyubids, the Mamelukes, the Ottomans, and the dynasty of Muhammad Ali until the modern era has transformed the city into a treasure house of Islamic art and architecture, with more than 600 monuments bearing witness to the continuing history and development of the city. In addition to monuments from the Pharaonic, Roman and Coptic eras. The imprints of each age with its splendour can be visibly seen all over present-day Cairo, echoing the rich culture and civilization revealed to the world over time.

See Appendix IV: Cairo Governorate Map. For additional information see:

<http://www.cairo.gov.eg/default.aspx>

methods) and the latter being used to provide richness or detail to quantitative findings (elaboration)” (cited in Allan 2002:14).

Figure 3: This explains the linkage between the Qualitative and Quantitative enquiry, after Miles and Hagerman (cited in Allan 2002:14).



Janice M Swanson (1994:75) explains the difference between using qualitative and quantitative methods in research. According to her, the differences are “philosophical and a matter of little debate”. Furthermore, according to Mullen and Iverson (1986) “Quantitative methods have developed largely to confirm or verify theory, whereas qualitative methods have been developed to discover theory (cited in Swanson 1994:75). Swanson expanded the discussion to state that researchers were in a dilemma regarding using qualitative or quantitative methods or combining both of the methods in the same research. David Ross Buchanan (1992) captured this dilemma in the following statement:

Positivists want to test hypotheses that will enable them to predict and control human behaviour; the goals of a positivist social science are achieved through experiments... The ends of an interpretive social science are achieved in the process itself of engaging people in dialogue... The value of interpretive social science derives from its ability to aid people in improving their own skills of autonomy and participation in community life (Buchanna cited in Swanson and Chapman 1994: 74-75).

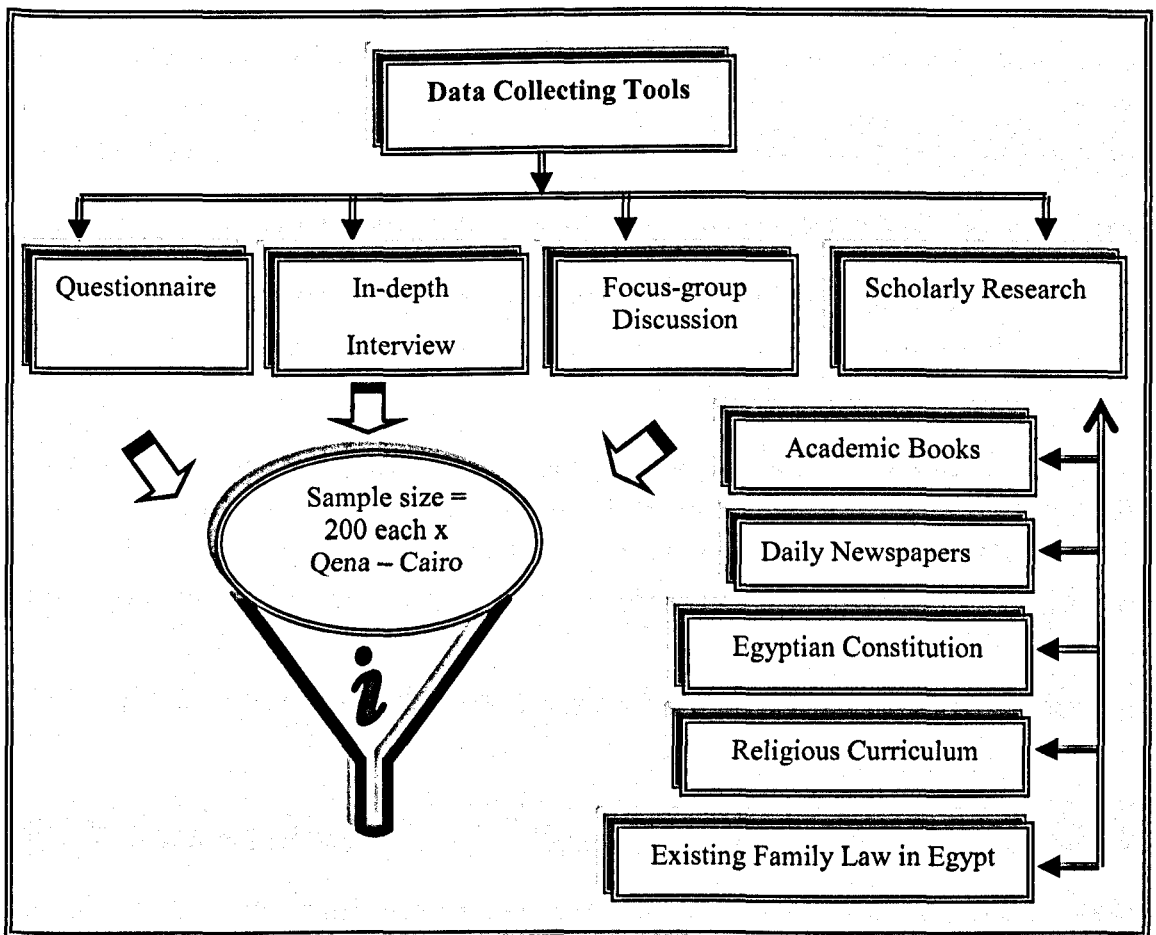
Thus, in this research the questionnaire is used to collect data which reflects the fundamental information from the informants [women] at the first stage of the research, while the in-depth interviews are used to question women / men, *Imams*, and lawyers. The significance of the in-depth interview based on the intention of the researcher (myself in this case) is to seek “both clarification and elaboration on the answers given, which [eventually] enabled [me] to have more latitude to probe beyond the answers and thus enter into a dialogue with the interviewee” (May 2001:123).

In line with May's (2001) account Royce A. Singleton and Bruce C. Straits (2005:320) have pointed out that this technique will enable the researcher to “secure more detailed information on individuals, to get different perspectives on events, and to round out and check information already obtained”. In addition, focus group discussions and informal gatherings with women were carried out to get an in-depth view of the situation, using the same questionnaire as a tool for guiding the discussions. The rationale of using the focus group discussions can be understood in Rossman and Sharon F. Rallis's (2003:193) justification:

The interaction among the participants is the critical characteristic of this type of interviewing. This technique assumes that an individual's attitudes and beliefs do not form in a vacuum: people often need to listen to others' opinions and understandings to clarify their own. Often the questions in a focus group setting are deceptively simple; the trick is to promote interactive talk through the creation of permissive [a] environment.

Gray Anderson and Nancy Arsenault (1998) explain the importance of the focus group discussion in the following terms: “focus group elicits a unique type of in-depth qualitative data which could not be obtained as efficiently any other way” (1998:200). The theoretical framework of the study is based on scholarly/ academic research, the Egyptian constitution and the existing family laws in Egypt.

Figure 4: The stated framework of the study and how the data was collected in this study (source: present researcher)



6.1.2.3. Research Hypothesis

It is essential here to begin with a definition of the term hypothesis. Allan (2000:108) defines the term as “a tentative statement that asserts that something is the case, and defines the research in terms of a quest for evidence to support or refute the hypothesis, where the purpose of the research will be to test the veracity of this hypothesis”.

David Silverman (2000) provides a wider definition of the term, which includes the element that distinguishes between the theory and the hypothesis. He defines the term theory / theories as “[a unit that] arranges sets of concepts to define and explain some phenomenon” since without a theory, such phenomena as ‘death’, ‘tribes’ and ‘families’

can not be understood". He continues his argument, emphasizing the importance of theory in providing research with legitimacy / significance. In addition, the term theory is "self-confirming in the sense that it instructs the [researcher] to look at the phenomena in a particular way" which means it can never be disapproved but only found to be more or less useful" and this feature is what distinguishes the theory from hypotheses, [because] unlike theory hypotheses are tested in research" (2000:78).

The present research examines the following hypothesis:

1. Access to basic human rights which are granted by Islam to Egyptian Muslim women are influenced by political, cultural and traditional practices.
2. Islam becomes mixed with Arab culture which makes it almost impossible to distinguish between religion and local culture.
3. The media play an important role in raising women's awareness regarding their rights.
4. Education helps familiarize women with their religious rights.

6.1.2.4. Research Main Questions

The research examines the following main questions:

1. How do women see and, to what extent are they aware of their given rights in Islam?
2. What degree of rights violations do they face in their society?
3. What is their understanding of the discrepancies between social/ tradition and the Islamic perception of women's rights?
4. What is the role of education and the media in raising women's awareness

regarding their rights?

5. What is the role of contemporary *ulama* and their explanations of the Holy Qur'an to educate the communities in general and women in particular about their rights?
6. What is the women's perspective on the women's movement / (feminist movement)?
7. How do women and men understand and define the terms 'feminism', 'feminist' and 'Islamic feminism'?

6.1.2.5. Sample Size and Target Group

The sample size is made of a total of 200 informants in each of the two governorates, a selected random sample from amongst religious *ulama*, women / men, activists, lawyers etc ...

6.1.2.6. Validity

Hammersley (1990) understood validity as the truth. According to him "by validity, I mean truth: interpreted as the extent to which an account accurately represents the social phenomena to which it refers" (Hammersley cited in Silverman, 2000:175). Allan agrees with and confirms this definition. She perceives validity in research as "the extent to which the instrument measures what it purports to measure. It seeks to establish the truth of the research and to enhance its credibility" (2002:78). For a valid presentation of the research views, the following steps have been undertaken:

- (a) **Piloting or testing the questionnaire⁶⁵**: The questionnaire is examined and tested as follows:

⁶⁵ See Appendix V: sample of the questionnaire

- At the initial stage, the research supervisor reviewed the questionnaire to ensure that the language used and the questions in the questionnaire are understandable, clear, and not provocative in any way, using a politically correct language which is appropriate for the research.
- The questionnaire was tested by women working in the field of women's studies, gender social development and the media sector and also by women from different social and educational backgrounds.

(b) Triangulation⁶⁶:

Silverman (2000:177) states that the term Triangulation “refers to the attempt to get a ‘true’ fix on a situation by combining different ways of looking at it or different findings”. In accordance with Silverman’s description, Allan (2002:78) states that triangulation is the process in which more than one approach / responses are used to “check the validity of the findings and to provide evidence for having confidence in the findings”, while Greene, Caracelli and Gerham (1989) define it as “the designed use of multiple methods, with offsetting or counteracting biases, in investigation of the same phenomenon in order to strengthen the validity of enquiry results” (cited in Allan 2002:78).

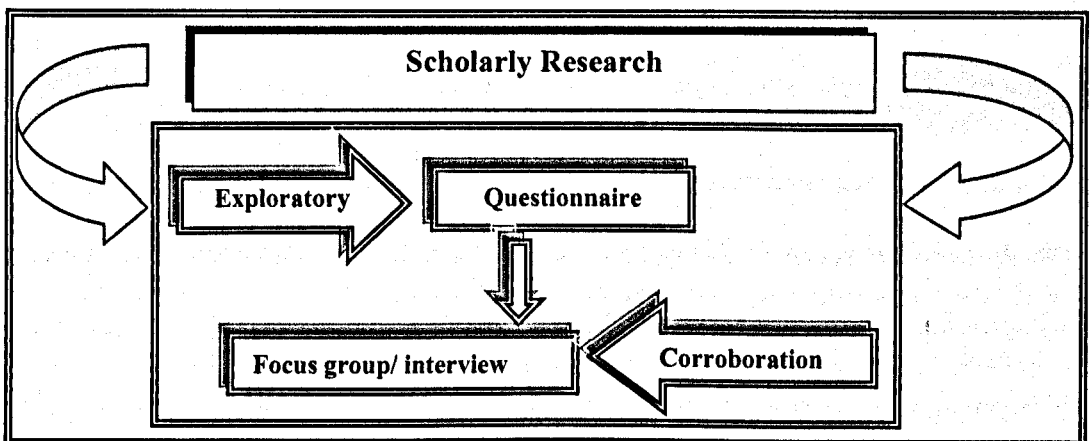
To put it simply, what is understood from the above statements and definitions is that Triangulation is an instrument of measurement in research and inquiries. Although many researchers have emphasized the importance of triangulation in relation to

⁶⁶ The term triangulation has been borrowed by social scientists from the field of navigation to help describe how the use of a multiple, independent approach to a research question can enable an investigator to “zero in” on the answers or information sought (Campbell and Fisks cited in Singleton R, Straits JR. 2005.)

quantitative (traditional) research, other scholars have ‘stretched its potential meaning to embrace a wide range of concerns’ (Bryman A. 1988:131).

Denzin (1970) for example, “treats triangulation as an approach in which multiple observers, theoretical perspectives, sources of data , and methodologies are combined” (Denzin cited in Bryman 1988:131). With this understanding of the term ‘triangulation’, two main methods are used to verify and ensure the validity of the findings; the questionnaire as the exploratory element and then focus group and / interviews as corroboration. Scholarly research will also complete the triangulation inquiry.

Figure 5: The chart explains how the data collection instruments are used as a means of triangulation in the current study, with co-operation of the third angle in the triangulation (source: present researcher)



6.1.2.7. Research Ethics

What are ethics? “Ethics is concerned with the attempt to formulate codes and principles of moral behaviour” (May 2001:59). Hence when we discuss the subject of research ethics, we have to be clear about one fact, namely that each society and community has its own ethical principles and moralities which it derives from its faith

or tradition. All researchers must identify with and respect ethical principles, even if these are not clear or comprehensible to them. Dowine (1971) underlines this issue in the following statement:

Ethical principles can themselves become precepts in laws or underpin law. Laws of privacy or freedom of information are derived from ethical principles. In theist [sic] societies [societies which believe in God] societies, ethical precepts usually originate in religious doctrines, but in secular society, where humans are the measure of all things, such certainties are absent, although there may be a [sic] quite high degree of consensus about certain things (cited in Williams 2003:155).

While Dowine (1971) was focusing on the roots of ethical principles in societies, Sieber (1992) draws up a guideline of ethical principles that researchers should maintain and follow when they conduct research on human subjects [people]. These principles are:

(a) beneficence or maximum benefits to science, humanity, and, the research participants, while risks are kept to a minimum; (b) respect, including protecting the autonomy (and anonymity) of individuals; and (c) justice, involving reasonable, non-exploitive procedures" (cited in Denzin 1997:270).

On the basis of the above, this research investigates the current status of Muslim women's rights, which are considered the subject of one of the heated debates that have attracted many researchers lately, additionally creating a controversy surrounding ethics regarding the topic. Yet the subject remains very challenging to deal with, especially in traditional communities such as those in Upper-Egypt governorates. These communities have their own understanding of ethics and moralities preserved for many decades. Thus, a sensitive approach was required when dealing with the issue.

In this regard, J.A Barnes (1979) points out that the issue of ethics is not just about internal validity or reliability of the inquiry, but it goes beyond that. For Barnes, ethical problems mean "[problems] that arise when we try to decide between one course of action and another, not in terms of expediency or efficiency but [with] reference to

standards of what is morally right or wrong” (Branes 1979:16). Therefore, while conducting the field work for this research, it was felt important to do the following:

- Provide an overview of the research’s subject, aims and objectives to the target group, whether during the distribution of the questionnaires, while conducting the interviews, or when having the focus group discussion ;
- Request approval for tape-recording during interviews and focus group discussions, as some informants may not like to have their personal views recorded.
- Promise the participants that their privacy will be respected, and their personal information will be treated with confidentiality and will not be disclosed or published under any circumstances.
- Respect the informant’s choice if they did not want their accounts/ testimony to be tape-recorded or written.

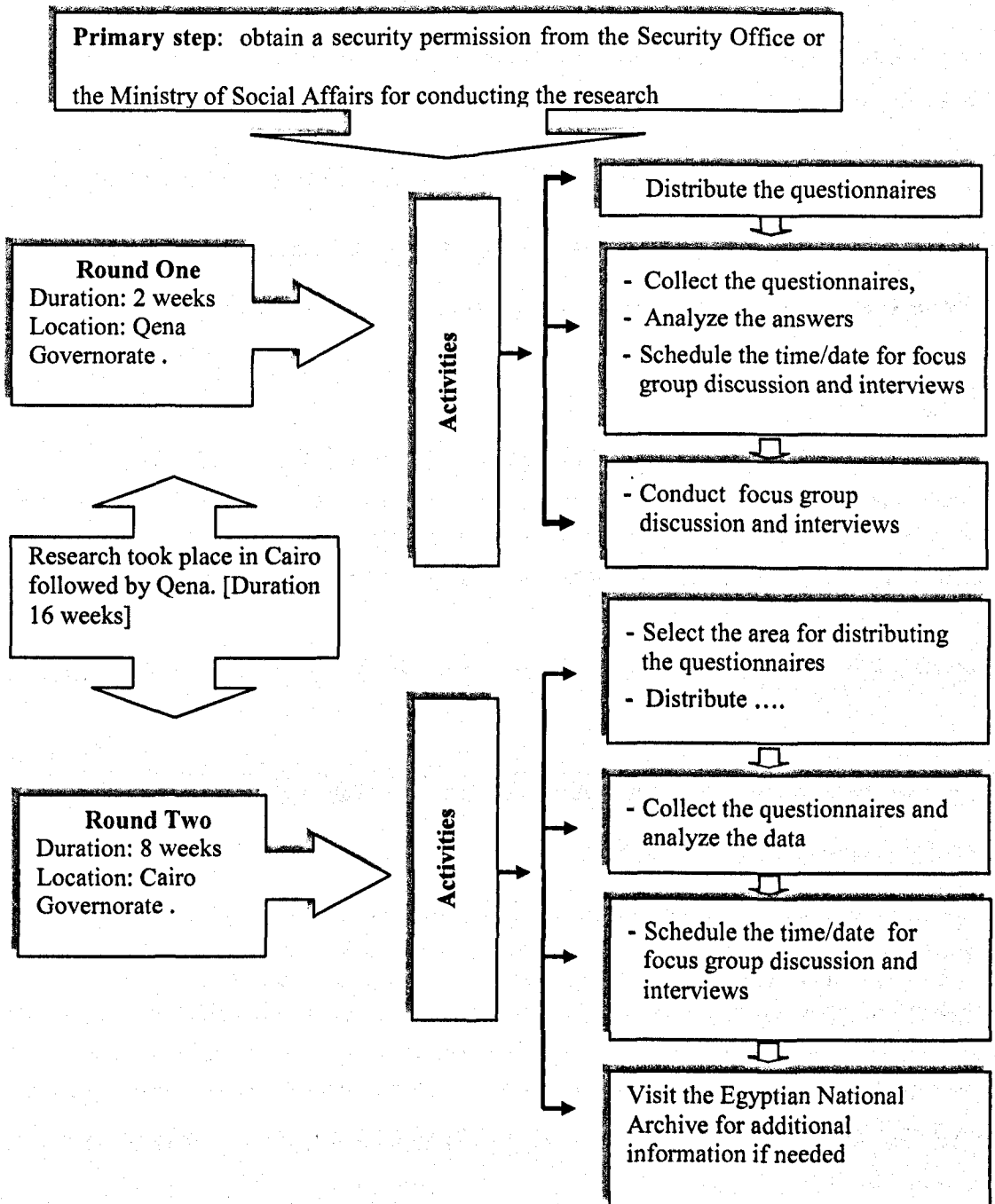
6.1.2.8. Coding

The coding system will take place once the field work ends. In this study the coding will help in analyzing the answers by using the statistical package. It will also be used in summing up/grouping the major issues, which may frequently resurface during the interviews or from my observations, and have great influence on the discussions. This will assist in identifying the main themes during the data analysis process.

6.1.2.9. Research Field Work Time Table

The following (figure 6) explains how the field work phases were conducted. The dark blue colour refers to changes that occurred in the proposed time table.

Figure 6: Initial Time⁶⁷ Table (source: present researcher)



⁶⁷ Based on my experience I was anticipating a slow-down of the research activities during September 2008 as it would be the month of Ramadan.

Section Two

6.2. An Overview of the Obstacles Encountered during the Field-Work

6.2.1. Maintaining the Initial Field Work Timetable

The initial period scheduled for the fieldwork [including all research work] was 10 weeks; however a delay occurred which extended the field-work to 16 weeks mainly due to the following reasons:

- having to wait to obtain permission from the Security Office regarding conducting the research;
- commencement of the month of Ramadan (September 2008): people normally spend the month in visiting their families, and devoting more time to religious practices such as praying and doing volunteer work in helping the poor etc ... and as a result, many women were not keen to spend time filling in the questionnaire;
- the process of initially piloting [testing] the questionnaire taking longer than anticipated;
- changes in plan, where the initial field-work was supposed to start in Qena governorate, but because of the delay and the month of Ramadan, the research took place in Cairo first , then moved to Qena;
- the fact that the data collecting process/ phase in Qena faced some resistance from the informants (reasons explained in the following point 6.2.2).

6.2.2. Resistance from the Informants

With reference to point above (6.1.2.7), under 'Research Ethics', it has been mentioned that the study of women's rights and their status in Islam, is considered to be a sensitive

and heated debate, attracting several academics to attempt to understand the topic, and also creating an ethical challenge that surrounds this topic. By that I meant that some of the researchers' behaviour creates a feeling of mistrust among women - and particularly women in traditional communities - towards researchers in general. According to the women [informants], some researchers did not present accurate information that reflected the true image about their status. They tended to depict women as backward, ignorant and lacking intellectual capacity. But what upset the women most was that such representation was forwarded by the researcher to the global media.

As for the men, they hold a different view than that of the women informants. Accordingly, I have classified them into three groups:

The first group regarded the issue of women's rights as something that was already constructed by religion and did not need further discussion. They claimed that any effort in this matter was a form of propaganda driven by a Western agenda to portray the image of their society as one that is intolerant of women's progress and to transform it into a Western style society.

The second group believed that women have already gained their full rights; while the third group preferred not to discuss the issue in an effort to side-step the topic of women's rights, feeling that it might result in increased awareness and probably social disturbance in regards to women's rights.

6.2.3. Refusing the Documentation of their Testimony (recording or writing)

This was basically driven by and based on their fear of the security agents e.g. the local and national security agents.

6.2.4. Women Showing No Interest in the Research Topic

As far as a certain segment of women are concerned, the new legislations issued by the government helped in improving their status. For those women, the problem is not the laws or the religious teachings; the problem is the society which is guided by tradition and culture, which are not easy to change.

Chapter Six: Part Two - Data Presentation and Analysis

The aim of this second part of chapter five is to present the data collected during the field study in Cairo and Qena Governorates and to provide a brief description of the field study, including the responses received from informants. The data was gathered using various research tools, namely questionnaires, focus group discussions and interviews.

6.3. Survey Background

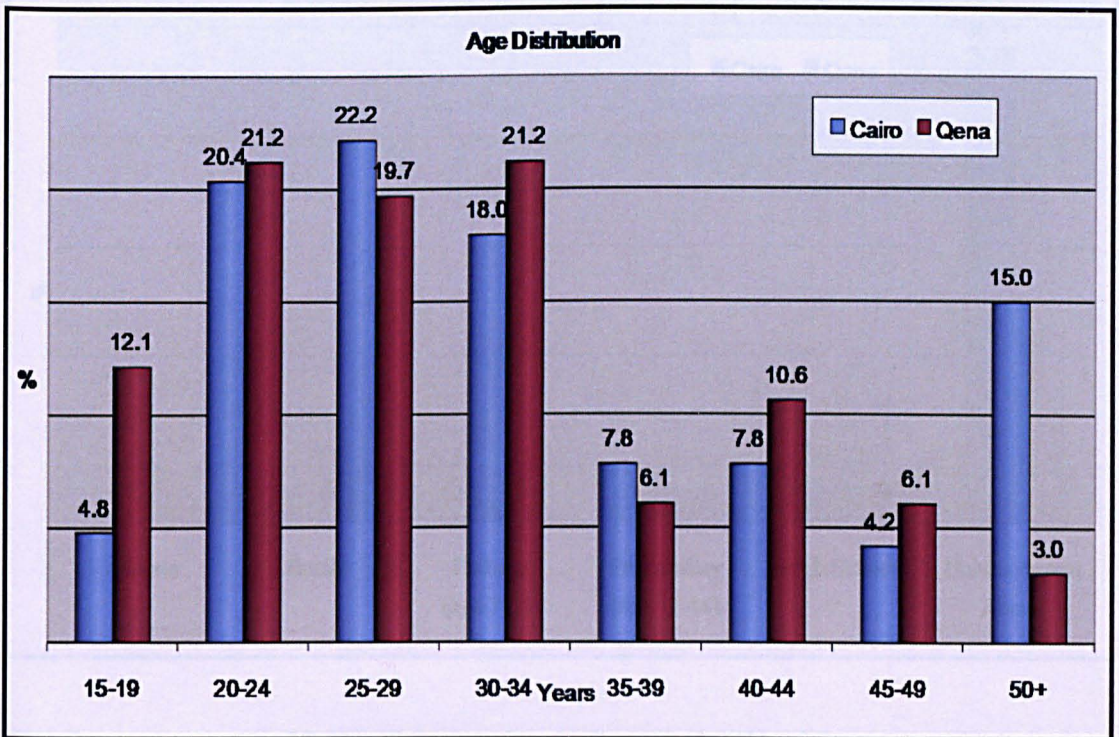
The survey was conducted during the period June to November 2008, covering different residential areas and cities in Cairo, and Khouzam [mother village] and its surrounding areas in Qena Governorate in Upper Egypt. A total of 500 copies of the questionnaires were distributed, originally targeting 200 women in each governorates. In actual terms, however, 233 women participated in answering the questionnaires and were divided as follows 167 women from Cairo and 66 women from Qena.

Respondents from Cairo represented 72% of the total sample. In general, it was realized that women show an insubstantial interest in participating in such surveys, especially in Cairo due to the huge numbers of surveys that had been conducted by both foreign and national researchers, and which specifically tackled the issue of women's rights.

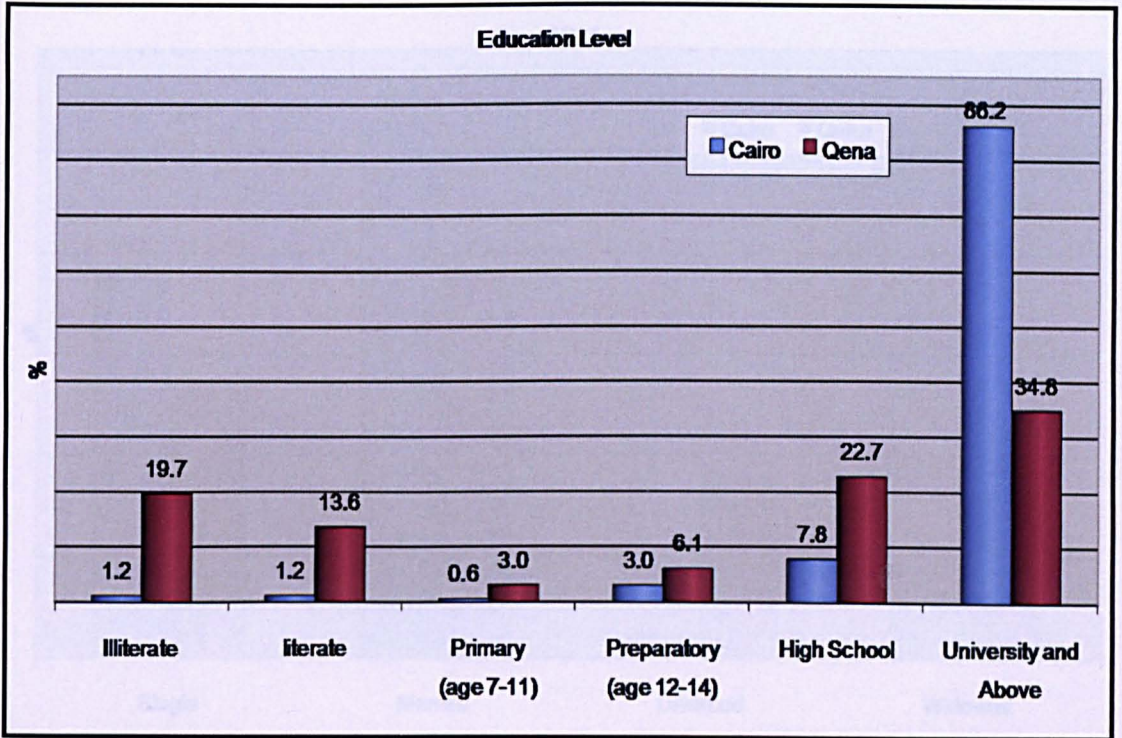
Yet, the situation in Qena was different, given the high illiteracy rates, the vast engagement of women in housework and security reasons. All of these factors contributed to making women more inclined to prefer interviews rather than filling questionnaires. The same pattern was observed with male respondents, particularly with regard to the issue of fearing that their responses may cause them problems with the State security apparatus.

6.4. Data Presentation and Analysis

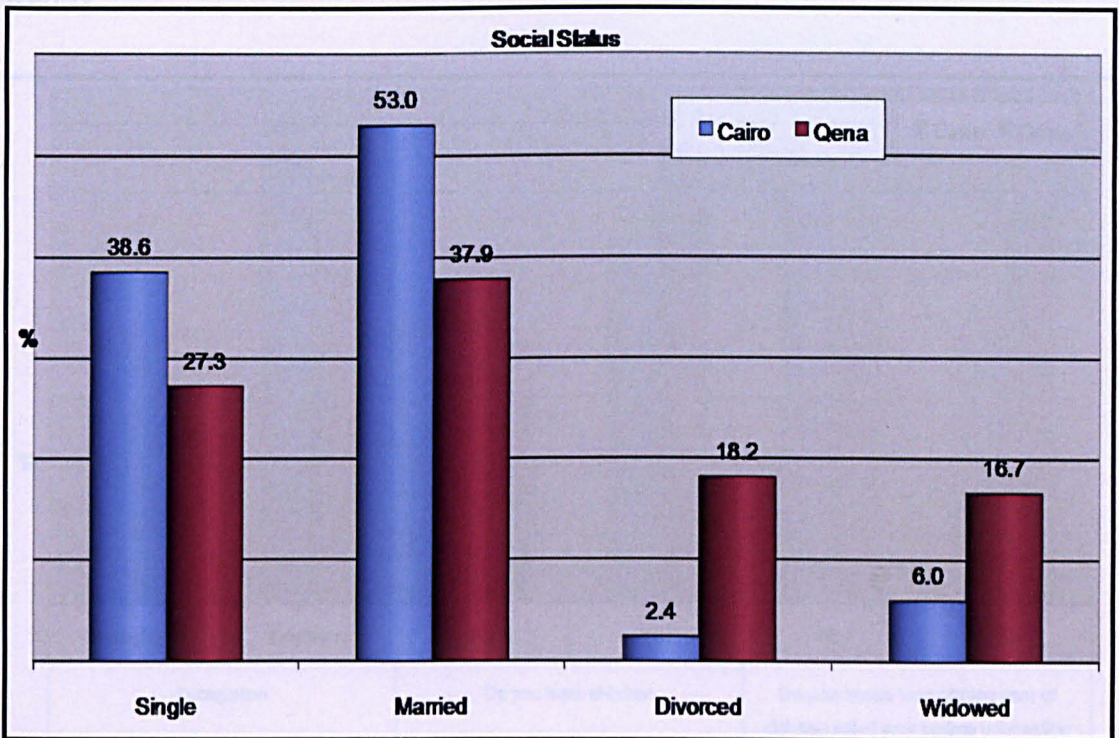
Figure 7: Age Distribution



The figure above explains the age difference of the informants in both governorates, Cairo and Qena. It shows that there is a small difference between the percentages of Cairo and Qena in the two age groups 20-24 and 35-39, while it is three times in Qena at age 15-19, and five times in Cairo at age 50 and above. The age groups 20-24 years and 30-34 years represent 42.4% of the 66 women in Qena while the dominant age group is 25-29 years in Cairo.

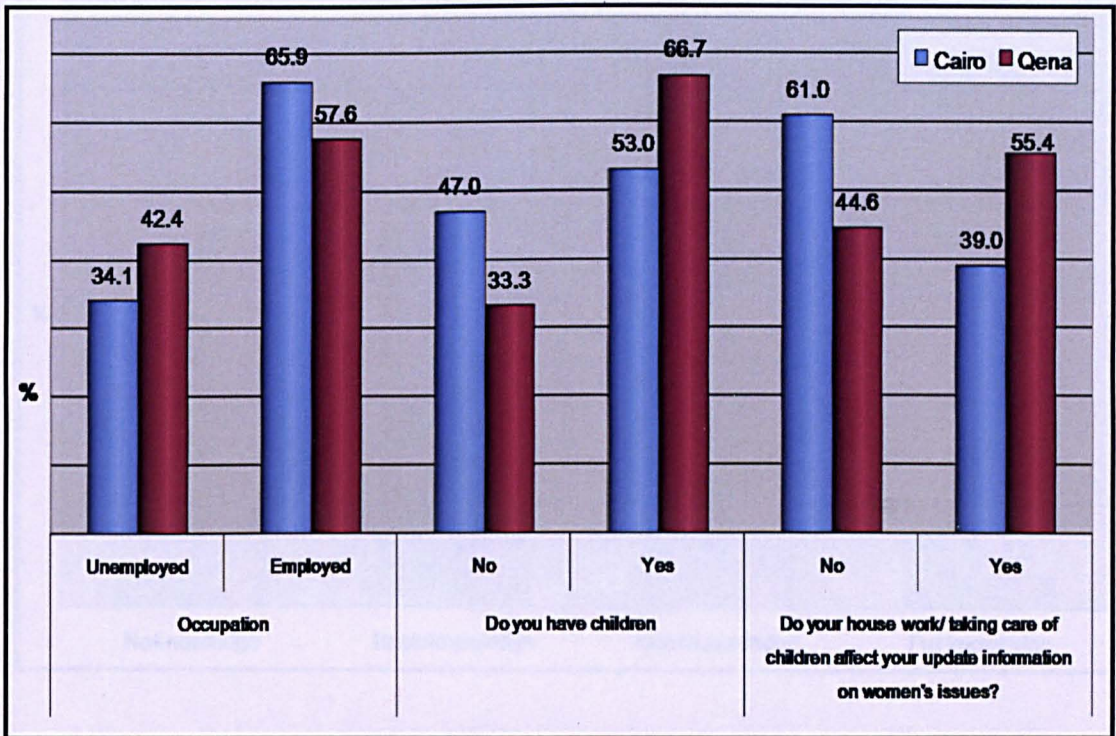
Figure 8: Level of Education

The figure shows that 57.5% of the women in Qena and 94% of the women in Cairo are enrolled in high school, university and above. Almost 20% of the women in Qena are illiterate, which is 16 times the percentage in Cairo in the same group. 14% can read/write and 9% are between primary and preparatory grades in Qena. The percentage rate of educated women increases with the education level in Cairo, while we can see that the education level in Qena is U-shaped.

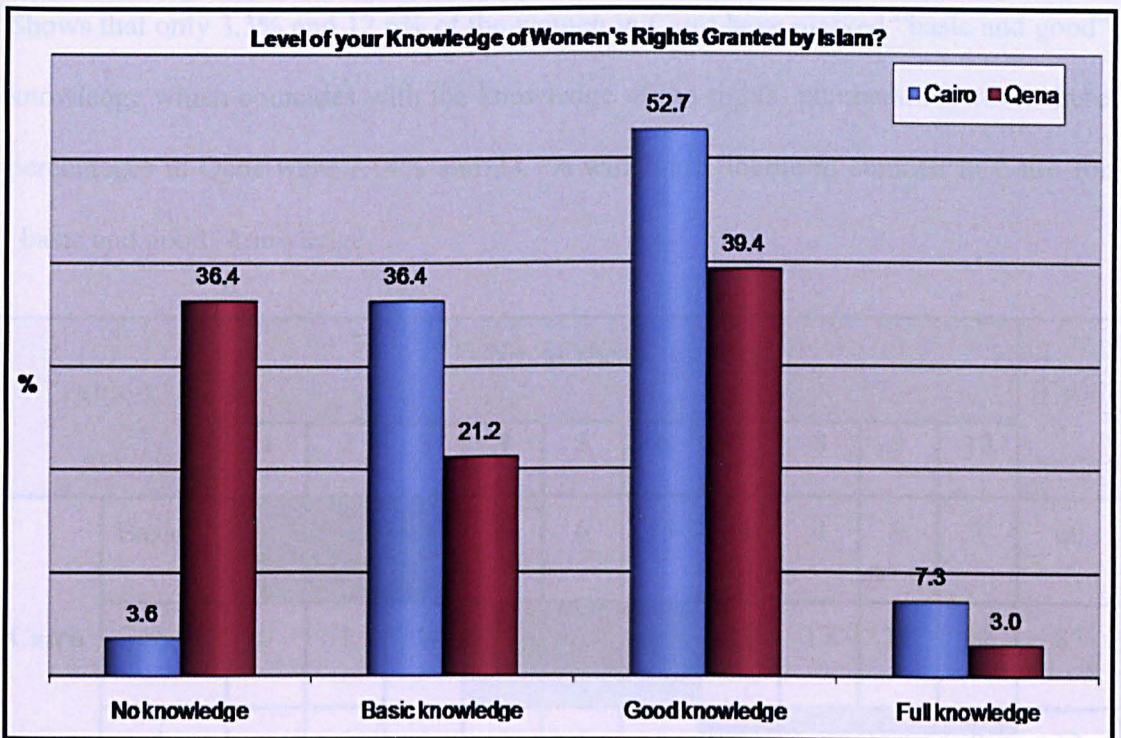
Figure 9: Social Status

More than half of the women informants in both governorates are married, while in Cairo almost one third are single. The women's distribution is concentrated in the married group in both places. However 18.2% of respondents from Qena are divorced while 2.4% of the women are divorced in Cairo.

Figure 10: Influence of Occupation / Housework on Women's Knowledge of their Rights



Almost two-thirds of the women in Cairo are employed and have children. One third of the women in Qena do not have children and almost 42.4% are unemployed. 39% (57 women) in Cairo think that their housework and taking care of their children affects their ability to acquire knowledge on women's issues, and 36 women (55.4%) in Qena reported the same answer. However half of these 36 women in Qena are employed and have children at the same time. This percentage is much less in Cairo, dropping by 6% (25 out of 57).

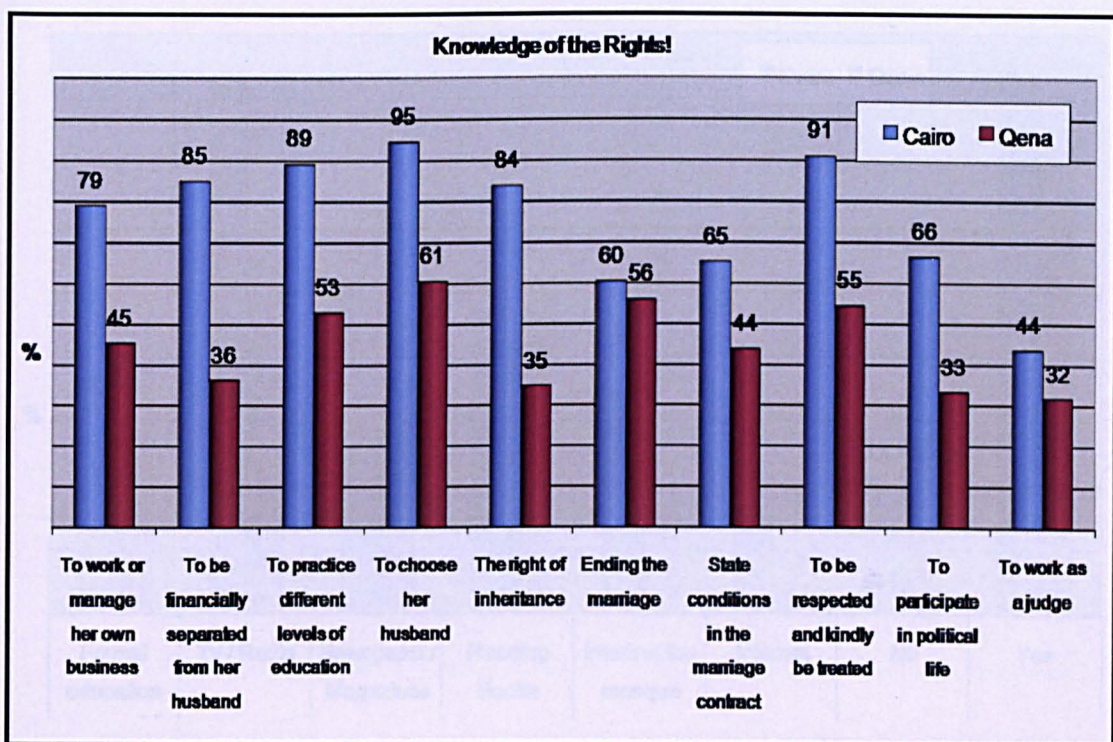
Figure 11: Women's Knowledge of the Rights Granted to them by Islam

The figure shows that 3.6% of women informants from Cairo have no knowledge about the rights granted to them by Islam, while it is more than a third in Qena. Around 89.1% of informants in Cairo answered “Basic Knowledge” and “Good knowledge”. Only 40% answered “Good knowledge” in Qena and a very small percentage (3%) has full knowledge of their rights.

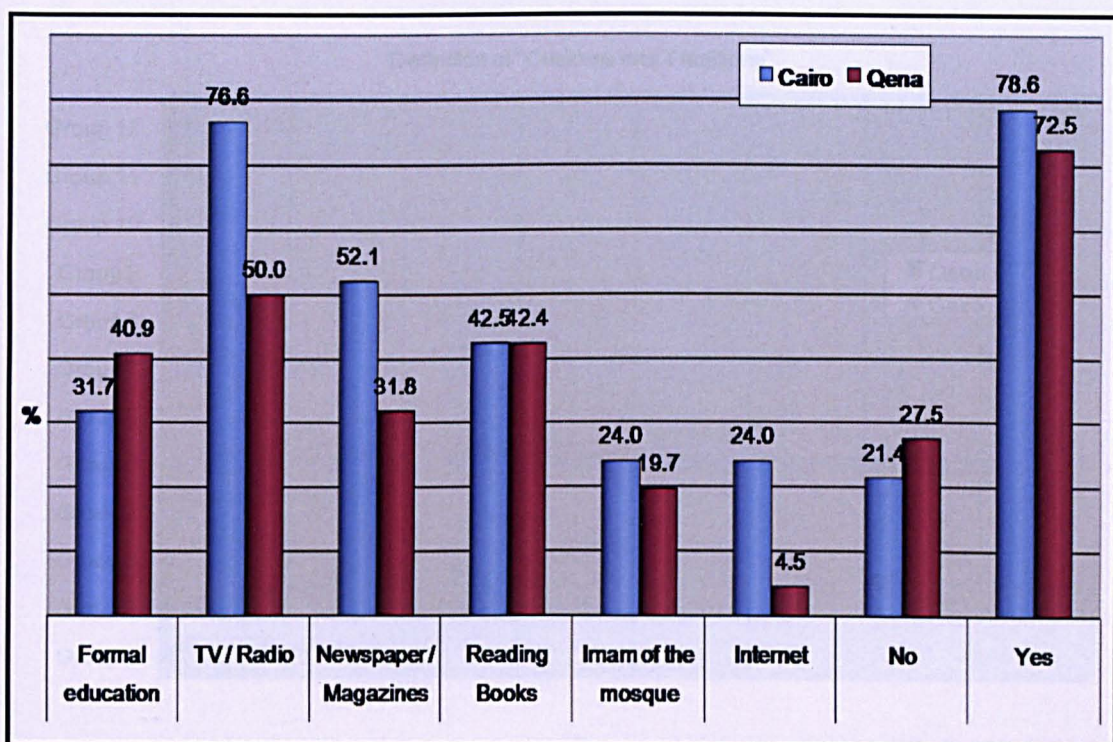
Table 1: Knowledge of the Rights

Shows that only 3.3% and 12.6% of the women in Cairo have marked “basic and good” knowledge which coincides with the knowledge of the rights’ numbers. However these percentages in Qena were 7.14% and 23.7% which are double in contrast to Cairo for “basic and good” knowledge.

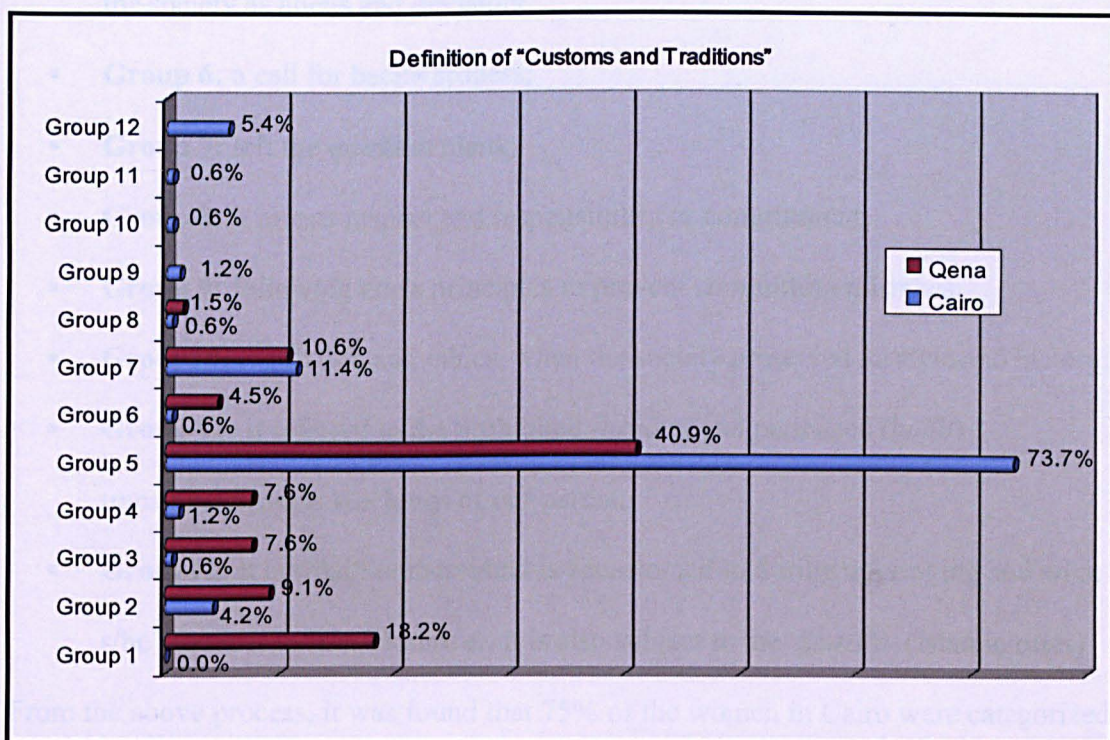
Table 1		No. of rights' known										Total
		1	2	3	4	5	6	7	8	9	10	
Cairo	Basic	0	0	2	6	6	15	11	4	9	7	60
	Good	0	1	0	0	6	5	12	17	14	32	87
	Full	0	0	0	0	1	0	0	1	3	7	12
Total		0	1	2	6	13	20	23	22	26	46	159
Qena	Basic	0	0	1	1	1	4	4	2	1	0	14
	Good	1	0	0	0	4	2	7	4	4	4	26
	Full	0	0	0	0	0	0	0	1	0	1	2
Total		1	0	1	1	5	6	11	7	5	5	42

Figure 12: Knowledge of the Rights Granted by Islam

The above figure shows that the percentage of those who are aware of every right is much higher in Cairo than in Qena, sometimes reaching the double mark in certain articles such as the right “to be financially separated from the husband”, “the right of inheritance” and the right “to participate in political life”.

Figure 13: Source of Knowledge of the Rights

Results from the fieldwork showed that Television and the Radio are the main source of information about women's rights in Cairo and Qena. They represent 76.6% and 50% respectively. The second main source was reported to be Newspapers and Magazines in Cairo, and books in Qena. The knowledge acquired through the *Imam* of the mosque is about a quarter in Cairo, which is equal to the same percentage of the net source, and reaches 20% in Qena. It was also noticed that a very low percentage (4.5%) of the women in Qena use the internet to acquire knowledge of their rights. In addition, 72.5% and above of the women mentioned that they were practicing those rights in their society in both Cairo and Qena.

Figure 14: Definition of the Words “Customs and Traditions”

Arranging and grouping the responses resulted in 12 sets of answers, summarized as follows:

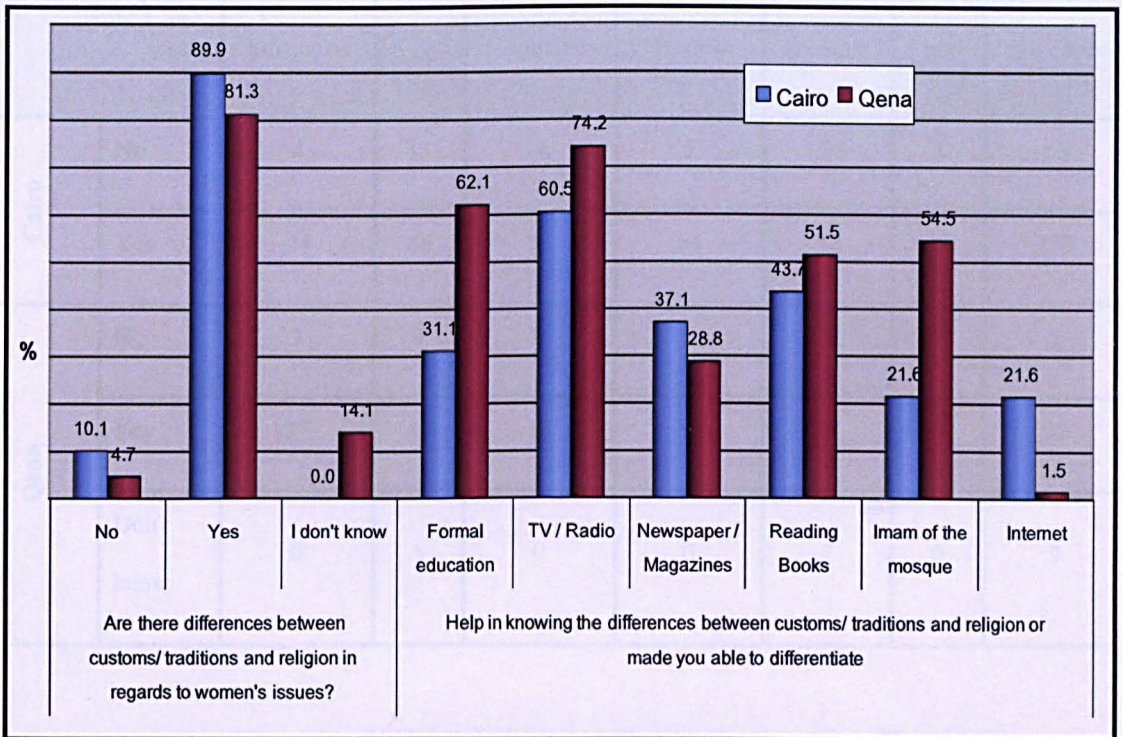
- **Group 1:** does not know;
- **Group 2:** parental demands have to be obeyed and fulfilled to gain respect;
- **Group 3:** rules and laws instructed by the elderly should be followed;
- **Group 4:** a means to limit women’s freedom and control over their lives in order to prevent them from obtaining and gaining their rights;
- **Group 5:** rules and conducts imposed on women; these vary according to the environment and place, where they live, inherited from our forefathers for many decades. Its righteousness belongs to the *Shari’a*, but it is often wrong and contrary to religion because of the ignorance and misunderstanding of religion. Therefore, it must be uprooted or repaired if necessary. Yet it is difficult to

withdraw and depart from it and those who commit such an act are perceived by the society as aliens and deviators.

- **Group 6:** a call for backwardness;
- **Group 7:** left the question blank;
- **Group 8:** it means respect and responsibility or commitment;
- **Group 9:** following one's principles to prevent committing mistakes;
- **Group 10:** regulation and ethics, when the society preserved its style and history;
- **Group 11:** it referred to the prohibited (*ḥarām*) and permitted (*ḥalāl*) transmitted by the teachings of our parent;
- **Group 12:** it is what the individual is accustomed to during upbringing and what s/he practices in life. Moreover, it is also subject to the *Shari'ah* (Islamic rules)

From the above process, it was found that 75% of the women in Cairo were categorized in Group 5, and 11% were in Group 7, while the rest of them lay somewhere between the other groups. On the other hand, 41% of respondents from Qena were in Group 5 and 19% in Group 1. Yet, answers belonging to Groups 9-12 were only mentioned by respondents from Cairo.

Figure 15: Difference between Customs/Traditions and Religion with Regards to Women's Issues

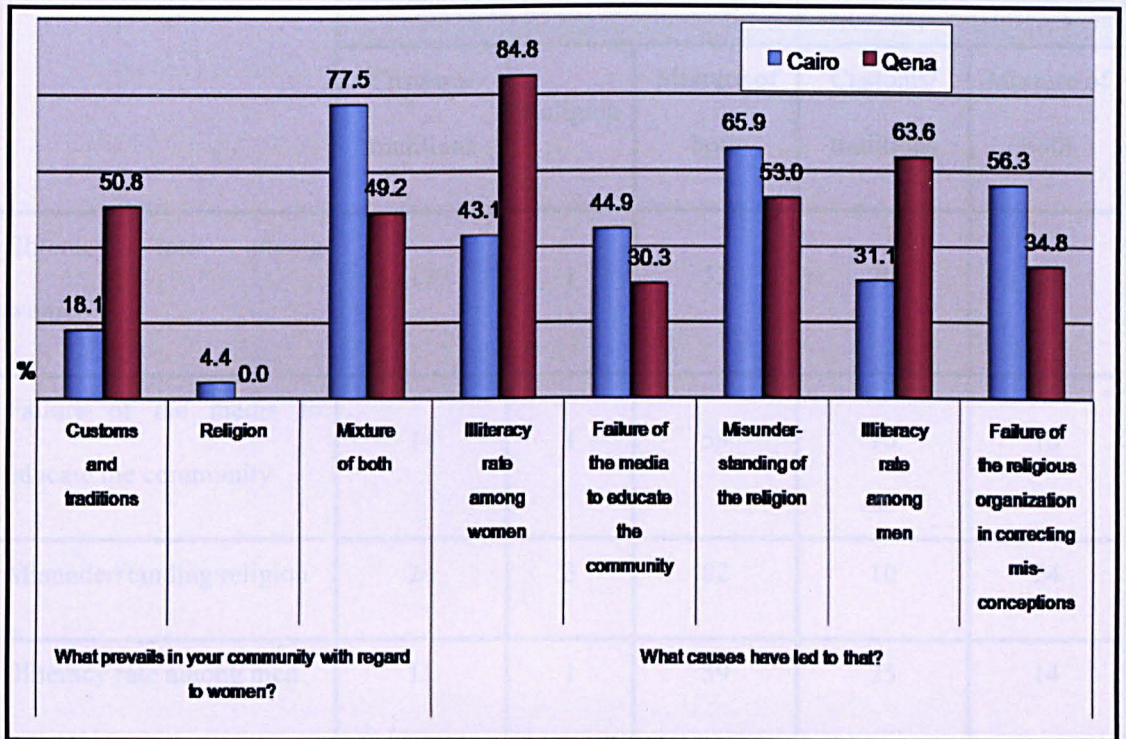


Almost 90% in Cairo mentioned that there are differences between customs/traditions and religion when it comes to women's issues; however this percentage decreases to 81.3% in Qena. Only 14.1% of 64 women in Qena did not know about these differences. More than half of the women in Qena were able to differentiate between them via formal education, Television and Radio, reading books and asking the *Imam* of the mosque. Although around 60% from Cairo were able to do that through Television and Radio, the percentages of those who marked "newspaper/magazines" and "formal education" were less than 37% and asking the imam dropped to 22%. On the other hand, internet usage was very low.

Table 2: Methods that help to differentiate between Customs/Traditions and Religion

Table 2		Formal Education	TV/ Radio	Newspaper Magazines	Reading books	Imam of mosque	Inter-net	No of Reponses
Cairo	No	4	11	4	5	2	3	15
	Yes	44	85	53	64	32	32	133
Qena	No	3	0	0	1	2	0	3
	Yes	37	43	18	32	27	1	52
	Don't know	0	5	0	0	7	0	9

Figure 16: What Prevails in the Communities: Traditions and Customs, Religion or a Mixture of both, and the causes?



Only 18% of respondents think that traditions and customs prevail in their community with regard to women, while 77.5% of respondents from Cairo believe that there is a mixture between traditions and customs and religion. In Qena, however, the situation is not clear. Hence the percentage is more or less the same. Only 4.4% of respondents think that religion prevails in Cairo, while no one does (0%) in Qena.

List of prevailing issues which attract women's attention in their community in Cairo

1. Financial independence
2. Choosing her spouse
3. Women are not allowed to dictate their conditions in the marriage contract
4. Divorced women are not allowed to remarry if they have children, [to devote all her attention and care to her children]

Table 3: Discrepancy of the responses regarding causes that influence women's status

	Cairo			Qena	
	Customs/ traditions	Religion	Mixture of both	Customs/ traditions	Mixture of both
Illiteracy rate among women	17	1	52	30	24
Failure of the media to educate the community	14	1	59	10	10
Misunderstanding religion	24	3	82	10	24
Illiteracy rate among men	11	1	39	25	14
Failure of religious organization to correct misconceptions	15	2	76	5	17
No. of Responses	29	7	124	32	31

List of prevailing issues which attract women's attention in their community in Cairo

1. Financial independence;
2. Choosing her spouse;
3. Women are not allowed to dictate their conditions in the marriage contract;
4. Divorced women are not allowed to remarry if they have children; [to devote all her attention and care to her children]

5. Divorced women are forced by their family to marry without their consent;
6. Depriving women of inheritance in upper Egypt;
7. Women can run their business;
8. Women's access to education;
9. Female Circumcision;
10. Some husbands reject their wife's work [job];
11. Women do not participate in the political life;
12. Widows are not allowed to remarry; [specially if they have children]
13. Women should wear the veil according to the Islamic teachings;
14. Normal or regular veil that is nothing than a custom;
15. Decent dress;
16. Obeying the husband;
17. Waiting period [*°Ida*] which follows the divorce or death of the husband;
18. Honouring the female through circumcision as the prophet said⁶⁸;
19. Marriage custom and its requirements;
20. Polygamy without informing the wife;
21. Wife abuse by husband;
22. Husband beating his wife [domestic violence];
23. A woman's coming back home late at night is [*°ayb*] not a good thing;
24. Family relations;
25. Revenge customs in Upper Egypt;
26. Early marriage [specially in rural areas];

⁶⁸ The faith of circumcision is built on one of the (*Hadīth*) a dialogue between the Prophet and a woman used to perform circumcision in Medina [*Madina*]. According to *Sunan Abu Dawūd*, Book 41, #5251. The Prophet (PBUH) said to her: "do not cut severely as that is better for a woman and more desirable for a husband". This *hadīth* classified as "weak" by Abu Dawud (the compiler) himself.

27. Excluding women from land inheritance;
28. Islam placed some restrictions on women for their own protection;
29. Girls should obey their brother(s), even if they are younger;
30. Copying others;
31. Women and men congregating in the same places;
32. Men misunderstanding the Islamic rulings regarding women [ruling according to the Islamic teaching: For example the *āyah*⁶⁹ that speaks of how to discipline women and the *ḥadīth* that states that women are not fully capable; mentally and religious-wise]⁷⁰
33. Women participate in different fields [professions];
34. *al-Khulʿ* and divorce laws;
35. Domestic work and husband's assistance (husbands should help wives with domestic work);
36. Husband's dominance (*quwwāmah*) over his wife;
37. Large numbers of families depend on the financial contribution by the wife;
38. Inadequacy in wife's protection against husband's abuse and providing her with accommodation and financial support in case of divorce;
39. Illiteracy;
40. Indecent clothes;

⁶⁹ *Sūrah* (4:34) *Al-Nisā'*: "As to those women on whose part ye fear disloyalty and ill-conduct, admonish them (first), (Next), refuse to share their beds, (And last) beat them (lightly); but if they return to obedience, seek not against them Means (of annoyance): For Allah is Most High, great (above you all).

⁷⁰ The Prophet (PBUH) said: "Oh, women folk! I've never seen more baffling and distracting people for the mind of the wise man and less mindful and less religiously chargeable people than you". Women asked: "Oh Messenger of God! How are we less mindful and less religiously chargeable?" he asked them: "Is not the testimony of a woman equal to half the testimony of a man?" They answered: "Yes, it is." He said: "That's because she is less mindful. Can a woman fast or perform prayers during her menstruation period? They replied: "No, she can not". He said: "That's because she is less religiously chargeable". According to El-Kahlawy "men took the above-mentioned *ḥadīth* as a pretext to marginalize women without looking to the text, context and co text of the *ḥadīth* as it need to be contemplated and reconsidered (2007: 57-58)

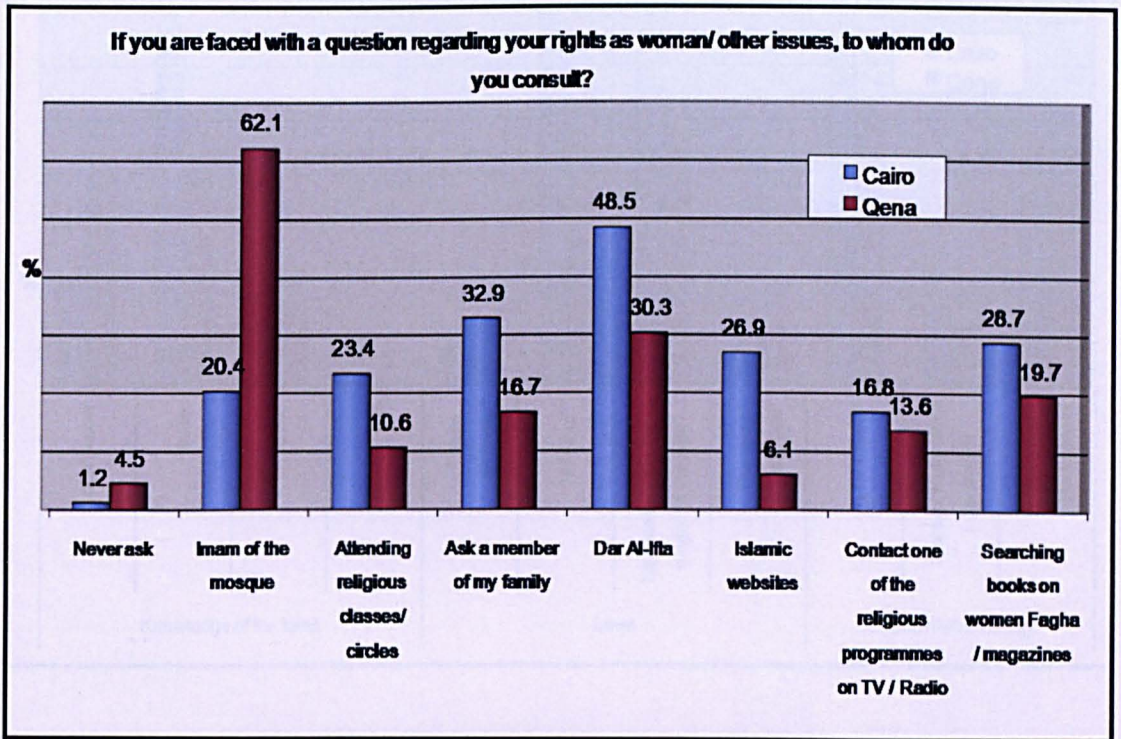
41. Preventing women from working in some cases;
42. The right of women to participate in political life and suffrage (the right to vote in public elections);
43. Protecting women morally;
44. Cousins' [blood relative] marriage;
45. The right of women to work as judges;
46. Women's rights as a wife according to Islamic teachings [*al-ḥuqūq al-sharʿiyyah*];
47. Preventing women from travelling without a chaperon/ guardian : *Muḥram*;
48. Women are not capable to travel freely if they are single;
49. Women cannot express their own thoughts and views simply because they are females;
50. Women inheriting half the share of men;
51. A women should do nothing except for getting married and her education is only required for the benefit of her children;
52. People believe that the man is the man, and the woman is the woman and nothing will change ;
53. Girls do not have access to education in rural areas (families do not encourage girls to be educated);
54. Women should take care of all domestic work inside the house, although, according to the Islamic teachings, the husband should hire a domestic helper to help her with domestic work.

List of prevailing issues which attract women's attention in their community in Qena

1. Early marriage;
2. The issue of inheritance where the male member of the family has full access to inheritance, while the female has nothing;
3. Wedding nights (it's a traditional practice, where the groom should prove that his bride is a virgin, through providing the nuptial blood-stained bed sheets;
4. Female circumcision;
5. Widows should not remain unmarried;
6. Females should marry as soon as possible ;
7. The eldest sister should marry before her other sisters;
8. Males have a bigger share in inheritance than females;
9. Community perceives divorced women as always behaving in an improper way;
10. High attention given to women who can produce children, especially male children;
11. Infertile women are negatively looked upon by the community;
12. Divorced women are considered a source of shame to their families, so that the family should get her remarried, even by force, as soon as possible;
13. Honour killing;
14. Privileges given to males over females;
15. Men have full control over women;
16. Society considers that being a woman is a crime in itself;
17. The bride is not allowed to see the groom until the wedding night;
18. Revenge-based on honour killings;
19. Females deprived of education;
20. The veiling of females based on a mixture of tradition and religion;
21. The right of choosing a partner or consulting the woman with the matter;

22. Not acknowledging her rights or even part of these rights;
23. Women's right to work;
24. Women being deprived of their rights;
25. Women couldn't achieve their rights even through the religious teachings;
26. Common marriage;
27. Replacement Marriage (*zawāj al-badal*): in case the woman lost her husband, his brother must marry her, specially if she has children.... The same applies when the man loses his wife; her sister becomes his first choice to marry, especially if he has children;
28. Overall mistrust of women or their work;
29. Cousins' [blood relative] marriage, resulting in unhealthy children;
30. Men's dominance over women, being exercised more than women's rights over men;
31. Women do not claim their right to inheritance;
32. Interacting with foreign men;
33. Excessive freedom.

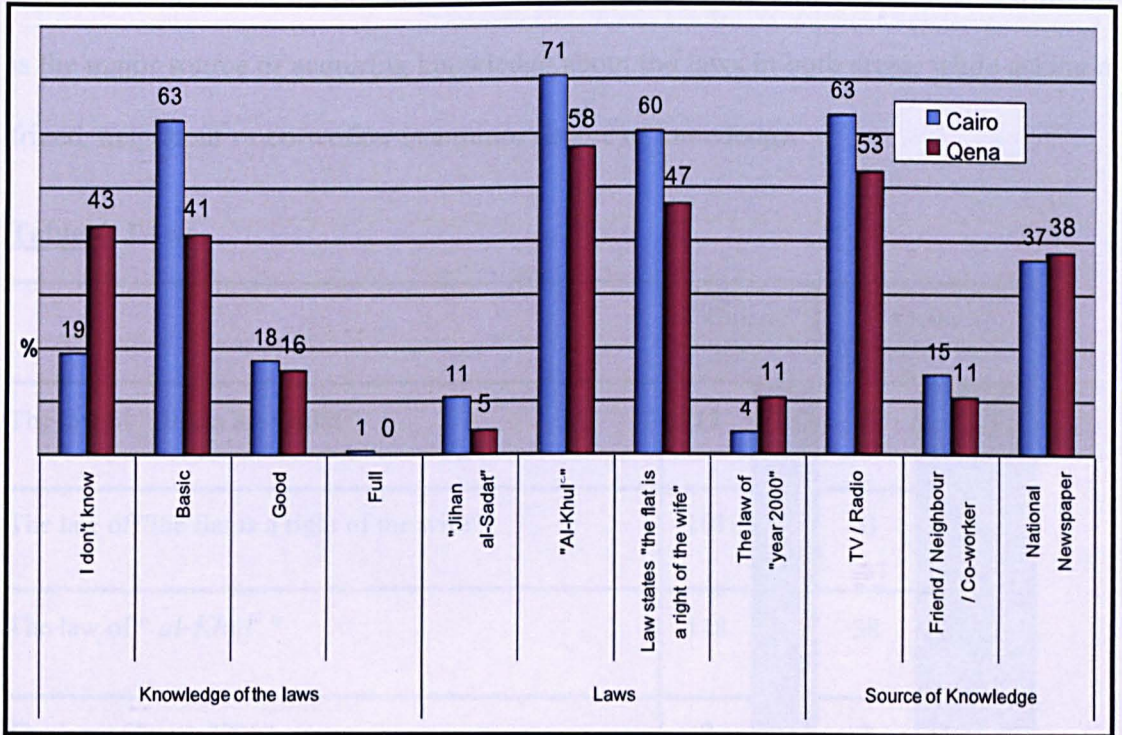
Figure 17: Whom do you Consult to Answer Questions Regarding Women's Rights?



In both Cairo and Qena small percentages of women (1.2% and 4.5%) do not seek for answers if they were faced with a question regarding their rights as women. Although 62% of women in Qena ask the *Imam* of their mosques about their rights, 30% depend on calling *Dar Al-Ifitā*⁷¹. 10%-20% in Qena seek answers via attending religious classes or study circles, asking a member of their family, contacting a religious program on Television and Radio and/or searching books on fiqh related to women. As for Cairo, around 50% of women there call *Dar Al-Ifitā* while 20% ask the *Imam* of the mosque.

Table 4: shows that only 14 respondents from Cairo marked the law of "Hukm al-Sadik" and the law which states that "the fatwa is a right of the wife". In contrast, only three respondents from Qena marked the latter laws. In addition, no women marked both the law of "Hukm al-Sadik" and "The law of your 2000" in Cairo, while only seven

⁷¹ A religious body responsible for providing religious jurisprudence

Figure 18: Existing Laws that Aim at Improving the Status of Women in Society

In Qena, the percentage of the women who marked "I do not know" is close to those who marked "Basic". The same pattern was observed in Cairo between those who marked "I do not know" and "Good". One woman in Cairo mentioned that she has "full knowledge" of the laws which have been issued and which aimed at improving the status of women in society; while none in Qena stated that. The two laws of " *al-Khulʿ* " and "the flat is a right of the wife" were well known in Cairo and Qena, while awareness of the other two laws ranged between a minimum of 4.2% and a maximum of 10.8% respondents.

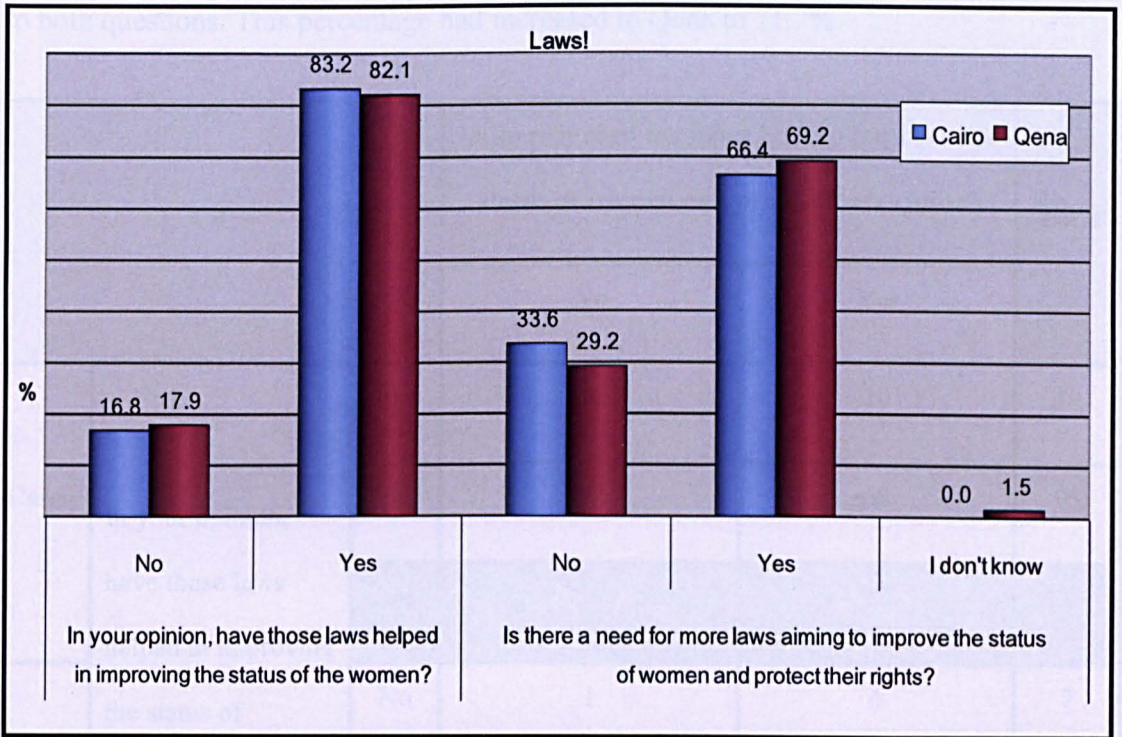
Table 4: shows that only 14 respondents from Cairo marked the law of " *Jihān al-Sādāt* " and the law which states that "the flat is a right of the wife". In contrast, only three respondents from Qena marked the latter laws. In addition, six women marked both the law of " *al-Khulʿ* " and "the law of year 2000" in Cairo, while only seven

respondents marked them in Qena. This indicates that only a few women are knowledgeable about the original and the media title of the law. Television and Radio is the major source of acquiring knowledge about the laws in both areas, while asking a friend, neighbour or co-worker is a minor source of knowledge.

Table 4: Laws

	Cairo		Qena	
The law of " Jihān al- Sādāt "	18	14	3	3
The law of "the flat is a right of the wife"	101		31	
The law of " <i>al-Khul'</i> "	118	6	38	7
The law of "year 2000"	7		7	

Figure 19: The Evaluation of Existing Laws and the Need for Additional Laws Aiming at Improving the Status of Women

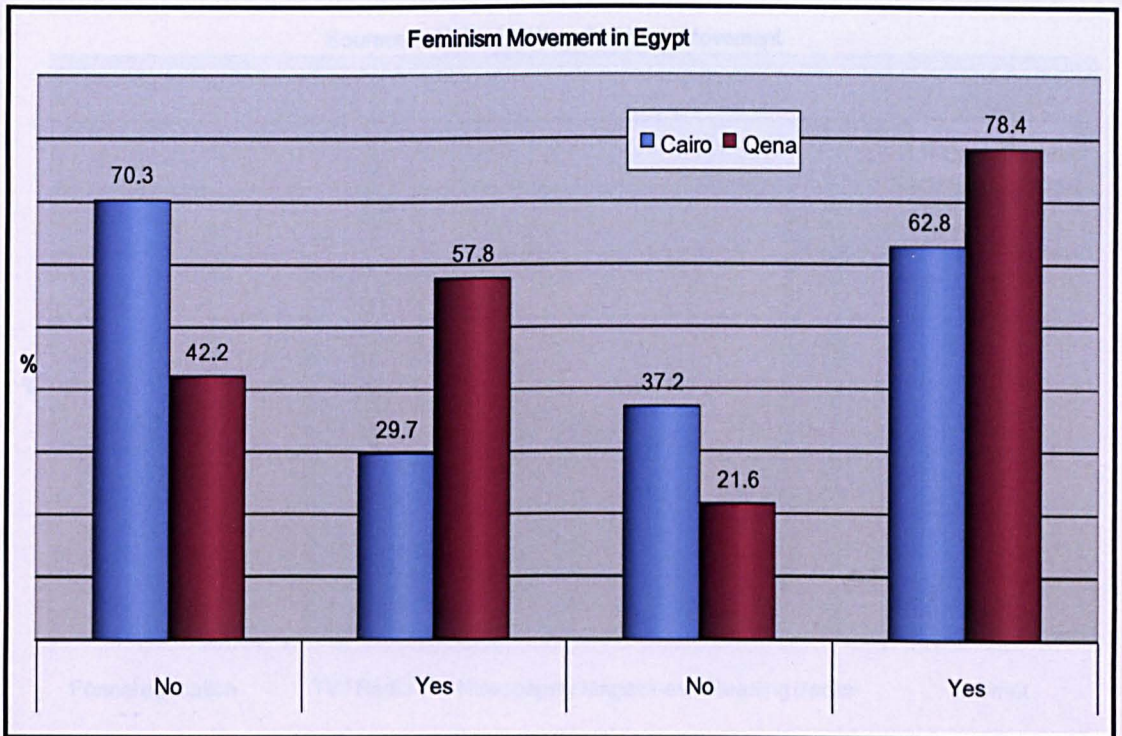


The majority of women in Cairo and Qena think that these laws helped in improving the status of women while two-thirds think there is a need for more laws that aim at improving the status of women and protecting their rights. Only one woman in Qena replied, "I do not know". A third of the women in Cairo mentioned that there is no need for more laws.

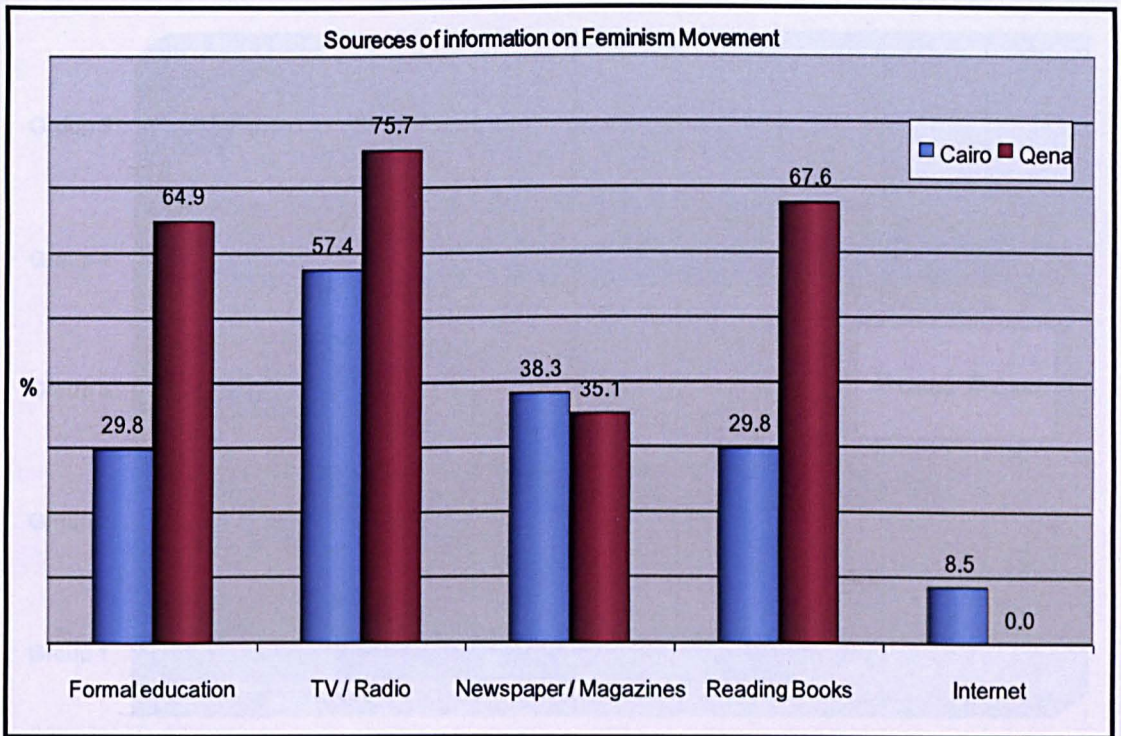
Table 5: The needs for more laws to improve the status of women

144 women in Cairo answered both questions, and only 68 women (57%) replied “yes” to both questions. This percentage had increased in Qena to 71.7%.

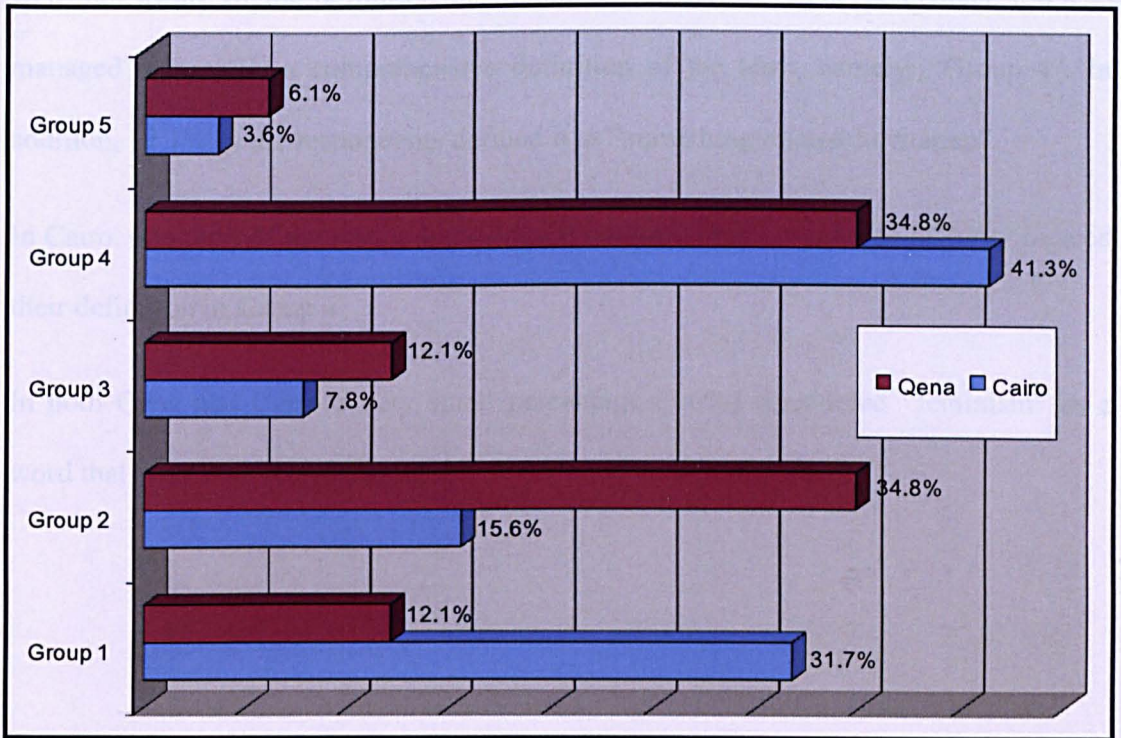
City			Is there a need for more laws to improve the status of women and protect their rights?		Total
			No	Yes	
Cairo	In your opinion, have those laws helped in improving the status of women?	No	9	10	19
		Yes	27	68	95
		Total	36	78	114
Qena	In your opinion, have those laws helped in improving the status of women?	No	1	6	7
		Yes	4	28	32
		Total	5	34	39

Figure 20: Knowledge of the Feminist Movement in Egypt

The above figure shows that more than half of the women in Qena have heard about the feminist movement in Egypt, while responses from Cairo show that less than half of the women have heard about the feminist movement. The majority in Qena have background knowledge about its achievements or its historical periods. 61.9% out of the 42 women and 78.4% of the 37 women have heard about the "Feminist Movement" in Egypt before and have background knowledge about its achievements and historical periods in Cairo and Qena respectively.

Figure 21: Sources of Information on the Feminist Movement

The above figure explains that, in Qena, Television and Radio, reading books and formal education are the main sources of information about the feminist movement according to the 37 women who have heard about the movement. Newspapers and Magazines play a significant role in Cairo; hence more than one-third of the 42 women mentioned them.

Figure 22: The Meaning of "Feminism"

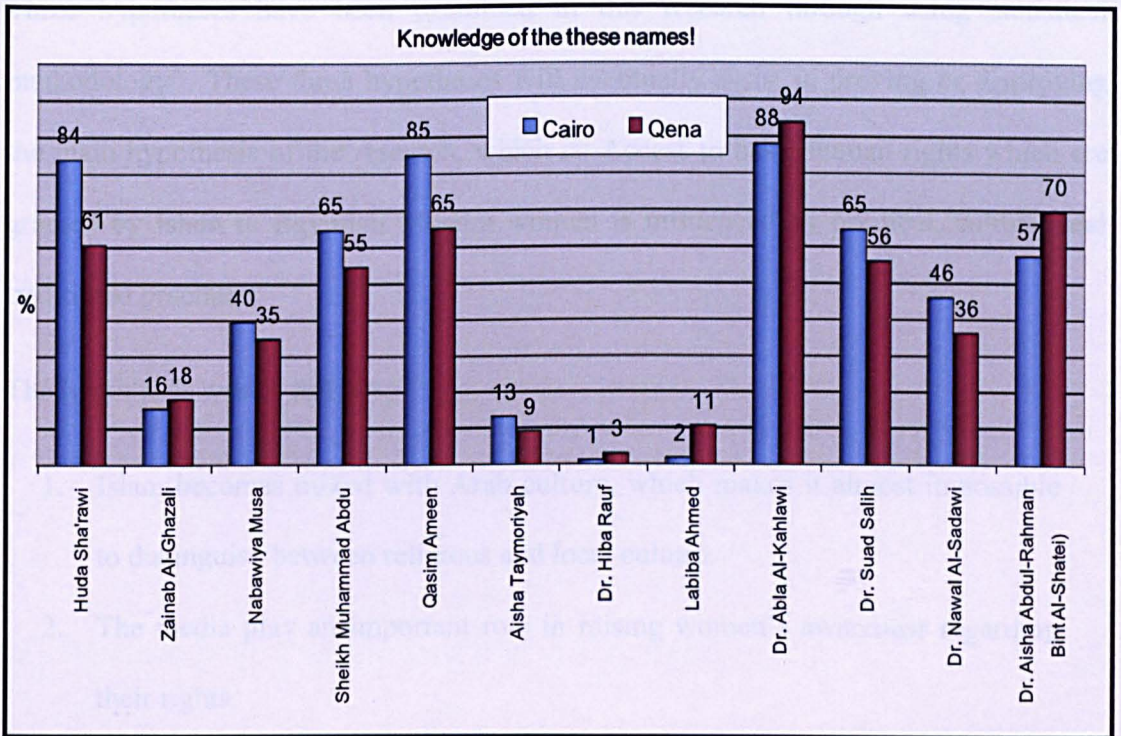
The responses were grouped into 5 sets of answers, as follows:

- **Group 1:** left the question blank;
- **Group 2:** did not know the definition and had never heard about "feminism";
- **Group 3:** defined it as "something related to women";
- **Group 4:** defined it as "A movement or group of people getting together with the aim of enhancing the status of women within the society, solving their problems through issuing new laws or activating some articles in the constitution and empowering women to express their opinions. These groups are not limited to female members only, but may also include men who believe in women rights";
- **Group 5:** believe that "feminism" has a bad connotation: such as a call to destroy the Muslim families, raise the divorce rate, etc...

From the above, it was found that 34.8% of the women from Qena mentioned that they were not aware of the definition of "feminism", while the same percentage (34.8%) managed to provide a comprehensive definition of the term, namely, "Group 4". In addition, 12.1% of the respondents defined it as "something related to women".

In Cairo, one third of the respondents left the question blank, while the majority located their definition in Group 4.

In both Qena and Cairo a very small percentage (3.6%) considered "feminism" as a word that "has a bad connotation".

Figure 23: Knowledge of Activists and Pioneers in the Field of Women's Rights

Most of the names above are well known in Cairo and Qena by more than a third, except for Zaynab Al-Ghazzalī, ‘ā’ishah Taymūriyyah, Dr. Hibah Ra’ūf and Labībah Aḥmad.

6.5. Testing the Research Hypothesis

Three hypotheses have been examined in this research through using statistical methodology⁷². These three hypotheses will eventually assist in proving or disproving the main hypothesis of the research, which is: Access to basic human rights which are granted by Islam to Egyptian Muslim women is influenced by political, cultural and traditional practices.

The hypothesis was as follows;

1. Islam becomes mixed with Arab culture, which makes it almost impossible to distinguish between religious and local culture.
2. The media play an important role in raising women's awareness regarding their rights.
3. Education helps to familiarize women with their religious rights.

Hypothesis A: Education helps women to become familiar with their religious rights.

H_0 : The knowledge of rights does not differ from one educational level to another.

H_1 : The knowledge of rights differs from one educational level to another (at least two).

Cairo: Significant⁷³.

Qena: Significant.

⁷² Main tests been used in this regard : Kruskal-Wallis H -Test , Mann-Whitney U -Test, The Chi-square (χ^2) Test, and Chi-square Contingency Table..... (see appendix VI for additional details).

⁷³ Significance: The normal dictionary definition of significant are 'having or conveying a measure' or 'expressive; suggesting or implying deeper or unstated meaning' but in statistics we mean something very specific indeed. We mean that a 'result was unlikely to have occurred by change if the null hypothesis was true'. An event is unlikely if it is occurs less than 5% of the time.

Significant: we reject the null hypothesis. i.e. we accept H_1

Not significant: we do not reject the null hypothesis. i.e. we accept H_0

Hypothesis B: Islam becomes mixed with the Arabic culture, which means that it becomes impossible to distinguish between religion and customs/traditions.

H_0 : Customs/ Traditions have no influence on religion regarding women's rights.

H_1 : Customs/ Traditions have an influence on religion regarding women's rights.

Cairo: Not Significant.

Qena: Significant.

Hypothesis D1: The media help women to become familiar with their religious rights.

H_0 : The media have no influence on the level of knowledge.

H_1 : The media have influence on the level of knowledge.

Cairo: Significant.

Qena: Significant.

Hypothesis D2: The media help women to become familiar with civic rights.

H_0 : The media have no influence on the level of knowledge.

H_1 : The media have influence on the level of knowledge.

Cairo: Significant.

Qena: Significant.

Null hypotheses: The null hypothesis says 'nothing is happening' and the alternative says 'something is happening'. We reject the null hypothesis when our data show that the null hypothesis is sufficiently unlikely.

P values: A p-value is an estimate of the probability that a particular result, or a result more extreme than the result observed, could have occurred by chance, if the null hypothesis were true. The p-value is a measure of the credibility of the null hypothesis.

Alpha (α): It is called type I error and it is the probability of reject the null hypothesis when it is true.

So if something is very unlikely to have occurred by change, we say that it is statistically significant, e.g. $p < \alpha$ (p-value is less than alpha).

Conclusion

Based on the nature of the study, it appears that the most suitable approach lies in the interpretative paradigm. The study seeks to investigate and understand the issues of contemporary Muslim women's rights in Egypt; that is, the issues of women who are deprived of their rights granted to them through their own faith. By scrutinizing Islamic *'ulama's* texts explaining the Holy Qur'an, lawyers' opinions, women's views, attitudes, and reflections, this study attempts to reach a better understanding of the reasons why such violations of women's rights occur. The aim of this approach is to examine the impact of such violations on women's lives and social welfare.

Thus, in this research the questionnaire is used to collect data which reflects the fundamental information from the informants [women] at the first stage of the research, while the in-depth interviews are used to question women, men, Muslim *Imams*, and lawyers. The significance of the in-depth interview based on the intention of the researcher (myself in this case) is to seek both clarification and elaboration on the answers given. In addition, focus group discussions and informal gatherings with women were carried out to get an in-depth view of the situation, using the same questionnaire as a tool for guiding the discussions.

Two major governorates were selected for the research field work, namely Cairo the capital of Egypt, and Qena [in Upper-Egypt]. The sample size is made up of a total of 233 informants in the two governorates, a selected random sample from amongst religious *ulama*, women, men, activists, lawyers etc... Seven main questions and four hypotheses have been examined and investigated by the current research. The planned duration of the research was 10 weeks; however, and due to many reasons, the duration was extended to 16 weeks.

Chapter Seven: Discussion of Findings

The aim of this chapter is to suggest answers to the main research question of this thesis, namely: “*the relationship between Muslim women’s rights in Egypt and the influential role played by the contemporary religious ulama*”. In order to achieve this aim it is necessary to establish a multi-layered discussion, whose analysis is drawn from the outcome of the data analysis that has been laid down in the previous chapter.

Thus, this chapter is designed as follows:

1. An overview of the research findings;
2. Women’s awareness of their given rights in Islam, civic laws and issues of concern inside their society;
3. Women’s understanding of the discrepancies between social, traditional and Islamic perceptions of women’s rights;
4. The relationship between the State, the *ulama*’s influential role on the status of women’s rights, and the society in general; and
5. Conclusion and recommendations.

7.1. An Overview

The findings of the study suggest that women hold a good level of awareness and knowledge of the rights granted to them by Islam, despite the discrepancy in the percentages obtained in both governorates (Cairo and Qena). In addition, 72.5% and above of the informants mentioned that they were practicing these rights in their communities in both Cairo and Qena. Nevertheless, the focus group discussions and interviews reveal existing complexities in areas surrounding women and community understanding. Thus, I am arguing that women’s knowledge is confined and limited by

two major elements, namely (a) the verbal or oral knowledge “knowing”, and (b) “restrained practicing” in both communities. This is especially evident in Qena governorate.

There is also clear evidence that knowledge and enjoyment of rights is strongly linked to the nature of the community, which is driven and governed by the existing traditions and culture on the one hand and the influential role played by the media on the other hand. But above all, the majority of the women do not understand the mechanism or the interpretation of these rights granted by Islam. I am supporting my argument with the following points:

7.2. Women’s Awareness of their Given Rights in Islam and Civic Laws

The results show that Cairo presents a higher level than Qena regarding women’s knowledge of their rights. It is realized that there are four visible sets of rights that achieved a percentage in Cairo double to that in Qena. Three of these rights are: “to be financially separated from the husband”, “the right of inheritance” and “the right to participate in political life”. In addition, the “woman’s right to end her marriage” shows a significantly close percentage between Cairo and Qena (60.5% and 56.1% respectively).

In the following section, I will be reflecting on these four sets of rights through a comprehensive interpretation manifested by the outcome of the interviews with women and men in both research locations. This will support my aforementioned argument as follows:

Women's Financial Autonomy: It is essential to verify two major factors by which women in both governorates are influenced with regards to financial autonomy: (i) access of women to the labour market from a historical standpoint; and (ii) strong family ties or what I may identify as "family financial guardianship".

Historically, women who lived in Cairo entered the labour sector and played the role of breadwinner for their families for decades before their peers in the other parts of the country, especially in Upper Egypt, where Qena Governorate is located. Women in Cairo have been engaged in different professional fields, such as medicine, computer science, engineering etc...; on the other hand, women in Qena are more to be found in educational jobs, government employment, trading as saleswomen (in small shops) and more recently in the tourism sector.

The other important factor is the existence of strong family bonds that support women financially. And this is why women in Cairo pay great attention to financial issues from their different perspectives e.g. religious, civic and legal. Hence the situation in Qena is very different from that in Cairo, as women in the former are still in their primary stage of empowerment.

(b) Women's Inheritance Rights: although Islamic teachings provide clear rules regarding women's shares in the inheritance system, women in some traditional communities, such as in the rural and Upper Egypt areas, still face discrimination by their own kinship or family. The discrimination takes different forms:

- *Semi-exclusion:* women are compensated with cash and gold in exchange for their share in inheritance, particularly in the case of physical assets, and especially agricultural land. However, the value of cash and gold cannot sustain

women on the long term, in contrast with the productive assets such as land or business;

- *Limited control:* women inherit their share according to God's law. However, control over the land remains in the hands of male family members. Thus, women only receive a share of the revenue, while decisions to rent or sell are subject to the discretion of the male family members;
- *Exclusion:* women are excluded from the inheritance in the case of agricultural land.

This being the case, there is a kind of unwritten agreement within such communities to conceal this issue to prevent any changes that might drive women to claim their rights according to Islamic law. In other words, the issue of inheritance is considered a private family matter, where other members of the community have no right to intervene. This situation results in the continuation of unfair and discriminatory distribution of wealth, which has serious implications for the financial autonomy of women. This, consequently, leads to low economic capacity of women and gender subordination.

(c) Women's ability to end the marriage: undoubtedly, divorced women still have a negative image among traditional Arab communities. Even though Islam has granted women the right to divorce when they are unable to continue their marriage life, communities nevertheless still put a huge responsibility on women and blame them for getting into such a position. Consequently, taking the decision to opt for divorce needs courage and strong will on the part of women to go forward with their life despite the challenges that they might face.

Research findings show that 56.1% of women in Qena are aware of "woman's right to end the marriage" through using *al-Khul'* law, in comparison to 60.5% in Cairo.

An initial glance at this result may create controversial or sceptical views regarding the findings. However, several factors could explain such a result:

- in 2001 the late great *Imam* of al-Azhar Muhammad Sayidd Ṭanṭāwī, declared that, according to the *Shari'ah*, women should be granted the right to free themselves from a marriage if they feel that they are unable to continue in the relationship. As a result a new law under the name of *al-Khul'* was issued. Issuing the law was accompanied by huge propaganda through the national media in addition to a wide debate throughout the Egyptian society;
- the law provides women with a smooth access to divorce that saves them time and money;
- it protects women from being abused or blackmailed by their husbands.

The essential point here is that women retain control over the matter and no one in their community can blame them for being divorced, owing the fact that going through the process of *al-Khul'*, requires the wife to file a case in court, which means that she already has the support of her family. This sends a message to the community that the problem is mainly from the husband and not from the wife. Moreover, this does not degrade women's social status amongst their community.

This was the main reason that led women to raise their knowledge, awareness and interest to learn more about this law, and how they can utilize it. Despite the fact that women in such a situation have to pay back or return their dowry, it is still by far the best available option for them to end their marriage problems.

(d) Political rights of women: women's participation in political life is a very controversial issue and has been considered one of the hot debates in the Egyptian political arena since the launch of the *Egyptian Feminist Movement* that was led by

Huda Sha'rawī. Although women gained their political rights more than half a century ago, the issue remains one of debate between the Islamists and the secular camp. In 2007, the Grand *Mufti* of Egypt Ali Goma'a declared that Islam does not prevent women from becoming heads of State. According to him, "this ruling does not refer to the head of a modern State, but to the traditional role of Caliph as both secular head of State and *Imam* of the Muslims"; a position which was abolished with the fall of the Ottoman Empire in 1924. He also added that "the head of State in a contemporary Muslim society, be it a president, prime minister or king, is no longer required or expected to. Therefore, it is permissible for women to hold the highest office in modern Muslim nations"⁷⁴.

For this reason it was not surprising to find that women in Cairo are more concerned about political participation than those in Qena, owing to the difference in their interests. The main concern of the women in Qena was to do with forced marriages, early marriages, and honour killings, as there are still traces of such practices despite the government's legislations and civil society organization's efforts to eradicate them.

It is worth mentioning that the statement of the *Mufti* was carried in the State-owned press, which secures a huge range of readership. This prompts us to discuss the role played by education and the media in educating and raising awareness amongst women of their religious, civic and legal rights in a comprehensive manner. Accordingly, we are bound to pose a number of questions, as follows. In which way do education and media help women to become more aware of their rights? Which education and media

⁷⁴ Women living under Muslims laws: <http://www.wluml.org/english/newsfulltxt.shtml?cmd%5B157%5D=x-157-550029>. [accessed 17 August, 2008]

are we referring to? Do we mean the State media and formal education? Are there any other players? But above all, what is the role of the *ulama* in the whole issue?

7.2.1. The Role of the Media and Education

When discussing the role played by these two agents (education and the media) in raising women's awareness, it is crucial to bear in mind two important elements. In other words, when referring to education, do we mean informal or formal? The same applies to the media; do we mean the State-controlled media or those that are private or independent?

Based on the findings of the present research, Television and Radio represent the main source of education for women about their rights, especially religious rights, in both locations. This was followed by Newspapers and Magazines in Cairo and books in Qena, followed by knowledge acquired through the *Imam* of the mosque, and finally a very small percentage of women who use the internet. This percentage is lower in Qena than in Cairo. By excluding internet usage due to its feeble representation, the ranking will have show Television and Radio in the top position and *Imam*⁷⁵ of the mosque in the bottom one. As for the content of Television and Radio, it includes discussion programmes and local drama (soaps and movies).

7.2.2. Television and Radio Programmes

A glance at the previous ranking may indicate that the role of *Imams* is either weak or nonexistent altogether. However, the situation is more distinct and complicated. To explain its complexity it is worth highlighting one simple, yet important factor, namely,

⁷⁵ The Imam of the mosque, is the one who is responsible for leading the prayers and conducting religious classes, and as a standard he should have a religious background education, should be well-known in the community or be a local resident and have hold a good reputation. He is mostly appointed by the Ministry of Endowment.

television and radio programmes that target women and/or deal with religious matters. These programs are usually presented either by famous and credible religious scholars alone, or by broadcasters who host these scholars. This applies to both State and private channels.

There are significant differences that define the programmes hosted by the State-controlled channels in contrast to the ones hosted by privately-owned channels, in terms of the criteria of the *ulama*. Starting with the most critical criteria, these lines are: (a) the scholar can be male or female, since such position are no longer restricted to males; (b) s/he should be knowledgeable, hold a prestigious position at al-azhar University or the Ministry of Endowment; (c) s/he should hold a high degree in Islamic studies, law, jurisprudence with good experience, etc...; and (d) s/he should be accredited.

Accreditation, for the State channels is not restricted to educational background but also mean, that the *ulama* should be in line with the State's policies and in the way they convey the message they should hold and promote moderate views and understand the current challenges and developments in the society. The criteria in privately-owned channels are different. Although the religious scholars who appear in programmes on these channels usually hold prominent religious degrees, however, they may not be in line with the policies of the government. This is the reason why a number of them are not hosted by the State-owned channels.

This, in turn, has both negative and positive influence on women in terms of their general roles and their quest for religious-based rights. The main negative influence is that women become more confused about simple religious matters. The fact that women listen to many points of view on the same issue has led to more confusion among them as they seek to find the right answers to their questions according to Islam.

In the light of the above, and by reviewing and evaluating the broadcasting programmes, it was interesting to learn that the majority of those who contact the programmes on air requesting information or certain explanations about specific matters are women.

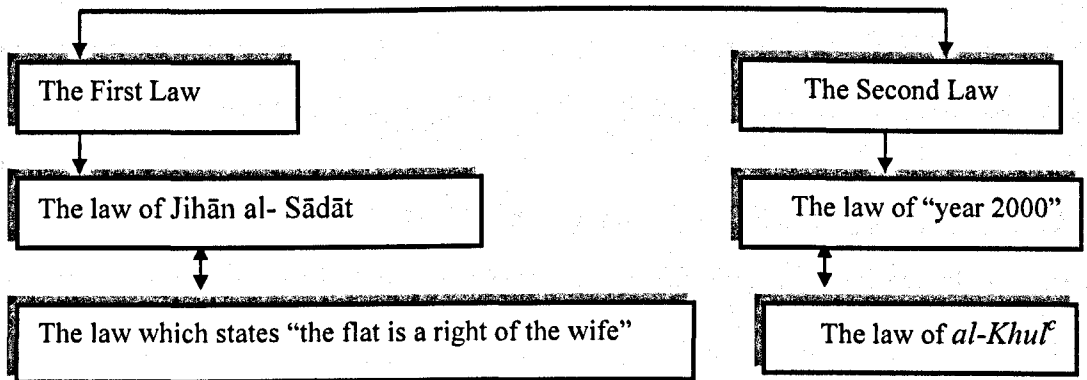
On the other hand, there are positive aspects to it. First, women with different educational backgrounds are becoming more aware of their rights, in particular illiterate women. Second, women are more encouraged to listen to different scholars and weigh their opinions, including those of the *Imams* of the local mosque. Third, women are getting an enhanced ability to search and dig deep for answers using various means such as calling *Dar Al-Iftā'* (the body that provides religious ruling on matters of concern) reading newspapers, journals, and books.

We now have to shift to another set of questions. What about civic laws? How do women become aware of the recent laws issued by the government which aim at improving their status in the society? Do the media contribute to increasing women's knowledge? Are there any other players involved in raising women's awareness and knowledge?

Before answering these questions, it is important to highlight a number of things. In the questionnaire, and under the laws question (number 19), the informants were given 4 different titles of laws and were asked to mark the ones they know. What the informants did not know was that the four laws were actually only two. For the first law, women were given the title of the law that was given by its opponents⁷⁶ and one of its famous articles. As for the second law, the official title had been given and also the title presented by the media.

⁷⁶ Giving this law the name of a woman is a derisory way of discrediting it.

Figure 24: Illustrates [title of the law that was given by its opponents, its official title and one of its famous articles]



Alongside the aim of raising the level of women’s knowledge of the law, these questions aimed at highlighting the influential role played by the media. The media referred to here are not limited to discussion programs; they also include local drama such as Television soaps and movies.

7.2.2.1. Local Drama and Laws

There is no doubt that drama reflects what is actually happening in a given society. In Egypt, the cinema industry started more than 100 years ago. In recent decades, especially with the advent of the globalization era, the media and communication sector has witnessed rapid developments. Today, hundreds of satellite channels (State and privately -owned) have invaded homes everywhere in Egypt.

During the fieldwork, it was noticed that there are satellite dishes on top of nearly every building, even in Upper Egypt. They are considered the main powerful source of entertainment and knowledge that links the people not only to national issues but also to international issues and events. Because of all this, there is a strong link between the local drama and raising awareness on laws. The result showed that the laws of *al-Khulʿ* and “the flat is a right of the wife” were well known in Cairo and Qena, while

awareness of the other two laws ranged between 4.2% and 10.8%. Only one woman in Cairo stated that she knows about both laws, while in Qena there was nobody in this category⁷⁷.

Both of these laws were portrayed and discussed in Egyptian movies. The Law No. 44/1979 (also referred to as 'Jihān's Law') was tackled in a movie that was produced in the year 1985 under the title "the flat is a right of the wife" directed by Omer Abdel-Aziz. Similarly, the law of 2000 was tackled in a movie called "*Khuḥ* Attorney" in the year 2002 directed by Muhammad Yasin.

Both films were presented in a comedy framework, thereby attracting a large number of audiences. In addition, they are frequently being broadcast in both the State-owned and the private channels. This brings us to ask another question: can we strongly claim that women in general know the laws by their media titles, especially the illiterate ones? The answer is "yes" according to the findings of the study. The latter revealed that women in both Cairo and Qena regard Television and Radio as the major sources of information about such laws. This was followed by national newspapers, then getting information from friends or neighbours or co-workers, the latter mentioned being regarded as the least common source of knowledge.

7.2.3. Education

Although findings from the study suggest that newspapers and books are the second highest source for women's awareness on religious rights and civic laws, this cannot undermine the important role played by education, especially among women.

⁷⁷ See figure 18 and table 4 in Chapter Six – Part Two for further explanation.

It is crucial to highlight several factors that resulted in such findings:

1. the literacy rate among women reached 50% according to the 1996 census and dropped to 37% according to the last national census for the year 2006⁷⁸;
2. not all women can afford to buy books and newspapers; and
3. reading in general needs spare time, which for women it is not always available as they usually have family obligations and job requirements to fulfil.

Despite this, education, whether formal or informal, remains the most powerful tool for women's empowerment. Each of its components has played a key role in the process. Formal education is considered the fundamental phase, where women acquire literacy, followed and empowered by informal education, where it provides women with tools that develop and accumulate their knowledge through in-depth reading, further research, religious classes and/or study circles.

The study also showed an interesting result on knowledge of the feminist movement. The informants were asked about the Egyptian Feminist Movement, its historical achievements, and the definition of feminism⁷⁹. Based on the responses, less than half of the women in Cairo have heard about the feminist movement in Egypt while more than half of the women in Qena have heard about the feminist movement and the majority of women in Qena have background knowledge about its achievement and its history. Thus, 61.9% of the total of 42 women answered the question in Cairo, while 78.4% of the total of 37 women in Qena have heard about the movement and have background knowledge about its achievements or history.

⁷⁸ According to the national census for the year 2006; the number of illiterates is estimated to have reached 16,806,657, i.e. down to 29% of the entire population. Those who can read and write are put at 12.41%; those holding intermediate education certificates at 14,283,546; and those holding graduate and post-graduate certificates at 5,476,704 (9.56%).

⁷⁹ See questions from 22 – 26 in the questionnaire

However, given the fact that the total number of informants in this study was 233:- 57.5% of the women in Qena and 94% of the women in Cairo are enrolled in high school, university and above. 20% of the women in Qena are illiterate and 14% can read and write and 9% are between primary and preparatory stages in Qena. These figures alert us to the reality that there is an existing and serious problem related to the level of knowledge about the Feminist Movement and its achievements and thus requires rapid and constructive action to deal with such a critical matter.

Thus, it was not strange to find that names⁸⁰ such as Zaynab Al-Ghazzalī, ʿāʾishah Taymūriyyah, and Labībah Aḥmad ranked towards the bottom end of the informant's knowledge in comparison with *Shaykh* Muhammad ʿabdū, Huda Shaʿrawī, Qāsim Amīn, Dr. Suʿad Salih and Dr. Abla al-Kahlawī. The fact that the biographies of *Shaykh* Muhammad ʿabdū, Huda Shaʿrawī and Qāsim Amīn have been presented in the form of serials produced by the Egyptian Television lately make them and their achievements more visible and more popular in society. Similarly, the popularity of Dr. Suʿad Salih and Dr. Abla al-Kahlawī is derived from their participation in many religious discussion programmes as both of them are Islamic scholars.

7.3. Women's Understanding of the Discrepancies between Customs, Traditions and Islamic Perceptions of Women's Rights

To draw a clear picture on how women understand the discrepancies between customs, traditions and Islamic perceptions of their rights, four main points are to be discussed, as follows: how do women define the terms 'customs' and 'traditions', what practices

⁸⁰ See questions number 27 in the questionnaire and figure 23 in Chapter Six – Part Two.

mostly prevail, what are the main topics of their concern and what are the factors that lead to their current status inside their communities.

7.3.1. How do Women Define 'Customs' and 'Traditions'?

Based on the responses of the informants, twelve sets of definitions⁸¹ were identified. Both groups of women in Cairo and Qena provided comprehensive definitions based on their understanding. The terms 'customs' and "traditions" were defined by the informants as follows:

Rules and behaviour imposed on us ...which differ according to the environment and place. They are inherited from our fathers and ancestors for many decades. Their righteousness is always related to the *Shari'a*, but it is often wrong and contrary to religion, and this is a result of the ignorance and misunderstanding of religion. Thus, if necessary, it must be uprooted or repaired. Yet it is difficult to withdraw and depart from it and those who commit such acts are perceived by the society as deviators⁸².

Accordingly, several core points can be derived from the aforementioned definition:

- Women are aware of the fact that traditions and customs are imposed on them, and that they have no say or choice either in dealing with or accepting them.
- Women are also aware that these practices differ from one place to another, where the degree of flexibility or rigidity depends on the surrounding environment. For example when the informants were asked to give an example of practices that are considered cultural, traditional or religious or a mixture of all three, both groups provided a comprehensive list which included some sort of similarity, yet some points were mentioned only once in each area⁸³.

⁸¹ See figure.14 in Chapter Six – Part Two for more in-depth information

⁸² The study shows that 49% from the total response in Qena and 73.7 from Cairo agreed on this definition.

⁸³ See the comprehensive list in Chapter Six - Part Two

- Both groups in Qena and Cairo agreed that these practices were inherited from their ancestors and, in certain cases, proved to be outdated, thus the necessity for change and for rejecting what is not relevant. Although women are willing to break their silence and change such practices to serve their own benefit, yet they understand that such changes need tremendous efforts, ability and courage to implement.

Women pointed out that the right aspects in the traditions and culture are usually relevant to the *Shari'ah*. However, the majority of practices contradict out of all this, an important question arises: Who can tell which cultural or traditional practices are good and adhere to the *Shari'ah* and which do not and should be eradicated from the society? Are they the *ulama*? And which *ulama* are we referring to? Indeed, currently a large number of *ulama* maintain visible appearance on a regular basis in the media.

“Females deprived of education” and “early marriage”⁸⁴, are good examples to further illustrate my point; according to the women in both Qena and Cairo these two practices prevail⁸⁵ in their communities, as a result of the mixture of culture, tradition and religion.

Females deprived of education: Since the 1952 revolution under Jamāl Abd al- Nāṣir's regime, the State has taken serious steps to reform and enhance public sector services such as health, employment, education, etc... Undoubtedly great attention has been given to the education sector in general and to the encouragement of women's quest for education in particular. Indeed special attention has been given to women in rural areas, Upper Egypt and other marginalized areas in the country, a policy motivated by the

⁸⁴ See the comprehensive list in Chapter Six – Part Two

⁸⁵ Women in Cairo point out that these practices still taking place in the rural, Upper Egypt and traditional communities in Egypt.

State's recognition that women in these areas have been deprived of education for decades as a result of cultural, traditional and socio-economic factors. Yet, despite the tremendous efforts exerted by the State, the illiteracy rates among females in Egypt still remain higher than for males, as it reached 37%, dropping from the previous 50% according to the last national census for the year 2006. Many factors are involved in livening about such a situation.

The overriding factor however, is economic in the sense that some families consider that any investment in female education does not generate any long-term income for the household because they consider the girls' stay in their parents' home as temporary since they will eventually move to their husband's house. In contrast, they consider male education worth investing in, since males will become a source of financial revenue to their families later on.

Beside the economic factors, other factors also prevail, the most important of which are a female's mobility and being aware of her rights. Some families are reluctant to send their daughters to schools located far away from their neighbourhood to avoid any dangers they may be subject to, given the fact that the family's honour is subject to the female's general attitude and behaviour. In addition, educated females are usually seen as challenges to their community, since they are usually empowered to call for an extension of their personal boundaries in such areas as free mobility, claiming their rights, and questioning the existing traditions and culture.

However, the most significant and prevalent factor is the religious one. To understand the complexity of this factor and its influence on females' education, it is crucial to analyze several features that lead to such a situation:

1. A substantial number of primary schools are mixed schools where young boys and girls attend together. Indeed, when young girls reach puberty, some families prefer to separate their daughters by putting them in girls-only schools with female teachers. If this latter option is unavailable, then they may resort to withdrawing them from their current school altogether.
2. The perception of many families is that female education should be limited to Islamic education and Qur'an recitation.
3. There are continuing emphases on the role of women inside the household as a wife and mother.

Undoubtedly, a sizable number of *ulama* encourage families to think and act in this way, and they usually support their views by referring to verses from the Qur'an or *ḥadīth*. Moreover, their extreme views extend to regarding universities as a source of evil, on the grounds that because female and male students attend together. On the other side of the argument there are significant numbers of what we labelled as progressive *ulama* who encourage female education and employment as far as they adhere to the Islamic rules and ethics of mixing with males.

Early marriage: Although the State has taken serious steps in dealing with the issue of early marriage through issuing laws that regulate the minimum age of marriage for both sexes, and implementing strict regulations towards marriage registration, such practices nevertheless still exist in rural areas. According to the Egyptian Child Law no. 12 for the year 1996, as amended by law no. 126 for the year 2008, the minimum age of marriage rose from 16 years for girls and 18 for boys to 18 years for both sexes.

However, with such a law, the State did not fully achieve its aim, as these families usually find their way to manipulate the existing system. According to informants in Qena, a religious man (called *faqīh*) makes a tour around the villages during a certain

time of the year to carry out any marriage ceremonies requested by families. The marriage contracts he has made are not officially registered, since either the bride or the groom or both of them have not yet reached the legal marriage age as stipulated by the Egyptian law. The marriage will be announced in the community, and when the couple reaches the legal age, they register the contract officially. This process is known as (*tashīh waqʿ*), meaning “status modification”.

Indeed, there are economic, cultural and religious factors influencing such practices. The majority of these families believe that marriage at an early age is a way of protecting males and females from indecent sexual behaviour, especially in the case of females. Moreover, such communities believe that the social status of females depends on their role inside the family. In addition, the ultimate role of any female in life is to become a wife and mother. Finally, the fact is that getting the girl married at an early age reduces the financial burden on her family, and therefore, they encourage such action.

Such marriages have serious negative implications on the female’s reproductive and mental health⁸⁶, especially in cases where girls get married at the age of 12 and 13 years. Other social problems also arise from this kind of marriage. For example, in some cases women get divorced before securing the registration of their marriage contracts; in such an eventuality, a woman will lose any financial rights over her husband. Moreover, children resulting from such marriages are not issued birth certificates till the marriage contract is officially registered.

⁸⁶ This point has been explained thoroughly in Chapter Two

While from a religious point of view, and according to the *ulama*, such marriages are valid as long as the conditions are stipulated [*Mahr* (dowry), *Qubūl* (acceptance), *Ishhār* (publicizing)], it is worth mentioning that progressive *ulama* have another view regarding this issue. They argue that the laws, in reality, have limited power in eliminating such practices, and so they urge the government to launch a comprehensive awareness programme to motivate communities.

The aforementioned examples highlight the complexity of issues when religion and culture mix together; nevertheless it is crucial to distinguish between two groups of *ulama*. There are those who understand Islam and interpret it within its current context, and also those who fail to recognize the flexibility of the religion to accommodate the current challenges faced by their society; and the problem lies mainly with the latter.

The existing dilemma is clearly manifested in the informants' responses and views on the degree of women's rights violations and their root causes in their communities. Surprisingly, 0% of the respondents in Qena think that religion does prevail in their communities when it comes to women's rights. In contrast, 4.4% of respondents from Cairo think that religion prevails.

The sharp variation in the responses suggests that one prevailing factor determines the status of women's rights inside these communities, namely the power of culture and traditions. Women believe that there are many reasons for their current status. However, these reasons vary from Qena to Cairo. Women in Qena believe that the primary cause is the high illiteracy rates among women, followed by illiteracy among men, misinterpretation of religion, failure of religious institutions to correct misconceptions, and finally, failure of the media to educate the community.

In Cairo, however, women believe that the primary reason is the improper understanding of religion, followed by failure of the religious institutions in correcting misconceptions, failure of the media to educate the community, illiteracy among women, and finally, illiteracy among men.

7.4. The Relationship between the State, the *Ulama* and their Influential Role on Women's Rights and the Society in General

One term can be used to illustrate the relationship between the State and the *ulama*, and that is 'complexity'. The existing relationship is not manifested from a vacuum; indeed it is rooted and has accumulated during the past decades. The tension between the State and the *ulama* rises when the former maintains its power and exercises full authority on the course of political affairs and other life aspects.

In Egypt, during the reign of Muhammad Ali Pasha (1805 – 1848), founder of modern Egypt, the State took the first attempt towards systematically challenging the power of al-Azhar's religious authority and controlling the *ulama* through carrying out a number of measures aimed at limiting their financial autonomy. In addition, it stripped the *ulama* of their social status as a legislating authority through the establishment of an independent judicial system. Although the message was seen as reforming the religious institution, yet the hidden agenda beneath these reforms was to weaken the presence of al-Azhar on the one hand, in addition to being an approach to demonstrate the actual supremacy of the State on the other hand.

Indeed, many Egyptian rulers were evaluating their relationship with al-Azhar based on the flexibilities and cooperation by the *ulama* with the political authorities. Yet, the *ulama* have been rejected by the majority of these political authorities, especially when the former stood as an opposition to the ruling elite.

In June 1961, during Nāṣir's regime, a law which brought radical and full changes to al-Azhar's management and financial structure was issued. Yet, the most radical change was with regard to the appointment of *Shaykh* al-Azhar, where full authority was given to the Egyptian President and the Minister of Endowments in carrying out this task. These changes influence the pattern of representation of the relationship between the State and the *ulama*, which resembles a tug of war. Undoubtedly, the mass of the society has been trapped in the middle of such a relationship. Acknowledging the "ḥalāl" and "ḥarām" from a religious perspective remains a vital concern for the majority of Egyptians, especially in the traditional and conservative communities such as Upper Egypt.

Many people in the tradition and conservative communities have perceived and considered the *Imams* (clerics) as the sole people who possessed the word of truth; and have full knowledge of the religious teachings and must be followed blindly. Certainly, the problems lie right here. It is crucial to highlight significant facts regarding the *Imams*. First, they were influenced by their own customs and traditions⁸⁷. Second, some of them may not fully acquire comprehensive knowledge of the religion. Nevertheless, we cannot undermine the influential role played by those clerics inside their communities.

⁸⁷ According to Ramadan (2009:212) "[Early] *ulama* were also influenced by culture, which fashions gender relations and the conception of the natural status of women in traditional Eastern, Arab (or Persian or Asian), and patriarchal societies. Reading the early commentaries proposed by such great scholars as at-Tabarī, ar-Rāzī, or al-Qurtubī clearly shows that they indeed immersed in a specific culture and that their comments about women – their role as well as how they should be treated – stem as much, if not more from cultural projection as from normative critical reading". Asghar Ali Engineer (2004) agreed with Ramadan, he also added that "such culture influence still apply in our present day. For such narrative see Engineer" (2004:3)

With the rapid developments in mass communication and media, women tend to refer to the Television and Radio as the main sources of knowledge acquisition on religious teachings, rather than ask the *Imam* in their local mosque. According to the research findings, only 19.7% of women in Qena and 24% in Cairo ask the *Imam*. These results undoubtedly outline the nature of the relationship between women and the *Imam* in their communities. The reason for that, according to the majority of informants, is that women experience a lack of trust towards the *Imams* in their local mosque.

Accordingly, several questions arise. Why are women keen to listen or seek answers to questions that concern them from a religious standpoint? Does this reflect the current spiritual status of women? The most important question is, however, why do women have to listen to the State or the *Imams*? Indeed it is not easy to find definite answers; yet there are several significant points that can help understand such inquiries:

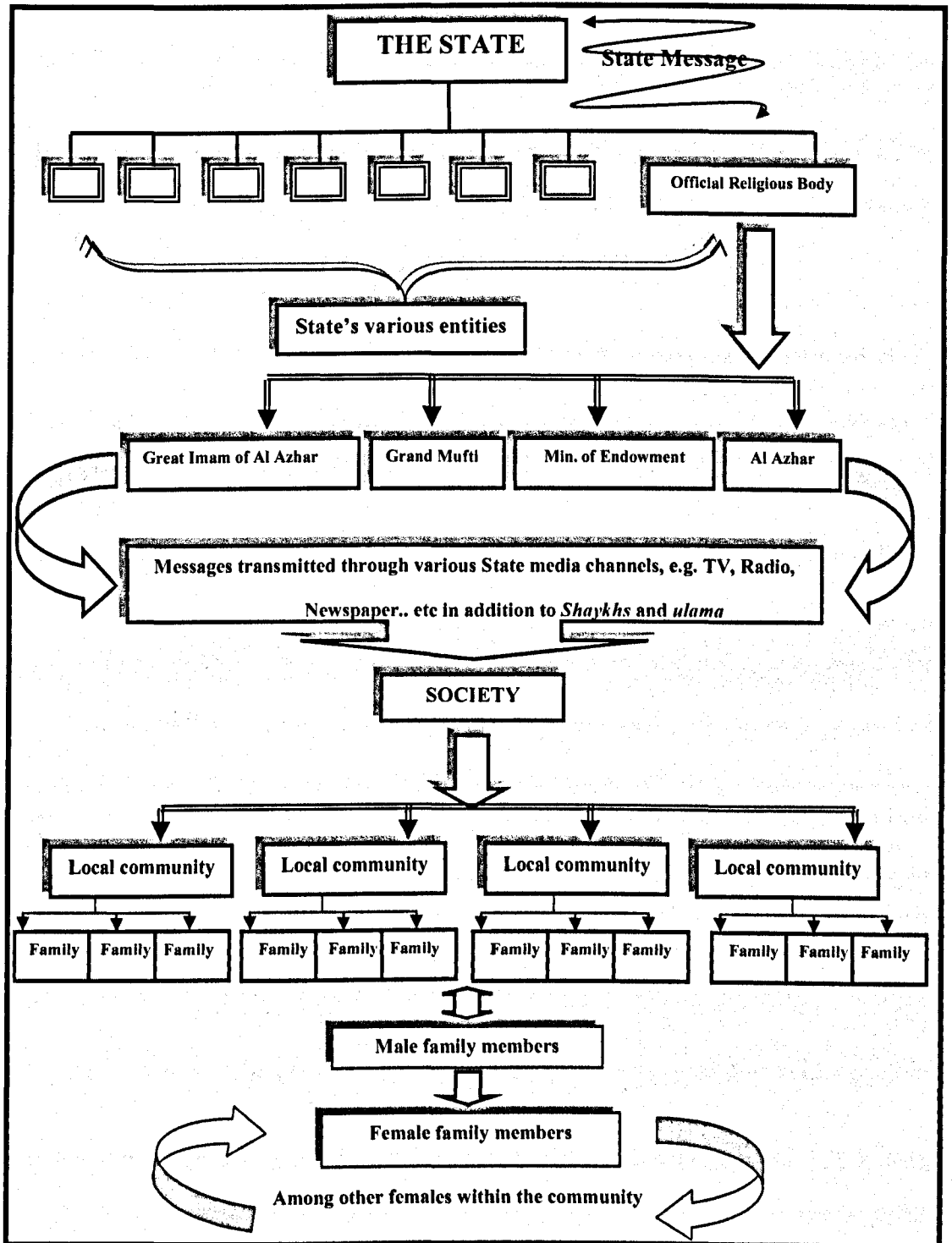
1. Partially through observation, there seems to be a changing pattern towards religion, particularly towards the Islamic (modest) dress code, given that a large number of women are wearing the veil (with its different types) even though some economic factors are involved in this respect. In addition, there is an increasing number of women who attend religious lessons in the main cities such as Cairo and Alexandria, and thus the phenomenon cannot be disregarded.
2. The profound desire of women to attain a high status in society and enjoy the rights provided to them by religion in addition to civil rights. Women who are striving to attain such ideals have been subject to discrimination and rights violation by their communities under the name of the same religion, and thus women are driven and motivated to learn more in this regard. Women with different social, educational, and economic status aspire to one goal, though their quest for knowledge may differ.

Bearing all this in mind, and with all the tremendous efforts carried out by the civil society and women's rights organizations to eliminate any discrimination against women in society through lobbying the State for issuing new laws, it is appreciated that women in traditional communities continue to question such changes initiated and promoted by these organizations. They are concerned about whether or not these laws adhere to Islamic teachings. Undoubtedly, it is a known fact that the State manages to promote these laws through its official religious body and its *ulama*; a good example is the campaign for and during the promulgation of *al-Khuf* law.

The following figure portrays our own interpretation on how the State transmits its message into the society, specially with regard to the issues of religion. The figure may propose that the *ulama* have no power or say on the content of the message, but the fact that those *ulama* have been appointed by the State means that they have to follow its policy to a certain degree.

However, when one of the *ulama* disagrees with the State his only available alternative is to resign his post; e.g. the case of the formal *Mufti* Nasr Farid Wasel (1996 – 2002). Such a policy faced huge criticism among the people, as they lost their faith and trust in those they call "*State Azharian Ulama*".

Figure 25: Illustrates the researcher's own interpretation of how the State transmits its message



Conclusion and Recommendations

In the light of the above discussion, the question is what conclusion can we draw in regards to the main question the current study has examined?

At a particular point in Egypt's history during the 19th century, Muhammad ʿabdū devoted huge concerns to educational, social and religious reforms, based on his belief that the way to combat ignorance and stand against foreign occupation (British at that time) was to begin by concentrating on the education and training of future generations. He also believed that political, social and religious reform was a tough and prolonged process, requiring reasoning and good judgment. ʿabdū faced huge criticism from his fellow Azhari colleagues for his progressive ideas at that time.

Yet, in our age he is considered as a pioneering innovator of the intellectual revival and enlightenment movement not just in Egypt but also in the Arab world in the 19th century. ʿabdū also advocated the liberation of women, and indeed co-authored with Qāsim Amīn his famous book, *The Emancipation of Women*⁸⁸. The reason that I am referring to Muhammad ʿabdū and his reformist ideas is that, despite all the achievements that women have made during the past two centuries, nevertheless based on the study findings that help us to reflect on the current situation, there is an urgent need to promote advocate women's empowerment through means similar to those ʿabdū was calling for.

⁸⁸ See his short biography: [http://www.sis.gov.eg/VR/figures/english/html/Muhammad %20Abdou.htm](http://www.sis.gov.eg/VR/figures/english/html/Muhammad%20Abdou.htm) (accessed 20 September ,2010)

Nevertheless we cannot deny that the State has made tremendous efforts to enhance the status of women educationally, socially, politically and economically. At the same the illiteracy rate among women is higher compared to men, which increases their vulnerability, meaning that they have been victimized and subject to what I have called “religious/ belief blackmail”.

By asserting this, I am not claiming here that these women are lacking in rationality or ability to manage their lives. What I am trying to explain is that these women have been transformed by their communities so as to understand and accept their status as women (including the extent of their religious and civic-based rights) on the basis of instruction from their elderly relatives or *ulama*.

Hence, based on our understanding of the current situation with its problematic nature, we have proposed the following recommendations to be implemented at both micro and macro levels in the society.

1. Recommendations at the Micro Level

The main recommendation at micro level is to concentrate on and emphasize the role played by Non-government organizations (NGOs), community based organizations (Cos) and civil society organizations. These organizations are very active at the grassroots level, and their programmes are verified in terms of health (reproductive and child care), literacy, income generating, and vocational training etc ...

The strength of these organizations lies in their community workers as they are mainly from the local communities which they serve, and this facilitates for them a smooth access to the communities; but above all these workers have understood the local tradition and cultural context which helps them to accommodate the mentality of their people.

What is proposed here is not implementing separate awareness-raising programmes that deal with women's religious and civic rights, owing to my understanding that such programmes are normally faced with obstacles and resistance in traditional communities. My proposal is to focus on integrating the information on women's rights within the existing programmes and this can be carried out with the cooperation of the progressive and moderate *ulama* to guarantee its truthful information and attract the attention of the women in particular and the communities in general.

So the question here is: do we need to deal with the *ulama* once again? The answer will be 'yes' and this is for several reasons:

- The important role played by the *ulama* in explaining different rules in the religion;
- The *ulama* themselves are diverse in their outlook, with some of them possessing progressive ideas, and this is what is needed the most to combat the radical ones;
- The need for the *ulamas*' participation in such programmes is vital, because we cannot overlook the fact that in traditional communities they are the only voice that can be heard without strong resistance. With their participation we also send an important and clear message that the intention behind such programmes are based on the understanding of the religion and not driven by an external agenda coming from the West.

Having said that, such a recommendation may not be appealing for some feminist and secularist groups, as they totally reject any proposal associated with a religious frame of reference. They advocate that women's empowerment and rights should be manifested within the framework of human rights.

Generally speaking I have no problem in accepting such discourse; however, and based on the current research findings and my experience as a social development practitioner, I can safely claim that such discourse would not have a platform of acceptance by the traditional communities; in fact it will create a controversial environment surrounding the issue which will result in strong resistance by the communities and even among women themselves. Therefore, we need to be logical and come up with realistic recommendations.

2. Recommendations at Macro Level

By the macro level, we mean here the State and its role in enhancing the status of women's rights. Undoubtedly over the past decades the State in Egypt has made huge progress with regards to women's issues such as the establishment of the family court which deals with custody and family issues in a peaceful environment away from regular law courts, issuing *al-Khul'* law, and provision of Egyptian Nationality for children who are born of Egyptian mothers and foreign fathers.

Yet, there are three major areas where the State can undertake affirmative action aimed at creating long-lasting and positive changes. These areas are represented by the Ministry of Education, the Ministry of Endowment and the Media. My proposal is as follows:

2.1. The Ministry of Education (Education Sector)

To be specific here, I am referring to the *Religious Curriculum*. But before we proceed; it is worth drawing attention to the fact that, I have scanned the religious curriculum of different educational stages at the secondary and primary levels. These curricula could be described as deficient from a woman [female] prospective! Their content has nothing to say about women and their roles, sacrifices and support for spreading the religion

during the Prophet Muhammad's [PBUH] time and beyond that during the establishment of the Islamic State, and their contribution in the science and as different religious disciples; on the other hand, there are short biographies of some of the Prophet's male companions.

A genuine and constructive question presents itself firmly here. What sort of message does the Ministry of Education want to spread among the young generation of students? When the dramatic changes to the curriculum took place, the Ministry of Education declared that the aim was to combat the radicalism among the youth, which is a noble cause. However, I am questioning how combating radicalism can mean overlooking and ignoring the role of Muslim women. If these young generations do not get the facts straight from moderate and trustworthy channels, it means we abandon and leave them open to getting their knowledge from other sources, which in most cases carry radical ideas about women and society in general.

Thus, what I am proposing here and with regard to how I see the role of the Ministry of Education is that it should review the current curricula and include rich content on the status of women and their rights in Islam and highlight their influential role in Islamic history through dedicating short biographies of the Prophet's female companions and other influential female figures.

2.2. The Ministry of Endowment

On 5th of July 2010, the Minister of Endowment stated the following: "the *dā'ī* have no excuse any more for not carrying out their duties in raising people's awareness in regard to their religious teachings". He continued by saying that the society has high expectations for the *dā'ī* contribution in guiding the people not just in religious but also social and cultural affairs, and the objective was to rebuild the Muslim personality.

The statement was carried in one of the daily newspaper⁸⁹. But what is realized in this statement is that the minister was pointing out the issue of demographic growth as the major and important matter which required urgent *dā'aw*!

Having said that, I disagree with the way that the ministry has analyzed society's problems. They tend to see the problems in a narrow scope, but if we look closer at this issue it will become clear that the problem has an economic dimension as well as a cultural and religious one rooted in the mind of the society, which has placed tremendous value on the preference of male over female children. Thus in traditional communities men tend to become polygamous in order to have a male child.

There is at least a body of anecdotal evidence in traditional communities there is a practice of abusing the religious teachings, especially in regard to the provisions of polygamy in Islam. Thus, we need the *dā'ī* to discuss this issue and explain the basis upon which polygamy was originally allowed, and also to correct the misunderstandings and misconceptions associated with the status of women and their rights in Islam.

2.3. The Media

In the early section of this chapter which deals with the discussion, I have highlighted the important role played by the media in raising women's awareness. Thus, my proposal will be to have more programmes tackling the current issues and problems challenging women and hindering their emancipation and developmental progress within the society. These programmes should not be limited to health and basic religious matters, but should be utilized to sensitize women with up-to-date provisions

⁸⁹ For the full article , see <http://www.n24h.suhufarabia.com/> [accessed 7 July, 2010]

and access to new laws, their political role and to encourage them to be active agents in developing their communities. In addition, the media can play another vital role in rectifying and challenging some major and widely-used expressions that are used by the communities to degrade women's status e.g. "women are less mindful and less religiously chargeable". Indeed, in certain cases we need to deal with these expressions by clarifying some of the *ḥadīth* which they are based upon, and which have been misunderstood outside their proper context and used by the communities in a negative way.

3. Recommendation at the Academic Level

Undoubtedly there is a pressing need for further studies that tackle the subject of women's rights in Egyptian society with its multiple-angles; social, political, religious, cultural, and economic. Such studies will help to draw a clearer picture of the overall issue. Nevertheless, these studies should not remain as academic documents only, but should be shared with government and used at the decision-making level.

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Appendix I: Egypt Constitution⁹⁰

The Head of the State:

Taking into account the results of the referendum of the Constitution of the Arab Republic of Egypt, held on September, 11th 1971 and the unanimity of the people's consensus on the Constitution, And after taking into account article 193 of the Constitution of the Arab Republic of Egypt.

Issues the Constitution of the Arab Republic of Egypt in the attached text.

Cairo Ragab, 21st 1391 - September, 11th 1971.

Muhammad Anwar El Sadat

⁹⁰ Source: Egypt Cabinet: http://www.cabinet.gov.eg/Constitution/Egyptian_Constitution.asp [access 28.03.2009] Article 1 – 63

Constitutional Proclamation

We, the masses of the people of Egypt, who have been toiling on this glorious land since the dawn of history and civilization, we the masses of this people working in Egypt's villages, fields, cities, factories, centres of education and industry in any field of work which contributes to the creation of life on its soil or plays a part in the honour of defending this land,

We, the masses of this people who believe in its spiritual and immortal heritage and who are confident in our profound faith and cherish the honour of man and of humanity at large,

We, the masses of this people who in addition to preserving the legacy of history bear the responsibility of great present and future objectives whose seeds are embedded in the long and arduous struggle, with which the banners of liberty, socialism and unity have been hoisted along the great march of the Arab Nation,

We, the masses of the people of Egypt, in the name of God and with His assistance pledge to indefinitely and unconditionally exert every effort to realize:-

First: Peace to our world: being determined that peace can only be based on justice and that political and social progress of all peoples can only be realized through the freedom and independent will of these peoples, and that any civilization is not worthy of its name unless it is free from exploitation whatever its form .

Second: Unity: The hope of our Arab Nation being certain that Arab Unity is a call of history and future and an inevitable destiny which can only materialize through an Arab Nation capable of warding off any threat whatever may be the source or the pretexts justifying it.

Third: The constant development of life in our nation: Being convinced that the true challenge confronting nations is the realization of progress and that such progress does not occur automatically or through slogans alone, but that the driving force behind it is the release of all potentials of creativity and originality in our people, who have asserted at all times their contribution to civilization and humanity through work alone. Our people have passed through successive experiences, meantime offering rich experiences on both the national and international levels, by which they have been guided. These experiences finally took shape in the basic documentations of the July, 23rd Revolution led by the alliance of the working forces of our struggling people. This people have

been able, through deep awareness and refined sensibility, to retain the genuine core of this revolution and to continuously rectify its path and to realize through it full integration between science and faith, political and social freedom, national independence and affiliation on the one hand and the worldwide struggle of humanity for political economic, cultural and intellectual freedom and the fight against all forces and remnants of regression domination and exploitation on the other hand .

Fourth: Freedom for the humanity of the Egyptian man: Having realized that man's humanity and dignity are the torches that guide and direct the course of the enormous development of mankind towards its supreme ideals. The dignity of every individual is natural reflection of the dignity of his nation, for each individual is a cornerstone in the edifice of the homeland. This homeland derives its strength and prestige from the value of each individual, his activity and dignity. The sovereignty of law is not only a guarantee for the freedom of the individual but is also the sole basis for the legality of authority. The alliance of the popular working forces is not a means for social conflict towards historical development, it is, in this modern age, with its climate and ways, a safety valve protecting the unity of the working powers of the nation and eliminating contradictions within these forces through democratic interaction. We the working masses of the people of Egypt - out of determination, confidence and faith in all our national and international responsibilities, and in acknowledgment of God's right and His messages, and in recognition of the right of our nation as well as of the principle and responsibility of mankind, and in the name of God and with His assistance – declare on the Eleventh of September 1971 that we accept and grant ourselves this Constitution, asserting our firm determination to defend and protect it, assuring our respect for it.

CONSTITUTION ARTICLE⁹¹**PART ONE - THE STATE**

(Article 1) The Arab Republic of Egypt is a democratic State based on citizenship. The Egyptian people are part of the Arab nation and work for the realization of its comprehensive unity.

(Article 2) Islam is the Religion of the State. Arabic is its official language, and the principal source of legislation is Islamic Jurisprudence (Sharia).

(Article 3) Sovereignty is for the people alone who will practice and protect this sovereignty and safeguard national unity in the manner specified by the Constitution.

(Article 4) Economy in the Arab Republic of Egypt is based on the development of economic activity, social justice, guarantee of different forms of property and the preservation of laborers' rights.

(Article 5) The political regime of the Arab Republic of Egypt is based upon the multi-party system within the framework of the basic principles and components of the Egyptian society stipulated by the Constitution. Political parties shall be organized by law. The citizens have the right to form political parties according to the law and no political activity shall be exercised or political parties shall be formed on the basis of religion or on discrimination due to gender or race.

(Article 6) Egyptian Nationality is defined by law.

PART TWO - BASIC CONSTITUENTS OF THE SOCIETY**CHAPTER I - Social and Moral Constituents**

(Article 7) Social solidarity is the basis of society.

(Article 8) The State shall guarantee equality of opportunity to all Egyptians.

(Article 9) The family is the basis of the society founded on religion, morality and patriotism. The State is keen to preserve the genuine character of the Egyptian family-

⁹¹ Egyptian Constitution includes 211 articles, for complete articles see :
Egypt Cabinet: http://www.cabinet.gov.eg/Constitution/Egyptian_Constitution.asp

with all values and traditions represented by it- while affirming and promoting this character in the interplay of relations within the Egyptian society.

(Article 10) The State shall guarantee the protection of motherhood and childhood, look after children and youth and provide the suitable conditions for the development of their talents.

(Article 11) The State shall guarantee coordination between woman's duties towards her family and her work in the society, considering her equal to man in the political, social, cultural and economic spheres without detriment to the rules of Islamic jurisprudence (Sharia).

(Article 12) Society shall be committed to safeguarding and protecting morals, promoting the genuine Egyptian traditions and abiding by the high standards of religious education, moral and national values, the historical heritage of the people, scientific facts, and public manners within the limits of the law. The State is committed to abiding by these principles and promoting them.

(Article 13) Work is a right, a duty and an honour ensured by the State. Distinguished workers shall be worthy of the appreciation of the State and the society. No work shall be imposed on citizens, except by virtue of the law, for the performance of a public service and in return for a fair remuneration.

(Article 14) Citizens are entitled to public offices, which are assigned to those who shall occupy them in the service of people. The State guarantees the protection of public officers in the performance of their duties in safeguarding the interests of the people. They may not be dismissed by other than the disciplinary way except in the cases specified by the law.

(Article 15) War veterans and those injured during wars or because of them, martyrs' wives and children shall have priority in work opportunities according to the law.

(Article 16) The State shall guarantee cultural, social and health services and shall work to ensure them particularly for villagers in an easy and regular manner in order to raise their standard.

(Article 17) The State shall guarantee social and health insurance services. All citizens shall have the right to pensions in cases of incapacity, unemployment, and old-age in accordance with the law.

(Article 18) Education is a right guaranteed by the State. It is obligatory in the primary stage. The State shall work to extend obligation to other stages. The State shall supervise all branches of education and guarantee the independence of universities and scientific research centres, with a view to linking all this with the requirements of society and production.

(Article 19) Religious education shall be a principal subject in the courses of general education.

(Article 20) Education in the State: Educational institutions shall be free of charge in their various stages.

(Article 21) Combating illiteracy shall be a national duty for which all the people's capacity shall be mobilized.

(Article 22) The institution of civil titles shall be prohibited.

CHAPTER II - Economic Constituent

(Article 23) The national economy shall be organized in accordance with a comprehensive development plan which ensures raising the national income, fair distribution, raising the standard of living, solving the problem of unemployment, increasing work opportunities, connecting wages with production, fixing a minimum and maximum limit for wages in a manner that guarantees lessening the disparities between incomes.

(Article 24) The State shall sponsor national production and shall work for realizing social and economic development.

(Article 25) Every citizen shall have a share in the national revenue to be defined by law in accordance with his work or his unexploiting ownership.

(Article 26) Workers shall have a share in the management and profits of projects. They shall be committed to the development of production and the implementation of the plan in their production units, in accordance with the law. Protecting the means of production is a national duty. Workers shall be represented on the boards of directors of the public sector units by at least 50% of the number of members of these boards. The law shall guarantee for the small farmers and small craftsmen 80% of the membership on the boards of directors of the agricultural and industrial co-operatives.

(Article 27) Beneficiaries shall participate in the management of the services projects of public interest and their supervision in accordance with the law.

(Article 28) The State shall look after the co-operative establishments in all their forms and encourage handicrafts with a view to developing production and raising income. The State shall endeavour to support agricultural co-operatives according to modern scientific bases.

(Article 29) Ownership shall be under the supervision of the people and the protection of the State. There are three kinds of ownership: public ownership, co-operative ownership and private ownership.

(Article 30) Public ownership is the ownership of the people as represented in the ownership of the State and the public legal persons.

(Article 31) Co-operative ownership is the ownership of the co-operative societies. The law shall guarantee its protection and self-management.

(Article 32) Private ownership shall be represented by the un exploiting capital. The law shall organize the performance of its social function in the service of the national economy within the framework of the development plan, without deviation or exploitation. The ways of its utilization should not contradict the general welfare of the people.

(Article 33) Public ownership shall have its sanctity, and its protection and consolidation is the duty of every citizen in accordance with the law.

(Article 34) Private ownership shall be safeguarded and may not be placed under sequestration except in the cases defined by law and in accordance with a judicial decision. It may not be expropriated except for the general good and against a fair compensation as defined by law. The right of inheritance shall be guaranteed in it.

(Article 35) Nationalization shall not be allowed except for considerations of public interest and in accordance with a law and against a compensation.

(Article 36) General confiscation of funds shall be prohibited. Private confiscation shall not be allowed except by a judicial decision.

(Article 37) The law shall fix the maximum limit of land ownership with a view to protecting the farmer and the agricultural labour from exploitation.

(Article 38) The tax system shall be based on social justice.

(Article 39) Saving is a national duty protected, encouraged and organized by the State.

PART THREE - PUBLIC FREEDOMS, RIGHTS AND DUTIES

(Article 40) All citizens are equal before the law. They have equal public rights and duties without discrimination between them due to race, ethnic origin, language, religion or creed.

(Article 41) Individual freedom is a natural right and shall not be touched. Except in cases of a flagrant delicate no person may be arrested, inspected, detained or his freedom restricted or prevented from free movement except by an [sic] or necessitated by investigations and preservation of the security of the society. This order shall be given by the competent judge or the Public Prosecution in accordance with the provisions of the law. The law shall determine the period of custody.

(Article 42) Any person arrested, detained or his freedom restricted shall be treated in the manner concomitant with the preservation of his dignity. No physical or moral harm is to be inflicted upon him. He may not be detained or imprisoned except in places defined by laws organizing prisons. If a confession is proved to have been made by a person under any of the aforementioned forms of duress or coercion, it shall be considered invalid and futile.

(Article 43) Any medical or scientific experiment may not be undergone on any person without his free consent.

(Article 44) Homes shall have their sanctity and they may not be entered or inspected except by a causal judicial warrant prescribed by the law.

(Article 45) The law shall protect the inviolability of the private life of citizens. Correspondence, wires, telephone calls and other means of communication shall have their own sanctity and secrecy and may not be confiscated or monitored except by a causal judicial warrant and for a definite period according to the provisions of the law.

(Article 46) The State shall guarantee the freedom of belief and the freedom of practice of religious rites.

(Article 47) Freedom of opinion is guaranteed. Every individual has the right to express his opinion and to publicize it verbally or in writing or by photography or by other

means within the limits of the law. Self-criticism and constructive criticism is the guarantee for the safety of the national structure.

(Article 48) Freedom of the press, printing, publication and mass media shall be guaranteed. Censorship on newspapers is forbidden as well as notifying, suspending or cancelling them by administrative methods.

In a State of emergency or in time of war a limited censorship may be imposed on the newspapers, publications and mass media in matters related to public safety or purposes of national security in accordance with the law.

(Article 49) The State shall guarantee the freedom of scientific research and literary, artistic and cultural invention and provide the necessary means for its realization.

(Article 50) No citizen may be prohibited from residing in any place and no citizen may be forced to reside in a particular place, except in the cases defined by the law.

(Article 51) No citizen may be deported from the country or prevented from returning to it.

(Article 52) Citizens shall have the right to permanent or temporary immigration. The law shall regulate this right and the measures and conditions of immigration and leaving the country.

(Article 53) The right to political asylum shall be guaranteed by the State for every foreigner persecuted for defending the peoples' interests, human rights, peace or justice. The extradition of political refugees is prohibited.

(Article 54) Citizens shall have the right to peaceable and unarmed private assembly, without the need for prior notice. Security men should not attend these private meetings. Public meetings, processions and gatherings are allowed within the limits of the law.

(Article 55) Citizens shall have the right to form societies as defined in the law. The establishment of societies whose activities are hostile to the social system, clandestine or have a military character is prohibited.

(Article 56) The creation of syndicates and unions on a democratic basis is a right guaranteed by law, and should have a moral entity. The law regulates the participation of syndicates and unions in carrying out the social programs and plans, raising the standard of efficiency among their members, and safeguarding their funds. They are

responsible for questioning their members about their behaviour in exercising their activities according to certain codes of morals, and for defending the rights and liberties of their members as defined in the law.

(Article 57) Any assault on individual freedom or on the inviolability of private life of citizens and any other public rights and liberties guaranteed by the Constitution and the law shall be considered a crime, whose criminal and civil lawsuit is not liable to prescription. The State shall grant a fair compensation to the victim of such an assault.

(Article 58) The defence of the motherland is a sacred duty, and conscription is obligatory in accordance with the law.

(Article 59) Environment protection is a national duty. The law organizes procedures needed to protect the environment.

(Article 60) Protecting national unity and keeping State secrets is the duty of every citizen.

(Article 61) Payment of taxes and public imports is a duty, in accordance with the law.

(Article 62) Citizens shall have the right to vote and express their opinions in referendums according to the provisions of the law. Their participation in public life is a national duty. The law shall regulate the right of candidacy to the People's Assembly and the Shura Council and the local councils according to the electoral system it specifies. The law may adopt a system, combining between the individual system and the party lists by means of any ratio between them to be specified by the law. It may also include a minimum limit for the women's participation in the afore-mentioned councils. Their participation in public life is a national duty.

(Article 63) Every individual has the right to address public authorities in writing and with his own signature. Addressing public authorities should not be in the name of groups, with the exception of disciplinary organs and moral personalities.

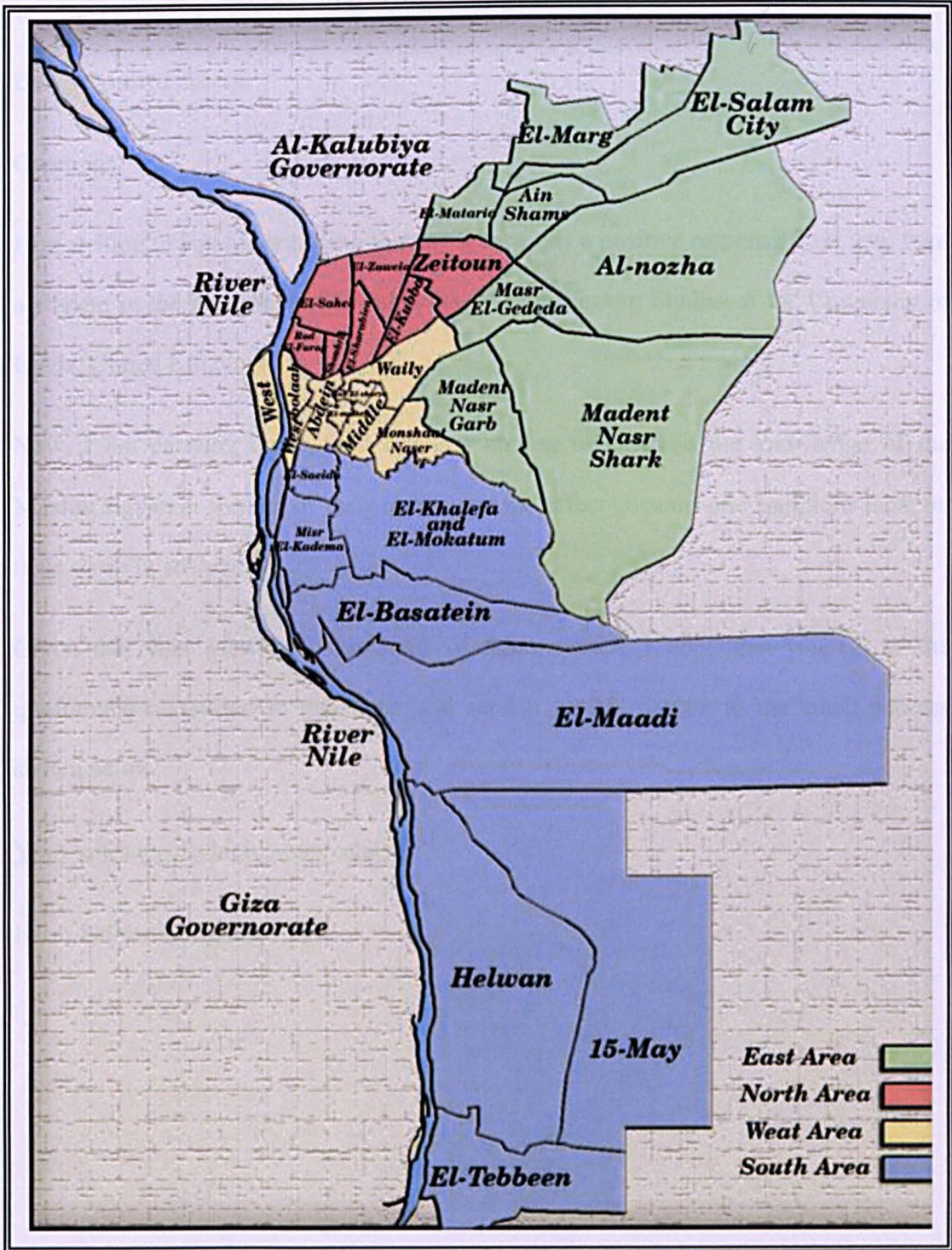
Appendix II: Map of Egypt⁹²

⁹² http://www.maps.com/ref_map.aspx?cid=694,720,730,921&pid=12012&nav=MS [accessed on 26 July, 2009]

Appendix III: Qena Governorate Map



Appendix IV: Cairo Governorate Map



Appendix V: The Questionnaire

To Whom It May Concern

Dear respected sisters,

Greetings

I am writing to you today hoping that my letter finds a positive response from you. I am a student in the department of Arabic and Middle Eastern Studies at the University of Leeds, United Kingdom.

Now, I am carrying out a field research aiming to examine the knowledge of the Muslim Egyptian women of their rights, and the effect customs and traditions have on their status in society.

Given that your views are the focus of this research, I hope that you fill in the questionnaire attached to this letter and send it by 25/10/2008 to the email address shown below.

Your assistance is highly appreciated

Hiam Salaledin Elgousi

Questionnaire

To measure the Muslim Egyptian women's knowledge of their rights and the effect customs and traditions have on their status in society.

Name (optional)

1- Place of residence

2- Age (years)

- | | | | |
|----------|----------|----------|----------|
| a. 15-19 | b. 20-24 | c. 25-29 | d. 30-34 |
| e. 35-39 | f. 40-44 | g. 45-49 | e. 50+ |

3- Education level:

- | | |
|------------------------|--------------------------------|
| a. Illiterate | b. Reads and Writes (Literacy) |
| c. Primary (age 7- 11) | d. Preparatory (age12 – 14) |
| e. High school | f. University and above |

4- Social status:

- | | | | |
|-----------|------------|-------------|----------|
| a. Single | b. Married | c. Divorced | d. Widow |
|-----------|------------|-------------|----------|

5- Occupation:

- | | |
|---------------|-----------------------------|
| a. Unemployed | b. Employed (sate the post) |
|---------------|-----------------------------|

6- Do you have children?

- | | |
|-----------------------------|-------|
| a. Yes (number of children) | b. No |
|-----------------------------|-------|

7- Does your house work/ taking care of children affect your update information on women's issues?

- | | |
|--------|-------|
| a. Yes | b. No |
|--------|-------|

12- What is your definition to / or how you define the words “customs and traditions”?

.....

13- Are there any differences between customs / traditions and religion in regards to women's issues?

a. Yes, how do you differentiate between them (by giving example)

.....

b. No, Why

14- What did help you in knowing the difference between them/ or made you able to differentiate between them?

a. Formal education b. TV/ Radio c. Newspaper/ magazines

d. Reading Books e. the Imam of the mosque f. Internet

g. other (clarify)

15- What prevails in your community with regard to women?

a. Customs and traditions b. Religion c. Mixture of both

(Give three examples).....
.....

16- In your opinion, what causes led to that? (You can choose more than one answer)

a. illiteracy rate among women

b. Failure of the media to educate the community

c. Misunderstanding the religion

d. illiteracy rate among men

e. failure of the religious organisation in correcting misconceptions

f. Other

17- If you were faced with a question regarding your rights as a woman / other issues (duties / responsibilities) to whom do you turn for the answers?

- a. Never ask
- b. The Imam of the mosque
- c. attending religious class or study circles/ at the mosque or religious organisation
- d. Ask a member of my family
- e. Dar al-Iftā'
- f. Islamic websites online
- g. Contact one of the religious programmes on TV / Radio: Programme Title :
- h. searching books on women *fiqh* / magazines; (author)
- i. Other

18- What is the extent of your knowledge of the laws which have been issued / aimed at improving the status of women in society?

- a. I don't know (move to question 22)
- b. Simple knowledge
- c. good knowledge
- d. Full knowledge

19- Chose which law you have known from the following list

- a. The law of "Jihan Al-Sadat"
- b. The law of "Al- Khul'a"
- c. The law which States "the flat is a right of the wife"
- d. The law of "year 2000"

20- What is the source of your knowledge of those laws?

- a. TV/ radio
- b. Friend/ neighbour/ work colleague
- c. National newspapers
- d. Others

21- In your opinion, do you think those laws helped in improving the status of women?

- a. Yes
- b. No

(Give two examples for each case):

.....

22- Is there a need for more laws aiming to improve the status of women and protect their rights?

- a. Yes
- b. No

(Give examples in each case)

.....

23- Have you ever heard about “Feminist Movement” in Egypt before?

- a. Yes
- b. No (move to question 26)

24- Do you have background knowledge about the achievements/ historical periods of this movement?

- a. Yes (give three examples)
- b. No

25- What is the source of your information?

- a. Formal education
- b. TV/ Radio
- c. Newspaper/ magazines
- d. Reading Books
- e. Internet
- f. Other (clarify)

26- In your opinion, what is the meaning of the word “Feminism”?

.....
.....
.....

27- Do you know any of these names? (You can choose more than one name)

a. Huda Sha'rawi

b. Zainab Al-Ghazali

c. Nabawiya Musa

d. Sheikh Muhammad Abdu

e. Qasim Ameen

f. Aisha Taymoriyah

g. Dr. Hiba Rauf

h. Labiba Ahmed

i. Dr. Abla Al-Kahlawi

j. Dr. Suad Salih

k. Dr. Nawal Al-Sadawi

l. Dr. Aisha Abdul-Rahman (Bint Al-Shatei)

Appendix VI: Definitions

Kruskal-Wallis H -Test

According to Gregory Corder, and Dale Foreman Kruskal-Wallis test is used (2009:100): “to compare more than two independent samples. When stating our hypotheses, we State from them in terms of the population. Moreover, we examine the population median, when performing the Kruskal-Wallis H -test.

To compute the Kruskal-Wallis H -test statistic, we begin by combining all of the samples and rank ordering the values together. Use Formula (1) to determine an H statistics.”

$$H = \frac{12}{N(N+1)} \sum_{i=1}^k \frac{R_i^2}{n_i} - 3(N+1) \quad (1)$$

“Where N is the number of values from all combined samples, R_i is the sum of the ranks from a particular sample, and n_i is the number values from the corresponding rank sum.

The degree of freedom, df , for the Kruskal-Wallis H -test are determined by using Formula (2)”.

$$df = k - 1 \quad (2)$$

“Once the test statistic, H , is computed, it can be compared to a table of critical values to examine the groups for significant differences. If ranking of values results in any ties, a ties correction is required. In that find a new H statistics by dividing the original H statistic by the ties correction. Use formula (3) to determine the ties correction value.” (ibid.,: 100)

$$C_H = 1 - \frac{\sum(T^3 - T)}{(N^3 - N)} \quad (3)$$

“Where C_H is the ties correction, T is the number of values from a set of ties, and N is the number of values from all combined samples.

If the H statistic is not significant, then no differences exist between any of the samples. However, if the H statistic is significant, then a difference exists between at least two of the samples. (Corder and Foreman 2009: 101)

Mann-Whitney U -Test

Corder, and Foreman defined: “It is a nonparametric statistical procedure for comparing two samples that are independent, or not related. The parametric equivalent to this test is the t –test for independent samples” (2009: 57).

To compute the Mann-Whitney U –test statistic, we begin by combining the two samples and rank ordering the values together. “Use Formula (4) to determine a Mann-Whitney U -test statistics for each of the two samples. The smaller of the two U statistics is the obtained value.” (ibid.,: 58).

$$U_i = n_1 n_2 + \frac{n_i(n_i + 1)}{2} - \sum R_i \quad (4)$$

“Where U_i is the test statistic for the sample of interest, n_i is the number of values from the sample of interest, n_1 is the number of values from the first sample, n_2 is the number of values from the second sample, and $\sum R_i$ is the sum of the ranks from the sample of interest” (ibid.,: 58).

Once the test statistic, U , is computed, it can be compared to a table of critical values to examine the two groups for significant differences.

“If the number of values in each sample, n_i , exceeds those available from the table, then a large sample approximation may be performed. For large sample, compute a z –score and use a table with the normal distribution to obtain a critical region of z –scores” (Corder, and Foreman 2009:59)

$$z^* = \frac{U_i - \bar{x}_U}{s_U} \quad (5)$$

Where z^* is the z – score for a normal approximation of the data, U_i is the U statistic from the sample of interest, \bar{x}_U is the mean (use formula (6)), and s_U is the standard deviation (use formula (7)). (ibid.,: 59).

$$\bar{x}_U = \frac{n_1 n_2}{2} \quad (6)$$

$$s_U = \sqrt{\frac{n_1 n_2 (n_1 + n_2 + 1)}{12}} \quad (7)$$

If the critical value equals or exceeds the obtained value, we must reject the null hypothesis (significant), suggesting that a real difference exists between the two groups. If instead, the critical value is less than the obtained value, we must not reject the null hypothesis. (ibid.,:59)

Chi-square Contingency Table

Michael Crawley (2005: 85) defined the Chi-square contingency table, according to him "The dictionary definition of contingency is 'an event that may or may not happen'. In statistics the contingencies are all the events that could possible happen. A contingency table shows the counts of how many times each of the contingencies actually happened in a particular sample. The table is completed by calculating the subtotalled to the margins 'row totals', the 'column totals' and finally the 'grand total'.

The Chi- square (χ^2) Test

The Chi Square Test of Independence tests the association between 2 categorical variables.

We calculate the test statistic χ^2 (Pearson's chi square) as follows:

- 1) State Null Hypothesis, H_0 , (that of no association) and Alternative Hypothesis, H_1 .
- 2) Record observed frequencies, O , in each cell of the contingency table.
- 3) Calculate row (R), column (C) and grand (G) totals.
- 4) Calculate expected frequency, E , for each cell:

$$4. \quad E = \frac{R \times C}{G}$$

- 5) Calculate test statistic:

$$\chi^2 = \sum \frac{(O - E)^2}{E} \quad (8)$$

- 6) Find critical value from chi-square table, as appended, with a, df , degrees of freedom where r and c are the number of rows and columns respectively.

$$df = (r - 1) \times (c - 1) \quad (9)$$

- 7) Compare the two values and conclude whether the variables are independent or not. If the calculated value of the test static is greater than the critical value we reject the null hypothesis. (Crawley 2005).

Appendix VII: Research Data

CAIRO GOVERNORATE

Q2: Age					
		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	15-19	8	4.8	4.8	4.8
	20-24	34	20.4	20.4	25.1
	25-29	37	22.2	22.2	47.3
	30-34	30	18.0	18.0	65.3
	35-39	13	7.8	7.8	73.1
	40-44	13	7.8	7.8	80.8
	45-49	7	4.2	4.2	85.0
	50+	25	15.0	15.0	100.0
	Total	167	100.0	100.0	

Q3: Educational Level					
		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Illiterate	2	1.2	1.2	1.2
	literate	2	1.2	1.2	2.4
	Primary (age 7-11)	1	.6	.6	3.0
	Preparatory (age 12-14)	5	3.0	3.0	6.0
	High School	13	7.8	7.8	13.8
	University and Above	144	86.2	86.2	100.0
	Total	167	100.0	100.0	

Q4: Social Status					
		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Single	64	38.3	38.6	38.6
	Married	88	52.7	53.0	91.6
	Divorced	4	2.4	2.4	94.0
	Widowed	10	6.0	6.0	100.0
	Total	166	99.4	100.0	
Missing	System	1	.6		
Total		167	100.0		

Q5: Occupation					
		Frequency	Percent	Valid Percent	Cumulative Percent
Occupation	Unemployed	57	34.1	34.1	34.1
	Employed	110	65.9	65.9	100.0
Total		167	100.0	100.0	

Q6: Do you have children?					
		Frequency	Percent	Valid Percent	Cumulative Percent
Do you have children	No	78	46.7	47.0	47.0
	Yes	88	52.7	53.0	100.0
Total		166	99.4	100.0	
Missing	System	1	.6		
Total		167	100.0		

Q7: Do your house work/ taking care of children affect your update information on women's issues?					
		Frequency	Percent	Valid Percent	Cumulative Percent
	No	89	53.3	61.0	61.0
	Yes	57	34.1	39.0	100.0
Total		146	87.4	100.0	
Missing	System	21	12.6		
Total		167	100.0		

Q8: To what extent your knowledge of women's rights granted to it by Islam?					
		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	No knowledge	6	4.2	3.6	4.2
	Basic knowledge	60	35.9	36.4	40.6
	Good knowledge	87	52.1	52.7	93.3
	Full knowledge	12	6.6	7.3	100.0
	Total	165	98.8	100.0	
Missing	System	2	1.2		
Total		167	100.0		

Q9 : Put a sign in front of what you know of the following rights:		
List of Rights	Count	
		167.0
To work or manage her own business	132	79.0
To be financially separated from her husband	142	85.0
To practice different levels of education	149	89.2
To choose her husband	158	94.6
The right of inheritance	140	83.8
Ending the marriage through the (<i>al-Khuḥ</i> , El-Tamlak techniques)	101	60.4
State conditions in the marriage contract	109	65.2
To be respected and kindly be treated	152	91.0
To participate in political life	111	66.4
To work as a judge	73	43.7

Q10: What is the source of your knowledge of those rights?		
Total number of respondents = 167	Count	Percent
Formal education	53	31.7
TV / Radio	128	76.6
Newspaper / Magazines	87	52.0
Reading Books	71	42.5
Imam of the mosque	40	23.9
Internet	40	23.9

Q11: Do you practice those rights in your society?					
	No	33	19.8	21.4	21.4
	Yes	121	72.5	78.6	100.0
	Total	154	92.2	100.0	
Missing	System	13	7.8		
Total		167	100.0		

Q13: Are there differences between customs/ traditions and religion in regards to women's issues?					
		Frequency	Percent	Valid Percent	Cumulative Percent
	No	15	9.0	10.1	10.1
	Yes	133	79.6	89.9	100.0
	I don't know			.0	
	Total	148	88.6	100.0	
Missing	System	19	11.4		
Total		167	100.0		

Q14: What did help you in knowing the difference between them/ or made you able to differentiate between them?		
	Count	167.0
Formal education	52	31.1
TV / Radio	101	60.4
Newspaper / Magazines	62	37.1
Reading Books	73	43.7
Imam of the mosque	36	21.5
Internet	36	21.5

Q15: What prevails in your community with regard to women?					
		Frequency	Percent	Valid Percent	Cumulative Percent
	Customs& traditions	29	17.4	18.1	18.1
	Religion	7	4.2	4.4	22.5
	Mixture of both	124	74.3	77.5	100.0
	Total	160	95.8	100.0	
Missing	System	7	4.2		
Total		167	100.0		

Q16: What causes have led to that?		
	Count	167.0
Illiteracy rate among women	72	43.1
Failure of the media to educate the community	75	44.9
Misunderstanding of the religion	110	65.8
Illiteracy rate among men	52	31.1
Failure of the religious organization in correcting misconceptions	94	56.2

Q17: If you are faced with a question regarding your rights as woman/ other issues, to whom do you consult?		
	Count	167
Never ask	2	1.1
Imam of the mosque	34	20.3
Attending religious classes/ circles	39	23.3
Ask a member of my family	55	32.9
<u>Dar Al-Ifta</u>	81	48.5
Islamic websites	45	26.9
Contact one of the religious programmes on TV / Radio	28	16.7
Searching books on women <u>figh</u> / magazines	48	28.7

Q18: To what extent your knowledge of the laws which have been issued aimed at improving the status of women in society?					
		Frequency	Percent	Valid Percent	Cumulative Percent
Knowledge of the laws	I don't know	29	17.4	19.1	19.1
	Basic	95	56.9	62.5	81.6
	Good	27	16.2	17.8	99.3
	Full	1	.6	.7	100.0
	Total	152	91.0	100.0	
Missing	System	15	9.0		
Total		167	100.0		

Q19: Chose which law you have known from the following list:			
		Count	
Laws	"Jihan al-Sadat"	18	10.7
	" <i>al-Khul'</i> "	118	70.6
	Law States "the flat is a right of the wife"	101	60.4
	The law of "year 2000"	7	4.1

Q20: What is the source of your knowledge of those laws?		
		Count
TV / Radio		106 63.5
Friend/ Neighbour/ Co-worker		25 15.0
National Newspaper		61 36.5

Q21: In your opinion, have those laws helped in improving the status of the women?

		Frequency	Percent	Valid Percent	Cumulative Percent
	No	21	12.6	16.8	16.8
	Yes	104	62.3	83.2	100.0
	Total	125	74.9	100.0	
Missing	System	42	25.1		
Total		167	100.0		

Q 22: Is there a need for more laws aiming to improve the status of women and protect their rights?

		Frequency	Percent	Valid Percent	Cumulative Percent
	No	47	28.1	33.6	33.6
	Yes	93	55.7	66.4	100.0
	I don't know			.0	
	Total	140	83.8	100.0	
Missing	System	27	16.2		
Total		167	100.0		

Q23: Have you ever heard about "Feminism Movement" in Egypt before?					
		Frequency	Percent	Valid Percent	Cumulative Percent
	No	111	66.5	70.3	70.3
	Yes	47	28.1	29.7	100.0
	Total	158	94.6	100.0	
Missing	System	9	5.4		
Total		167	100.0		

Q 24: Do you have background knowledge about its achievements / historical periods?					
		Frequency	Percent	Valid Percent	Cumulative Percent
	No	16	9.6	37.2	37.2
	Yes	27	16.2	62.8	100.0
	Total	43	25.7	100.0	
Missing	System	124	74.3		
Total		167	100.0		

Q 25: Sources of your information		
	Count	
Formal education	14	29.7
TV / Radio	27	57.4
Newspaper / Magazines	18	38.2
Reading Books	14	29.7
Internet	4	8.5

Q 27: - Do you know any of these names? (You can choose more than one name)		
List of names	Count	
Huda Sha'rawi	140	83.8
Zainab Al-Ghazali	26	15.5
Nabawiya Musa	66	39.5
Sheikh Muhammad Abdu	108	64.6
Qasim Ameen	142	85.0
Aisha Taymoriyah	22	13.1
Dr. Hiba Rauf	2	1.1
Labiba Ahmed	3	1.7
Dr. Abla Al-Kahlawi	147	88.0
Dr. Suad Salih	108	64.6
Dr. Nawal Al-Sadawi	77	46.1
Dr. Aisha Abdul-Rahman (Bint Al-Shatei)	96	57.4

Kruskal-Wallis Test

Ranks			
	Educational Level	N	Mean Rank
The Knowledge of Rights	Illiterate	2	8
	Read / Writes	2	21
	Primary (age 7-11)	1	3.5
	Preparatory (age 12-14)	5	69.9
	High School	13	89.23
	University and Above	144	86.51
	Total	167	
Test Statistics(a,b)			
	The Knowledge of Rights		
Chi-Square			12.493
df			5
Asymp. Sig.			0.029
a Kruskal Wallis Test			
b Grouping Variable: Educational Level			

Are there differences between customs/ traditions and religion in regards to women's issues? * What prevails in your community with regard to women?

Cases					
Valid		Missing		Total	
N	Percent	N	Percent	N	Percent
143	85.60%	24	14.40%	167	100.00%

		What prevails in your community with regard to women?			Total
		Customs and traditions	Religion	Mixture of both	
Are there differences between customs/ traditions and religion in regards to women's issues?	No	3		12	15
	Yes	23	5	100	128
Total		26	5	112	143

Chi-Square Tests			
	Value	df	Asymp. Sig. (2-sided)
Pearson Chi-Square	.622 ^(a)	2	0.733
Likelihood Ratio	1.144	2	0.564
Linear-by-Linear Association	0	1	0.994
N of Valid Cases	143		

(a) 3 cells (50.0%) have expected count less than 5. The minimum expected count is .52.

What prevails in your community with regard to women?						
	Cases					
	Valid		Missing		Total	
	N	Percent	N	Percent	N	Percent
Illiteracy rate among women	160	95.80%	7	4.20%	167	100.00%
Failure of the media to educate the community	160	95.80%	7	4.20%	167	100.00%
Misunderstanding the religion	160	95.80%	7	4.20%	167	100.00%
Illiteracy rate among men	160	95.80%	7	4.20%	167	100.00%
Failure of the religious organization in correcting misconceptions	160	95.80%	7	4.20%	167	100.00%

		Illiteracy rate among women		Total
		No	Yes	
What prevails in your community with regards to women?	Customs / traditions	12	17	29
	Religion	6	1	7
	Mixture of both	72	52	124
Total		90	70	160

Chi-Square Tests			
	Value	df	Asymp. Sig. (2-sided)
Pearson Chi-Square	5.241 ^(a)	2	0.073
Likelihood Ratio	5.562	2	0.062
Linear-by-Linear Association	1.8	1	0.18
N of Valid Cases	160		

(a) 2 cells (33.3%) have expected count less than 5. The minimum expected count is 3.06.

		Failure of the media to educate the community		Total
		No	Yes	
What prevails in your community with regards to women?	Customs / traditions	15	14	29
	Religion	6	1	7
	Mixture of both	65	59	124
Total		86	74	160

Chi-Square Tests			
	Value	df	Asymp. Sig. (2-sided)
Pearson Chi-Square	3.013 ^(a)	2	0.222
Likelihood Ratio	3.387	2	0.184
Linear-by-Linear Association	0.047	1	0.829
N of Valid Cases	160		

(a) 2 cells (33.3%) have expected count less than 5. The minimum expected count is 3.24.

		Misunderstanding the religion		Total
		No	Yes	
What prevails in your community with regards to women?	Customs / traditions	5	24	29
	Religion	4	3	7
	Mixture of both	42	82	124
Total		51	109	160

Chi-Square Tests			
	Value	df	Asymp. Sig. (2-sided)
Pearson Chi-Square	5.146 ^(a)	2	0.076
Likelihood Ratio	5.309	2	0.07
Linear-by-Linear Association	2.139	1	0.144
N of Valid Cases	160		

(a) 2 cells (33.3%) have expected count less than 5. The minimum expected count is 2.23.

		Illiteracy rate among men		Total
		No	Yes	
What prevails in your community with regards to women?	Customs / traditions	18	11	29
	Religion	6	1	7
	Mixture of both	85	39	124
Total		109	51	160

Chi-Square Tests			
	Value	df	Asymp. Sig. (2-sided)
Pearson Chi-Square	1.497 ^(a)	2	0.473
Likelihood Ratio	1.637	2	0.441
Linear-by-Linear Association	0.247	1	0.62
N of Valid Cases	160		

(a) 2 cells (33.3%) have expected count less than 5. The minimum expected count is 2.23.

		Failure of the religious organization in correcting misconceptions		Total
		No	Yes	
What prevails in your community with regards to women?	Customs / traditions	14	15	29
	Religion	5	2	7
	Mixture of both	48	76	124
Total		67	93	160

Chi-Square Tests			
	Value	df	Asymp. Sig. (2-sided)
Pearson Chi-Square	3.510 ^(a)	2	0.173
Likelihood Ratio	3.496	2	0.174
Linear-by-Linear Association	1.413	1	0.235
N of Valid Cases	160		

(a) 2 cells (33.3%) have expected count less than 5. The minimum expected count is 2.93.

To what extent your knowledge of women's rights granted to it by Islam?						
	Cases					
	Valid		Missing		Total	
	N	Percent	N	Percent	N	Percent
Formal education	165	98.80%	2	1.20%	167	100.00%
TV / Radio	165	98.80%	2	1.20%	167	100.00%
Newspaper / Magazines	165	98.80%	2	1.20%	167	100.00%
Reading Books	165	98.80%	2	1.20%	167	100.00%
Imam of the mosque	165	98.80%	2	1.20%	167	100.00%
Internet	165	98.80%	2	1.20%	167	100.00%

		Formal education		Total
		No	Yes	
To what extent your knowledge of women's rights granted to it by Islam?	I don't know	6		6
	Simple knowledge	39	21	60
	Good knowledge	59	28	87
	Full knowledge	8	4	12
Total		112	53	165

Chi-Square Tests			
	Value	df	Asymp. Sig. (2-sided)
Pearson Chi-Square	3.076 ^(a)	3	0.38
Likelihood Ratio	4.882	3	0.181
Linear-by-Linear Association	0.317	1	0.573
N of Valid Cases	165		

(a) 3 cells (37.5%) have expected count less than 5. The minimum expected count is 1.93.

		TV / Radio		Total
		No	Yes	
To what extent your knowledge of women's rights granted to it by Islam?	I don't know	6		6
	Simple knowledge	11	49	60
	Good knowledge	18	69	87
	Full knowledge	4	8	12
Total		39	126	165

Chi-Square Tests			
	Value	df	Asymp. Sig. (2-sided)
Pearson Chi-Square	21.363 ^(a)	3	0
Likelihood Ratio	19.308	3	0
Linear-by-Linear Association	1.723	1	0.189
N of Valid Cases	165		

(a) 3 cells (37.5%) have expected count less than 5. The minimum expected count is 1.42.

		Newspaper / Magazines		Total
		No	Yes	
To what extent your knowledge of women's rights granted to it by Islam?	I don't know	6		6
	Simple knowledge	37	23	60
	Good knowledge	31	56	87
	Full knowledge	6	6	12
Total		80	85	165

Chi-Square Tests			
	Value	df	Asymp. Sig. (2-sided)
Pearson Chi-Square	16.314 ^(a)	3	0.001
Likelihood Ratio	18.749	3	0
Linear-by-Linear Association	10.378	1	0.001
N of Valid Cases	165		

(a) 2 cells (25.0%) have expected count less than 5. The minimum expected count is 2.91.

		Reading Books		Total
		No	Yes	
To what extent your knowledge of women's rights granted to it by Islam?	I don't know	6		6
	Simple knowledge	46	14	60
	Good knowledge	41	46	87
	Full knowledge	2	10	12
Total		95	70	165

Chi-Square Tests			
	Value	df	Asymp. Sig. (2-sided)
Pearson Chi-Square	25.485 ^(a)	3	0
Likelihood Ratio	28.61	3	0
Linear-by-Linear Association	25.249	1	0
N of Valid Cases	165		
(a) 2 cells (25.0%) have expected count less than 5. The minimum expected count is 2.55.			

		Imam of the mosque		Total
		No	Yes	
To what extent your knowledge of women's rights granted to it by Islam?	I don't know	6		6
	Simple knowledge	50	10	60
	Good knowledge	63	24	87
	Full knowledge	6	6	12
Total		125	40	165

Chi-Square Tests			
	Value	df	Asymp. Sig. (2-sided)
Pearson Chi-Square	8.660 ^(a)	3	0.034
Likelihood Ratio	9.584	3	0.022
Linear-by-Linear Association	8.113	1	0.004
N of Valid Cases	165		
(a) 3 cells (37.5%) have expected count less than 5. The minimum expected count is 1.45.			

		Internet		Total
		No	Yes	
To what extent your knowledge of women's rights granted to it by Islam?	I don't know	6		6
	Simple knowledge	48	12	60
	Good knowledge	61	26	87
	Full knowledge	10	2	12
Total		125	40	165

Chi-Square Tests			
	Value	df	Asymp. Sig. (2-sided)
Pearson Chi-Square	4.391 ^(a)	3	0.222
Likelihood Ratio	5.791	3	0.122
Linear-by-Linear Association	1.507	1	0.22
N of Valid Cases	165		

(a) 3 cells (37.5%) have expected count less than 5. The minimum expected count is 1.45.

Ranks				Test Statistics				
Educational Level	N	Mean Rank	Sum of Ranks	Mann-Whitney U	Wilcoxon W	Z	Asymp. Sig. (2-tailed)	Exact Sig. [2*(1-tailed Sig.)]
Illiterate	2	2.25	4.50	1.5	4.5	-0.408	0.683	.667 ^a
Read / Writes	2	2.75	5.50					
Total	4							
Illiterate	2	2.25	4.50	0.5	1.5	-0.707	0.480	.667 ^a
Primary (age 7-11)	1	1.50	1.50					
Total	3							
Illiterate	2	2.50	5.00	2	5	-1.183	0.237	.381 ^a
Preparatory (age 12-14)	5	4.60	23.00					
Total	7							
Illiterate	2	3.00	6.00	3	6	-1.757	0.079	.114 ^a
High School	13	8.77	114.00					
Total	15							
Illiterate	2	4.00	8.00	5	8	-2.381	0.017	.002 ^a
University and Above	144	74.47	10723.00					
Total	146							

Ranks				Test Statistics				
Educational Level	N	Mean Rank	Sum of Ranks	Mann-Whitney U	Wilcoxon W	Z	Asymp. Sig. (2-tailed)	Exact Sig. [2*(1-tailed Sig.)]
Read / Writes	2	2.25	4.50	0.5	1.5	-0.707	0.480	.667 ^a
Primary (age 7-11)	1	1.50	1.50					
Total	3							
Read / Writes	2	2.75	5.50	2.5	5.5	-0.977	0.329	.381 ^a
Preparatory (age 12-14)	5	4.50	22.50					
Total	7							
Read / Writes	2	3.75	7.50	4.5	7.5	-1.492	0.136	.171 ^a
High School	13	8.65	112.50					
Total	15							
Read / Writes	2	15.50	31.00	28	31	-1.988	0.047	.043 ^a
University and Above	144	74.31	10700.00					
Total	146							
Primary (age 7-11)	1	1.50	1.50	0.5	1.5	-1.188	0.235	.333 ^a
Preparatory (age 12-14)	5	3.90	19.50					
Total	6							
Primary (age 7-11)	1	1.50	1.50	0.5	1.5	-1.551	0.121	.143 ^a
High School	13	7.96	103.50					
Total	14							
Primary (age 7-11)	1	1.50	1.50	0.5	1.5	-1.739	0.082	.014 ^a
University and Above	144	73.50	10583.50					
Total	145							
Preparatory (age 12-14)	5	8.00	40.00	25	40	-0.763	0.445	.503 ^a
High School	13	10.08	131.00					
Total	18							

Ranks				Test Statistics				
Educational Level	N	Mean Rank	Sum of Ranks	Mann-Whitney U	Wilcoxon W	Z	Asymp. Sig. (2-tailed)	Exact Sig. [2*(1-tailed Sig.)]
Preparatory (age 12-14)	5	60.90	304.50	289.5	304.5	-0.756	0.449	
University and Above	144	75.49	10870.50					
Total	149							
High School	13	81.77	1063.00	900	11340	-0.234	0.815	
University and Above	144	78.75	11340.00					
Total	157							
a. Not corrected for ties.								
b. Grouping Variable: Educational Level								

QENA GOVERNORATE

Q2 : Age					
		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	15-19	8	12.1	12.1	12.1
	20-24	14	21.2	21.2	33.3
	25-29	13	19.7	19.7	53.0
	30-34	14	21.2	21.2	74.2
	35-39	4	6.1	6.1	80.3
	40-44	7	10.6	10.6	90.9
	45-49	4	6.1	6.1	97.0
	50+	2	3.0	3.0	100.0
	Total	66	100.0	100.0	

Q3: Educational Level					
		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Illiterate	13	19.7	19.7	19.7
	literate	9	13.6	13.6	33.3
	Primary (age 7-11)	2	3.0	3.0	36.4
	Preparatory (age 12-14)	4	6.1	6.1	42.4
	High School	15	22.7	22.7	65.2
	University and Above	23	34.8	34.8	100.0
	Total	66	100.0	100.0	

Q4: Social Status					
		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Single	18	27.3	27.3	27.3
	Married	25	37.9	37.9	65.2
	Divorced	12	18.2	18.2	83.3
	Widowed	11	16.7	16.7	100.0
	Total	66	100.0	100.0	

Q5: Occupation					
		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Unemployed	28	42.4	42.4	42.4
	Employed	38	57.6	57.6	100.0
	Total	66	100.0	100.0	

Q6: Do you have children?					
		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	No	22	33.3	33.3	33.3
	Yes	44	66.7	66.7	100.0
	Total	66	100.0	100.0	

Q7: Do your house work/ taking care of children affect your update information on women's issues?					
		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	No	29	43.9	44.6	44.6
	Yes	36	54.5	55.4	100.0
	Total	65	98.5	100.0	
Missing	System	1	1.5		
Total		66	100.0		

Q8: To what extent your knowledge of women's rights granted to it by Islam?					
		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	No knowledge	24	36.4	36.4	36.4
	Simple knowledge	14	21.2	21.2	57.6
	Good knowledge	26	39.4	39.4	97.0
	Full knowledge	2	3.0	3.0	100.0
	Total	66	100.0	100.0	

Q9: Put a sign in front of what you know of the following rights:		
List of rights	Count	66
To work or manage her own business	30	45.4
To be financially separated from her husband (separated bank or postal account)	24	36.3
To practice different levels of education	35	53.0
To choose her husband	40	60.6
The right of inheritance (land, wealth, properties, gold....etc)	23	34.8
Ending the marriage through the (<i>al-Khul'</i> , El-Tamlak techniques)	37	56.0
State conditions in the marriage contract (such as the husband can't be married to second wife)	29	43.9
To be respected and kindly be treated	36	54.5
To participate in political life	22	33.3
To work as a judge	21	31.8

Q10: What is the source of your knowledge of those rights?			
		Count	66
Source of knowledge	Formal education	27	40.9
	TV / Radio	33	50
	Newspaper / Magazines	21	31.8
	Reading Books	28	42.4
	Imam of the mosque	13	19.6
	Internet	3	4.5

Q11: Do you practice those rights in your society?					
Valid	No	11	16.7	27.5	27.5
	Yes	29	43.9	72.5	100.0
	Total	40	60.6	100.0	
Missing	System	26	39.4		
Total		66	100.0		

Q13: Are there differences between customs/ traditions and religion in regards to women's issues?					
		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	No	3	4.5	4.7	4.7
	Yes	52	78.8	81.3	85.9
	I don't know	9	13.6	14.1	100.0
	Total	64	97.0	100.0	
Missing	System	2	3.0		
Total		66	100.0		

Q14: What did help you in knowing the difference between them/ or made you able to differentiate between them?		
	Count	
		66.0
Formal education	41	62.1
TV / Radio	49	74.2
Newspaper / Magazines	19	28.7
Reading Books	34	51.5
Imam of the mosque	36	54.5
Internet	1	1.5

Q15: What prevails in your community with regard to women?					
		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Customs and traditions	32	48.5	50.8	50.8
	Religion			.0	
	Mixture of both	31	47.0	49.2	100.0
	Total	63	95.5	100.0	
Missing	System	3	4.5		
Total		66	100.0		

Q16: What causes have led to that?		
	Count	
		66.0
Illiteracy rate among women	56	84.8
Failure of the media to educate the community	20	30.3
Misunderstanding the religion	35	53.0
Illiteracy rate among men	42	63.6
Failure of the religious organization in correcting misconceptions	23	34.8

Q17: If you are faced with a question regarding your rights as woman/ other issues, to whom do you consult?		
	Count	
		66
Never ask	3	4.5
Imam of the mosque	41	62.1
Attending religious classes or study circles at the mosque or religious organization	7	10.6
Ask a member of my family	11	16.6
Dar Al-Ifta	20	30.3
Islamic websites	4	6.0
Contact one of the religious programmes on TV / Radio	9	13.6
Searching books on women figh / magazines	13	19.6

Q18: To what extent your knowledge of the laws which have been issued aimed at improving the status of women in society?					
		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	I don't know	27	40.9	42.9	42.9
	Simple knowledge	26	39.4	41.3	84.1
	Good knowledge	10	15.2	15.9	100.0
				.0	
	Total	63	95.5	100.0	
Missing	System	3	4.5		
Total		66	100.0		

Q19: Chose which law you have known from the following list:				
			Count	
Laws	The law of "Jihan al-Sadat"		3	4.5
	The law of " <i>al-Khul'</i> "		38	57.5
	The law which states "the flat is a right of the wife"		31	46.9
	The law of "year 2000"		7	10.6

Q20: What is the source of your knowledge of those laws?			
		Count	
TV / Radio		35	53.0
Friend / Neighbour / Work colleague		7	10.6
National Newspaper		25	37.9

Q21: In your opinion, have those laws helped in improving the status of women?

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	No	7	10.6	17.9	17.9
	Yes	32	48.5	82.1	100.0
	Total	39	59.1	100.0	
Missing	System	27	40.9		
Total		66	100.0		

Q22: Is there a need for more laws aiming to improve the status of women and protect their rights?

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	No	19	28.8	29.2	29.2
	Yes	45	68.2	69.2	98.5
	I don't know	1	1.5	1.5	100.0
	Total	65	98.5	100.0	
Missing	System	1	1.5		
Total		66	100.0		

Q23: Have you ever heard about "Feminism Movement" in Egypt before?					
		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	No	27	40.9	42.2	42.2
	Yes	37	56.1	57.8	100.0
	Total	64	97.0	100.0	
Missing	System	2	3.0		
Total		66	100.0		

Q24: Do you have background knowledge about its achievements / historical periods?					
		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	No	8	12.1	21.6	21.6
	Yes	29	43.9	78.4	100.0
	Total	37	56.1	100.0	
Missing	System	29	43.9		
Total		66	100.0		

Q25: What is the source of your information?			
			Count
Source of information	Formal education	24	64.8
	TV / Radio	28	75.6
	Newspaper / Magazines	13	35.1
	Reading Books	25	67.5
	Internet	0	0

Q27: Do you know any of these names? (You can choose more than one name)		
List of names	Count	
Huda Sha'rawi	40	60.6
Zainab Al-Ghazali	12	18.1
Nabawiya Musa	23	34.8
Sheikh Muhammad Abdu	36	54.5
Qasim Ameen	43	65.1
Aisha Taymoriyah	6	9.0
Dr. Hiba Rauf	2	3.0
Labiba Ahmed	7	10.6
Dr. Abla Al-Kahlawi	62	93.9
Dr. Suad Salih	37	56.0
Dr. Nawal Al-Sadawi	24	36.3
Dr. Aisha Abdul-Rahman (Bint Al-Shatei)	46	69.6

Kruskal-Wallis Test

Ranks			
	Educational Level	N	Mean Rank
The Knowledge of Rights	Illiterate	13	14.27
	Read / Writes	9	12.5
	Primary (age 7-11)	2	12.5
	Preparatory (age 12-14)	4	48.5
	High School	15	41.8
	University and Above	23	46.39
	Total	66	
Test Statistics(a,b)			
The Knowledge of Rights			
Chi-Square			44.3
df			5
Asymp. Sig.			0
a Kruskal Wallis Test			
b Grouping Variable: Educational Level			

Are there differences between customs/ traditions and religion in regards to women's issues? * What prevails in your community with regard to women?

Cases					
Valid		Missing		Total	
N	Percent	N	Percent	N	Percent
61	92.40%	5	7.60%	66	100.00%

		What prevails in your community with regard to women?		Total
		Customs / traditions	Mixture of both	
Are there differences between customs/ traditions and religion in regards to women's issues?	No	3		3
	Yes	21	29	50
	I don't know	7	1	8
Total		31	30	61

Chi-Square Tests			
	Value	df	Asymp. Sig. (2-sided)
Pearson Chi-Square	8.766 ^(a)	2	0.012
Likelihood Ratio	10.49	2	0.005
Linear-by-Linear Association	0.791	1	0.374
N of Valid Cases	61		

(a) 4 cells (66.7%) have expected count less than 5. The minimum expected count is 1.48.

What prevails in your community with regard to women?						
	Cases					
	Valid		Missing		Total	
	N	Percent	N	Percent	N	Percent
Illiteracy rate among women	63	95.50%	3	4.50%	66	100.00%
Failure of the media to educate the community	63	95.50%	3	4.50%	66	100.00%
Misunderstanding the religion	63	95.50%	3	4.50%	66	100.00%
Illiteracy rate among men	63	95.50%	3	4.50%	66	100.00%
Failure of the religious organization in correcting misconceptions	63	95.50%	3	4.50%	66	100.00%

		Illiteracy rate among women		Total
		No	Yes	
What prevails in your community with regards to women?	Customs / traditions	2	30	32
	Mixture of both	7	24	31
Total		9	54	63

Chi-Square Tests			
	Value	df	Asymp. Sig. (2-sided)
Pearson Chi-Square	3.429 ^(a)	1	0.064
Likelihood Ratio	3.594	1	0.058
Linear-by-Linear Association	3.375	1	0.066
N of Valid Cases	63		

(a) 2 cells (50.0%) have expected count less than 5. The minimum expected count is 4.43.

		Failure of the media to educate the community		Total
		No	Yes	
What prevails in your community with regards to women?	Customs / traditions	22	10	32
	Mixture of both	21	10	31
Total		43	20	63

Chi-Square Tests			
	Value	df	Asymp. Sig. (2-sided)
Pearson Chi-Square	.007 ^(a)	1	0.932
Likelihood Ratio	0.007	1	0.932
Linear-by-Linear Association	0.007	1	0.932
N of Valid Cases	63		

(a) 0 cells (.0%) have expected count less than 5. The minimum expected count is 9.84.

		Misunderstanding the religion		Total
		No	Yes	
What prevails in your community with regards to women?	Customs / traditions	22	10	32
	Mixture of both	7	24	31
Total		29	34	63

Chi-Square Tests			
	Value	df	Asymp. Sig. (2-sided)
Pearson Chi-Square	13.511 ^(a)	1	0
Likelihood Ratio	14.072	1	0
Linear-by-Linear Association	13.296	1	0
N of Valid Cases	63		

(a) 0 cells (.0%) have expected count less than 5. The minimum expected count is 14.27.

		Illiteracy rate among men		Total
		No	Yes	
What prevails in your community with regards to women?	Customs / traditions	7	25	32
	Mixture of both	17	14	31
Total		24	39	63

Chi-Square Tests			
	Value	df	Asymp. Sig. (2-sided)
Pearson Chi-Square	7.255 ^(a)	1	0.007
Likelihood Ratio	7.426	1	0.006
Linear-by-Linear Association	7.14	1	0.008
N of Valid Cases	63		

(a) 0 cells (.0%) have expected count less than 5. The minimum expected count is 11.81.

		Failure of the religious organization in correcting misconceptions		Total
		No	Yes	
What prevails in your community with regards to women?	Customs / traditions	27	5	32
	Mixture of both	14	17	31
Total		41	22	63

Chi-Square Tests			
	Value	df	Asymp. Sig. (2-sided)
Pearson Chi-Square	10.654 ^(a)	1	0.001
Likelihood Ratio	11.094	1	0.001
Linear-by-Linear Association	10.485	1	0.001
N of Valid Cases	63		

(a) 0 cells (.0%) have expected count less than 5. The minimum expected count is 10.83.

To what extent your knowledge of women's rights granted to it by Islam?						
	Cases					
	Valid		Missing		Total	
	N	Percent	N	Percent	N	Percent
Formal education	66	100.00%	0	0.00%	66	100.00%
TV / Radio	66	100.00%	0	0.00%	66	100.00%
Newspaper / Magazines	66	100.00%	0	0.00%	66	100.00%
Reading Books	66	100.00%	0	0.00%	66	100.00%
Imam of the mosque	66	100.00%	0	0.00%	66	100.00%
Internet	66	100.00%	0	0.00%	66	100.00%

		Formal education		Total
		No	Yes	
To what extent your knowledge of women's rights granted to it by Islam?	I don't know	24		24
	Simple knowledge	5	9	14
	Good knowledge	10	16	26
	Full knowledge		2	2
Total		39	27	66

Chi-Square Tests			
	Value	df	Asymp. Sig. (2-sided)
Pearson Chi-Square	27.246 ^(a)	3	0
Likelihood Ratio	36.406	3	0
Linear-by-Linear Association	21.829	1	0
N of Valid Cases	66		

(a) 2 cells (25.0%) have expected count less than 5. The minimum expected count is .82.

		TV / Radio		Total
		No	Yes	
To what extent your knowledge of women's rights granted to it by Islam?	I don't know	24		24
	Simple knowledge	1	13	14
	Good knowledge	8	18	26
	Full knowledge		2	2
Total		33	33	66

Chi-Square Tests			
	Value	df	Asymp. Sig. (2-sided)
Pearson Chi-Square	40.132 ^(a)	3	0
Likelihood Ratio	52.194	3	0
Linear-by-Linear Association	24.752	1	0
N of Valid Cases	66		
(a) 2 cells (25.0%) have expected count less than 5. The minimum expected count is 1.00.			

		Newspaper / Magazines		Total
		No	Yes	
To what extent your knowledge of women's rights granted to it by Islam?	I don't know	24		24
	Simple knowledge	9	5	14
	Good knowledge	12	14	26
	Full knowledge		2	2
Total		45	21	66

Chi-Square Tests			
	Value	df	Asymp. Sig. (2-sided)
Pearson Chi-Square	21.399 ^(a)	3	0
Likelihood Ratio	28.426	3	0
Linear-by-Linear Association	20.458	1	0
N of Valid Cases	66		
(a) 3 cells (37.5%) have expected count less than 5. The minimum expected count is .64.			

		Reading Books		Total
		No	Yes	
To what extent your knowledge of women's rights granted to it by Islam?	I don't know	24		24
	Simple knowledge	5	9	14
	Good knowledge	9	17	26
	Full knowledge		2	2
Total		38	28	66

Chi-Square Tests			
	Value	df	Asymp. Sig. (2-sided)
Pearson Chi-Square	28.749 ^(a)	3	0
Likelihood Ratio	38.184	3	0
Linear-by-Linear Association	23.9	1	0
N of Valid Cases	66		

(a) 2 cells (25.0%) have expected count less than 5. The minimum expected count is .85.

		Imam of the mosque		Total
		No	Yes	
To what extent your knowledge of women's rights granted to it by Islam?	I don't know	24		24
	Simple knowledge	9	5	14
	Good knowledge	19	7	26
	Full knowledge	1	1	2
Total		53	13	66

Chi-Square Tests			
	Value	df	Asymp. Sig. (2-sided)
Pearson Chi-Square	10.177 ^(a)	3	0.017
Likelihood Ratio	14.183	3	0.003
Linear-by-Linear Association	6.624	1	0.01
N of Valid Cases	66		

(a) 4 cells (50.0%) have expected count less than 5. The minimum expected count is .39.

		Internet		Total
		No	Yes	
To what extent your knowledge of women's rights granted to it by Islam?	I don't know	24		24
	Simple knowledge	13	1	14
	Good knowledge	24	2	26
	Full knowledge	2		2
Total		63	3	66

Chi-Square Tests			
	Value	df	Asymp. Sig. (2-sided)
Pearson Chi-Square	2.049 ^(a)	3	0.562
Likelihood Ratio	3.101	3	0.376
Linear-by-Linear Association	1.179	1	0.278
N of Valid Cases	66		

(a) 5 cells (62.5%) have expected count less than 5. The minimum expected count is .09.

Ranks				Test Statistics				
Educational Level	N	Mean Rank	Sum of Ranks	Mann-Whitney U	Wilcoxon W	Z	Asymp. Sig. (2-tailed)	Exact Sig. [2*(1-tailed Sig.)]
Illiterate	13	11.85	154.00	54	99	-0.832	0.405	.794 ^a
Read / Writes	9	11.00	99.00					
Total	22							
Illiterate	13	8.08	105.00	12	15	-0.392	0.695	.933 ^a
Primary (age 7-11)	2	7.50	15.00					
Total	15							
Illiterate	13	7.08	92.00	1	92	-3.526	0.000	.002 ^a
Preparatory (age 12-14)	4	15.25	61.00					
Total	17							
Illiterate	13	7.73	100.50	9.5	100.5	-4.312	0.000	.000 ^a
High School	15	20.37	305.50					
Total	28							

Ranks				Test Statistics				
Educational Level	N	Mean Rank	Sum of Ranks	Mann-Whitney U	Wilcoxon W	Z	Asymp. Sig. (2-tailed)	Exact Sig. [2*(1-tailed Sig.)]
Illiterate	13	7.54	98.00	7	98	-4.801	0.000	.000 ^a
University and Above	23	24.70	568.00					
Total	36							
Read / Writes	9	6.00	54.00	9	12	0.000	1.000	1.000 ^a
Primary (age 7-11)	2	6.00	12.00					
Total	11							
Read / Writes	9	5.00	45.00	0	45	-3.399	0.001	.003 ^a
Preparatory (age 12-14)	4	11.50	46.00					
Total	13							
Read / Writes	9	5.50	49.50	4.5	49.5	-3.955	0.000	.000 ^a
High School	15	16.70	250.50					
Total	24							
Read / Writes	9	5.00	45.00	0	45	-4.409	0.000	.000 ^a
University and Above	23	21.00	483.00					
Total	32							
Primary (age 7-11)	2	1.50	3.00	0	3	-1.907	0.057	.133 ^a
Preparatory (age 12-14)	4	4.50	18.00					
Total	6							
Primary (age 7-11)	2	2.00	4.00	1	4	-2.174	0.030	.029 ^a
High School	15	9.93	149.00					
Total	17							
Primary (age 7-11)	2	1.50	3.00	0	3	-2.329	0.020	.007 ^a
University and Above	23	14.00	322.00					
Total	25							

Ranks				Test Statistics				
Educational Level	N	Mean Rank	Sum of Ranks	Mann-Whitney U	Wilcoxon W	Z	Asymp. Sig. (2-tailed)	Exact Sig. [2*(1-tailed Sig.)]
Preparatory (age 12-14)	4	11.63	46.50	23.5	143.5	-0.669	0.503	.530 ^a
High School	15	9.57	143.50					
Total	19							
Preparatory (age 12-14)	4	15.63	62.50	39.5	315.5	-0.449	0.653	.669 ^a
University and Above	23	13.72	315.50					
Total	27							
High School	15	17.23	258.50	138.5	258.5	-1.034	0.301	.314 ^a
University and Above	23	20.98	482.50					
Total	38							
a. Not corrected for ties.								
b. Grouping Variable: Educational Level								