

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ



## Is Intelligence Gender Specific in Islam?

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One matter that stirs up more controversy than almost any other contemporary issue is the question of whether or not the Prophet of Islam—may God show him mercy and peace—deemed women to be less intelligent than men. Critics of Muslims commonly insist that Islam teaches that women are less intelligent than men. This is largely due to the fact that a small number of prophetic reports, as they are translated and interpreted by some, are outwardly troubling to many people in this regard. Among those is the following report found in one of the major canonical collections of Muslims wherein the Prophet—may God grant him mercy and peace—said,

“O gathering of women! Give in charity and ask forgiveness often; for indeed I have seen that you will be the most numerous of the inhabitants of Hell.”<sup>1</sup> Upon this, an intuitive woman said: “And what quality is it of ours—O Messenger of Allah—that makes us the most numerous of the inhabitants of Hell?” He said: “You curse [others] frequently and you show ingratitude to [your] husbands (*‘ashir*). And I have not seen among those deficient in *discriminatory capacity* (*‘aql*) and *ritual observance* (*din*) better at subduing one with *full discrimination* (*lubb*) than you [women].”<sup>2</sup> She [then] said: “O Messenger of Allah!

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<sup>1</sup> Although this report asserts that more women will be in Hell than men, there is good reason to believe that most of the inhabitants of Heaven will also be women, since women outnumber men. In addition, the men of Heaven will have more than one wife, so it only follows that women will also outnumber men in Heaven. Alternatively, the Prophet—God’s mercy and peace on Him—never expressed that men will outnumber women in Heaven.

<sup>2</sup> It is very important to observe the context of this report. The Prophet’s aim—God’s mercy and peace upon him—was not merely to come out in order to detract from women. The context—after reflection—reveals that his aim was to emphasize to them the importance of restraining their tongues and showing gratitude for the good their husbands do for women. His mentioning of their imperfection in discriminatory capacity and ritual observance was connected with their cursing and ingratitude to their husbands. Women have a tendency, if not made aware of it, to become overly demanding of men and not appreciate what their husbands do for them. This demanding nature of theirs has a tendency to lead men to give in to that psychological pressure in order to experience some release and relief from what is viewed as being inappropriate nagging. While taking this into account, one can see the beauty in the Prophet’s approach in trying to correct their imbalances. What better way to make them cut their husbands some slack than by reminding them that they are also not perfect? So, the objective is no more about pointing out their incompleteness

And what is the deficiency in [our] discriminatory capacity and ritual observance?” He said: “As for the deficiency in [a woman’s] discriminatory capacity, [it is related to that] the testimony of two women is the equivalent of one man. This is the deficiency in [her] discriminatory capacity. [The other is that] she spends nights without praying and abandons the fast during Ramadan. This is the deficiency in [her] ritual observance.”<sup>3</sup>

Those who are familiar with this report and the controversies surrounding it will immediately notice a few things about this particular translation. For one, I have chosen to translate the Arabic word ‘*aql*’—commonly translated as ‘intelligence’—to mean ‘discriminatory capacity.’ Secondly, I have chosen to translate the Arabic word ‘*din*’—commonly translated as ‘religion’—to mean ‘ritual observance.’ My reasoning for deeming it appropriate to choose such words will be borne out by the end of this paper, God-willing. It should be noted here that translating this prophetic report as “I have not seen among those lacking in *intelligence* and *religion*...” is at the root of the problem for both Muslims and non-Muslims.

I personally confess that for a number of years now I have been both tried and troubled by this *sound* prophetic report. Tried because, on one hand, I am inclined to accept the outward implications of this report to be true and universally applicable, since, naturally, I am a man who feels no uneasiness about being declared—at least according to my understanding—more intelligent than a woman; Troubled because of what it has meant for Muslim women who, to me, have rejected the soundness of the report simply based upon the fact that they find it offensive.

Today, however, I feel that I have matured in my understanding of the text which has led me to realize that the objection of so many Muslim women to this report—or its popular interpretation *rather*—may be largely the consequence of the high esteem and position that they hold for our holy Prophet—may God grant him mercy and peace. It is not merely because of a desire to resist conforming to the fundamental teachings of the religion. That being said, I believe that my translation of the above prophetic report and others similar to it are correct after much reflection and research on this particular matter as I intend to show in what follows.

## Factors That Influence Interpretation

Although merely a presumption, I believe that the overwhelming majority of men in the world hold the view that they are better, physically stronger, and more intelligent than women. I also believe that this feeling transcends any particular religious teaching. In spite of that, there are things; naturally, in the major religions of the world—especially Christianity and Islam—that have added more fuel to the negative views that men have about women. Christianity, for instance, has the concept of ‘original sin’ wherein the woman has been blamed for much of Christian history for being responsible for man’s downfall. That understanding to an extent can legitimately be regarded as a major driving force in Europe’s historical oppression of women, which eventually gave rise to feminist demands for equality, respect, and a dignified existence beside men.

Islam, on the other hand, despite early cultural biases against women, liberated the early Arab Muslim woman and afforded her rights. In spite of that, and in fairness to Christians, I do submit that many Muslim men have been motivated to perpetuate dominance over women by words they interpret by Islam’s Prophet—may God

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than it is about discouraging them from complaining, nagging, and being abusive with their tongues. If a woman reflects on the fact that she is just as imperfect as she deems her husband to be at the times he upsets her, it will help to produce greater understanding between them.

<sup>3</sup> *Sahih Muslim*: Hadith #132

grant him mercy and peace—as authorizations from him to deny women the most fundamental characteristic of humanity whereby humans are said to be distinguished from other terrestrial creatures: *intelligence*.

In my lifetime, I have heard some Muslim men say, “I don’t believe that any woman can be more righteous than a man.” I’ve also heard women in the Muslim world say, “Men are naturally more intelligent than women.” Were you to ask these people what they base these conclusions on, some might answer that it is a blatantly obvious fact based on experience, while others might cite the above words of the Prophet of Allah—may God grant him mercy and peace—as proof. For such men, women are just simply physically and intellectually weaker. It naturally follows then, that women are also weaker spiritually. That being the case, no woman can be more righteous than a man. Hence, the words of the Prophet—may God grant him mercy and peace—merely confirm what we, men, were already on the verge of concluding.

The truth is that as a man, I am compelled to acknowledge that the most predominant characteristics that affect me negatively at times are arrogance and pride (*kibr*). It is quite unfortunate that many of us never become acquainted with ourselves in this way. The Prophet Muhammad—may God grant him mercy and peace—said, “No one who has an ant’s weight of pride in his heart will enter Heaven.” When asked by his companions what he meant by pride, he said, “Pride is reckless disregard for truth and the belittlement of people.”<sup>4</sup>

Pride was Satan’s fatal sin, and man—as opposed to woman—is most susceptible to it. Consequently, we find in Islam that men are not allowed to wear gold rings or silk, while women are allowed to do so. As far as silk is concerned, two explanations are given for men being prohibited from wearing it. One explanation is that silk is a garment of boast and snobbery (*fakr wa khuyala*). The second explanation is that it is a garment of luxury and beautification (*rafahiya wa zinah*) that befits only women to wear.<sup>5</sup> As for gold, it has been stated that it is prohibited for men to wear because it is the special ornament of the people of Heaven.<sup>6</sup> Of course, none of this explains why women can wear both silk and gold to the exclusion of men. Consequently, the most appropriate understanding to take from this prohibition is that these two precious items are forbidden with the aim of removing pride and greed from the hearts of men, since the desire for fame and fortune will likely hinder the greatest responsibility he has to administer and maintain balance in the world.<sup>7</sup> This is not to suggest that women

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<sup>4</sup> *Jami’ al-Tirmidhi*: Hadith #1999

<sup>5</sup> *Ihkam al-Ahkam Sharh ‘Umdat al-Ahkam*: 4/212

<sup>6</sup> In other words, it is forbidden for Muslims to emulate the people of Heaven in what is specific for them in that realm; things that are unlawful for us to partake in or consume in this realm but absolutely lawful in that realm. *Ibid.* p. 216

<sup>7</sup> The Islamic scholars of spirituality state that the source of all spiritual maladies is the desire for status and the heart’s attachment to worldly things. They also mention that the chief of all sins is the love for this temporal world. If men have hearts that are attached to this realm while their chief duty is to manage it with justice, it becomes difficult to execute such a task, since they are easily exposed to accepting bribe and being wooed by those of material influence. This then leads to catering mainly to the interest groups that donate to their campaigns or aid them financially in some other form. The prohibition of gold and silk would then serve men as a reminder of God’s desire for them to improve on this world instead of destroying it or allowing it to be ravaged by the big corporations that own the means of production who have contributed greatly to the deplorable decline of our society, civilization, climate, and planet. This is not to suggest that women do not equally share the responsibility of removing this attachment to worldly things from their hearts. The difference is that for men who are the designated governors, community leaders, and heads of households, an aimless and potentially harmful commitment to the pursuit of material acquisition and status has placed the world on the brink of nuclear holocaust; just as it has allowed men to justify mass murder, starvation, and the usurpation of the earthly resources of the peoples of foreign lands. Women have been spared and favored by God by not having to be faced with making such catastrophic decisions for which they will have to answer upon the meeting with God. Islam discourages the pursuit of status and positions of leadership. Men—and women—have not heeded this warning, and have convinced themselves that true honor, position, and superiority lies with the one who is in charge and “calls the shots.” It’s unfortunate that they have forgotten that this is a responsibility that one will be harshly and severely reckoned for neglecting either for being unfit for the position or because of abusing the authority placed in one’s hand.

do not play a part in the overall effort and duty to balance and manage the world with justice. The point is only that it is the chief responsibility of men.

Adding also to our views about women in Islam at times are the words of our religious authorities or at least the way men interpret those words. For example, Hafiz Abu al-Fida Ibn Kathir (d. 774 AH/1372 CE) who is perhaps one of the most famous Muslim exegetes, had to say the following about women when commenting on the verse in Surat al-Nisa: 34 “Men are the overseers of women because of what favor God has given to some over others and because of what they spend of their wealth.”

“...That is because men are superior to women, and man is better than woman. Because of this, prophethood was specific for men. Likewise, is the most supreme [political] position of authority [specific for men], because of his (the Prophet’s) statement [that]: “A people will never prosper who have given charge of their affair to a woman.” Bukhari related it on the authority of ‘Abd Al-Rahman b. Abi Bakra from his father. The same applies to the office of the judiciary and other things.”<sup>8</sup>

While scholars have differed about how they interpret the Prophet’s saying: “A people will never prosper who have given charge of their affair to a woman,”<sup>9</sup> we need to understand that the words of Ibn Kathir [“men are superior to women, and man is better than woman”] are not the words of the Holy Prophet. They are the words of an exegete, which may or may not be influenced by cultural attitudes prevailing during his time. This is not to say that this presumption made by Ibn Kathir did not rely on a sound scriptural citation. The point is merely that there is a distance between the suggested meaning or inference and the received meaning or equivocations in the Prophet’s words—may God grant him mercy and peace.

We also see how cultural norms impact the interpretation and application of certain Qur’anic verses. Consider for example, the words of Imam Maliki ibn Anas, founder of the Maliki School of Law, about the following verse, “And mothers are to nurse their children for two full years; for those who desire to complete the nursing period.”[Qur’an 2:233] In the view of Malik, a woman who comes from a noble background (*sharifa*) where the women of her family do not customarily nurse their children themselves—but do instead through wet nurses—such women are not obliged nor can be obliged by their husbands to nurse their children. In this instance, custom (*urf*) specifies the generality of this verse.<sup>10</sup> This is one of the clearest proofs that custom and culture can at times influence the interpretation of scripture both in cases when that interpretation is legitimate and in those where it is not.<sup>11</sup> The majority of scholars also use custom to determine whether or not a wife is obliged to carry out regular household chores like cooking and cleaning. They contend that it is the obligation of the husband to pay for a maid for his wife if she comes from an affluent family and is accustomed to having a maid.<sup>12</sup>

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<sup>8</sup> *Tafsir al-Qur’an al-‘Azim*: 1/465

<sup>9</sup> While the scholars agree that a woman may not hold the office of supreme religious and state authority (caliph), most of them also agree that she may not hold the office of judge. Abu Hanifa, however, permits for a qualified woman to hold the office of judge in all matters with the exception of the judging in matters related to the scripturally determined legal punishments for capital sins (*hudud*). Imam Tabari held the view that a woman may officiate as judge over any matter without exception though. (*Ihkam al-Ahkam Sharh ‘Umdat al-Ahkam*: 4/179)

<sup>10</sup> Qadi Abu Bakr b. al-‘Arabi states in his *Ahkam al-Qur’an*: 1/275 that Malik employed ‘Unspecified Interest’ (*maslaha*) to specify the generality of this verse.

<sup>11</sup> One might add that in fact, there is a universally-recognized legal maxim that custom is made judge in certain matters (*al-‘ada muhakkama*).

<sup>12</sup> *Bidaya al-Mujtahid wa Nihaya al-Muqtasid*: 2/95. Also see the same source 2/98 where Ibn Rushd makes mention of the disagreement between scholars over whether or not wives are obliged to carry out household chores.

## Women: During & After the Prophet's Death

Another evidence of culture playing a very large part in the misinterpretation of the hadith under question concerning women's intelligence is the fact that after the death of the Prophet it was considered normal for men to follow the leadership and direction of women with no apparent reservation. For example, women were perhaps the most popular for fortunetelling, soothsaying, divination, and sorcery<sup>13</sup> before the advent of Islam and after the death of the holy Prophet—God grant him mercy and peace. Men (and women) would regularly visit them and would trust the information they took from these women, believing that such women had a closer connection to the spiritual realm than even most men.

After the death of the Prophet—God grant him mercy and peace—during the first civil war in Islamic history during the reign of Abu Bakr al-Siddiq, a number of false prophets appeared. Some were men. Others were women. Sijah bint al-Harith was an Arab woman who claimed to be a prophet. She mobilized and commanded a great and powerful army. Her army was so powerful that she would eventually threaten the most successful male false prophet, Musaylima, the great liar, and was on the verge of overtaking him before Musaylima convinced her that forming an alliance with him through marriage would do better for both of their causes.

A final example is that during the second civil war during the reign of 'Ali b. Abi Talib, 'Aisha, the wife of the Prophet Muhammad—God grant him mercy and peace—commanded a great army in an attempt originally to seize and bring to justice some of the people who assassinated Uthman ibn 'Affan, the third caliph of Islamic history. She was originally supported by all the Prophet's other wives as well as many senior companions, like 'Abd Allah b. al-Zubayr and Talha b. 'Ubayd Allah, who fought under her command. It is hard to find any indication that any of them objected to the fact that 'Aisha was a woman.

All of this indicates that the attitudes about women and their intelligence during this early period were much different among Muslim men than what they have become today. Once we acknowledge this fact and our susceptibility to erroneous interpretation because of it, we should be able to come to a better understanding of the matter under discussion.

## Protecting Women From Men

Islam in its effort to protect the welfare of all people, as in conventional statute law, has set parameters to ensure that women are protected from the machinations of men. This particularly manifests itself in the area of finding a compatible spouse for a woman. A woman's closest male relatives have been given the responsibility of seeking, inspecting, and suggesting the most fitting spouse for her; one who is able to provide emotional and financial security to her and her children. A woman may not marry without the permission of her legal guardian according to the overwhelming majority of Islamic jurists.<sup>14</sup>

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<sup>13</sup> Important to note here is that in the final *sura* of the Holy Qur'an when speaking of "those who blow into knots" which is an indirect expression used to allude to those involved in sorcery, "those" is written in the feminine plural form of the Arabic language. This in itself indicates that those who were commonly involved in witchcraft and what is called today "black magic" were women.

<sup>14</sup> Important to note here is that in the Hanafi School of law, the guardian is not an integral (*rukhn*) of the marriage contract when the woman is of full maturity (*rashida*). Hanafis, with consideration to the views of the other three popular Sunni schools, form a minority by adopting this view, although when taken into consideration that they are a numerical majority in the Muslim world, it would seem that they can actually claim the mantle of orthodoxy. In spite

The importance of all of this is that it is reasoned that the assignment of the male guardian for a woman in marriage in helping to make the best decision about a potential spouse has a lot to do with the fact that men better perceive the insidious machinations of men than women do; just as women perceive better the machinations of other women. Consequently, men serve as guides for women in their decision to choose an appropriate spouse in order to protect them from any potential harm that may come in the future. In essence, it is through this trait—*heightened alertness*—that men are given special distinction over women in such cases, and it is what the holy Prophet—may God grant him mercy and peace—was referring to when he spoke of women having a deficiency in their discriminatory capacities.<sup>15</sup> This should also help to understand the major reason behind Islam’s stance against women being made heads of households or heads of states. A major demand of these offices is to ensure that the family or nation is secure from danger externally and internally. That can only be ensured when a leader has a heightened degree of alertness and familiarity with the challenges to be faced in a world ruled by men. Of course, this does not mean that no woman is fit to lead or that she will not carry out her duties well. However, Islam rules according to the norms of the human condition.<sup>16</sup>

## Defining Superiority

Earlier, we quoted the statement from the great exegete, Hafiz Ibn Kathir, that “...men are superior to women.” Now, I would like to comment about what is meant by a man being superior to a woman. This is important since Islam has already established a criterion for determining who is better in the sight of God. The Qur’an says, “Verily the most noble of you with God are those of you who are most God-conscious” [Qur’an 49: 13]. It also tells us, “So do not ascribe purity to yourselves. He (God) knows better those who are God-conscious” [Qur’an 53: 32].

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of this, one must understand that the Hanafi view only differs with the view of the majority in that the majority of schools hold the marriage guardian to be an integral while the Hanafis consider him to be only a prerequisite (*shart*). In the Islamic law, when something is a prerequisite for an act, there are situations when the act can be fulfilled validly in spite of the absence of that prerequisite. What this means is that the Hanafi difference with the majority is merely semantically different, since it is still prohibitive for prerequisites to be disregarded without proper cause and justification.

<sup>15</sup> One perhaps might respond to this by saying, “When the Prophet—God’s mercy and peace on him—was asked what the deficiency in a woman’s discriminatory capacity is he referred to testimony concerning financial matters to clarify, not marital affairs. So, it would seem that there is no basis for this assumption that women have a natural deficiency in their discriminatory capacities overall, but only in matters related to business. This being the case, a claim could not be made that this deficiency is innate, rather it is culturally-specific since the women of that time customarily were not involved in business.” My response would be that I cannot claim decisively that this deficiency is innate, just as one cannot decisively claim that it is culturally-specific, because the Prophet—God’s mercy and peace on him—also did not say that this condition is “culturally-specific.” But, what we can state is that it stands to reason that his words outwardly suggest that this deficiency is a trait more commonly found in women. He responded to the question of “what is the deficiency in a woman’s discriminatory capacity?” that “the testimony of two women is the equivalent of one man.” That in itself is a non-response unless we insert the words “because of” in his proceeding statement that “This is the deficiency in [her] discriminatory capacity.” In other words, “This is [because of] the deficiency in [her] discriminatory capacity.” Whether that deficiency is innate or culturally-specific is a separate question altogether that can be debated. Meanwhile, it is completely legitimate in scholarly endeavor for one to identify universal characteristics that appear from the critical inspection of scriptural reports as a collective-whole. One may not limit another’s freedom to make such inferences, although those who object have the full freedom to do so.

<sup>16</sup> Alternatively, Islamic history has shown that most men who have served as caliph or even heads of state in non-Muslim countries have not fulfilled all or most of the qualifications stipulated for a fitting head of state from an Islamic legal perspective. For instance, besides being a male, the scholars stipulate that the caliph must fulfill the following conditions: [1] expansive and comprehensive knowledge of the Islamic law (*ijtihad*); [2] religious integrity (*adala*); [3] firmness, confidence, and willingness to carry out his duties (*kifaya*); and [4] physical fitness and soundness from defects that would hinder his movement and duties (*salama al-hawass wa l-ada min al-naqs wa l-utla*). See Ibn Khaldun’s *Muqaddima*: 152-153. Since we live in an age void of a caliphate and most countries are run by people who would not measure up to the ideal Islamic standards, it becomes a legitimate question to ask whether or not men who rule today have any particular advantage over a woman who fulfills all of these conditions short of her being a man.

Similarly, the Prophet—may God’s mercy and peace be upon him—said, “God-consciousness is here.”<sup>17</sup> And he pointed to his chest three times. The Qur’an also makes no distinction between gender in declaring its promise of reward for the doers of good, “Whoever acts righteously be it a male or female and is a believer, then they shall enter Heaven; granted sustenance therein without computation” [Qur’an 40: 40]

When reflecting upon all of this, we see a glaring contradiction between the inference made by Ibn Kathir and the unequivocal words of the Qur’anic scripture. To accept his words as a universal rule with God concerning His judgment of men versus women, this would clearly contradict the commandment of not ascribing purity or superiority to ourselves. Rather, superiority is to be judged according to whomever is the most righteous of the two, and that can only be known to God, since it is rooted in the heart.<sup>18</sup> In fairness to the exegete, I think we must concede that he is fully aware of this reality, and that his words are to be construed as nothing more than a human secular judgment. In other words, he is speaking on the basis of what he has observed, or his personal perception of virtue in the respective genders.<sup>19</sup> However we decide to take these words of our great and respected exegete, we cannot allow ourselves to cling to their outward indications in contradistinction to the clear words of the Creator and his Messenger. Furthermore, we reiterate that this was his ‘personal’ inference, not the words of God or His messenger. Consider the words of the following prophetic tradition reported by Imam Muslim in his collection of prophetic reports (*Sahih*),

“Of men, many have reached perfection. But of women, none have reached perfection except Mary, daughter of ‘Imran and ‘Asiya, the wife of Pharaoh...”

Imam Nawawi says in his commentary on this hadith,

“Qadi [Iyad] says: “Those who hold the view that Asiya and Mary were prophets use this tradition as evidence of that, but the overwhelming majority [of scholars] are of the view that they were not prophets. Rather, they were deeply sincere devotees (*siddiqatani*) and two of the saintly friends of God (*waliyatani*) —Be He most high. The word ‘perfection’ (*kamal*) is applied to something that comes to completion and to reaching the apex of a particular thing. Here it means reaching the apex in all good virtues, traits of piety, and God-consciousness.” Qadi [Iyad further] said: “If we say that the two of them are prophets, there is no doubt that no one else can match them [in piety]. But if we say that they are saintly friends [of God], there is nothing that would prevent others of this nation from sharing with them [in that level of piety]...”<sup>20</sup>

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<sup>17</sup> *Sahih Muslim*: Kitab al-Birr 33

<sup>18</sup> This is not to suggest that righteous acts are not important. People can only judge by what is apparent, while God is the one who knows the secrets of the heart. Deeds are important, while the condition of the heart when carrying out the deed is more important than the deed itself.

<sup>19</sup> This is not to suggest that men have proven themselves to have more utility or that they have benefited the world more than women. This is just an attempt to give meaning to what the exegete perhaps means. Apparently, his argument is that the benefit that has been produced by particular men historically is more general and broad, while the benefit produced by women has been more specific and localized. This can be inferred from his referencing of the fact that the prophets were all men. Since the greatest benefit is guidance to God and bringing salvation from eternal damnation, this would be a reasonable assumption to make about the exegete’s intentions. It would be an unreasonable assumption to say that he means that every single man produces or has brought about more benefit than every single woman. Rather, his words imply that man has a greater potential for benefit than woman does according to his belief and understanding.

<sup>20</sup> Nawawi further says, “These are the words of Qadi [Iyad]. This matter that he has conveyed concerning the two of them being prophets is strange and weak. A group [of scholars] have conveyed a consensus to the contrary. But God better knows.” (*Sharh Sahih Muslim*: 8/1:167)

There are a few important observations that can be made from this particular tradition: Firstly, perfection is an ‘absolute’<sup>21</sup> reality in the sense that it applies to the human being with no distinction between the male and the female. In other words, spiritual perfection is an aim of the human being. Secondly, perfection is achievable by both men and women. Thirdly, this report establishes that up to the point when the Prophet uttered these words very few people had reached that perfection, although a much greater number of men did so than women. Fourthly, the fact that more men achieved spiritual perfection at that time does not necessitate that this is a universal rule for all times. That is, this does not mean that from the time the Prophet made that statement until the era we live in that men have outnumbered women in reaching spiritual perfection, if at all.

## Why ‘*aql*’ Means ‘Alertness’ not ‘Intelligence’

Now, let us return to the report that is the focus of our study in discerning whether or not Islam holds intelligence to be gender specific. That is, let us return to the Prophet’s statement, “I have not seen among those deficient in *discriminatory capacity* (*aql*) and *ritual observance* (*din*) better at subduing one with *full discrimination* (*lubb*) than you [women].”

As stated earlier, this report is popularly construed to mean, “I have not seen among those lacking in intelligence and religion...” since the Arabic word “*aql*” has a number of facets of meaning, the most obvious being ‘intelligence.’ However, my contention is that the context of this statement clarifies and qualifies the specific meaning intended by the holy Prophet—God grant him mercy and peace.

The word “*aql*” implies restraint, inhibition, and prevention; just as it implies understanding, comprehension, intelligence, perception, wisdom, wit, and awareness<sup>22</sup>. This is clear from the fact that the Arabs use this word to express that one of them has placed a halter on his camel to prevent it from wandering off. The Arabic word for ‘halter’ is “*iqal*.” It derives from the word, “*aql*.” Its use to mean ‘intelligence’ originates from this former consideration, since through the intelligence man can ensure that he does not act irresponsibly and can avoid any dangers that stand in his way.<sup>23</sup>

Intelligence is an aspect of cognition and is usually understood to mean ‘the ability to understand, comprehend, and make sense of things.’ It also is a reference to ‘scholastic or scientific brilliance and creativity.’ The latter understanding of ‘intelligence’ needs to be excluded from the Prophet’s intent due to the obvious reason that history has proven time and again that woman as well as men can stand on their own when it comes to scholastic and scientific achievement, although in many instances men have unwisely worked to ensure that many of those achievements and important roles have remained obscure. This, then, leaves us with the former meaning of intelligence, which is a general application to ‘the ability to perceive.’ This would mean that the Prophet was pointing out a flaw in the average woman’s ability to fully comprehend certain matters. It would then mean that women—innately or because of social conditioning—generally speaking, have difficulty perceiving certain

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<sup>21</sup> Of course, ‘absolute’ in this sense is subjective and relative to the human being. Truly ‘absolute’ perfection belongs to God alone. Human perfection is relative to what humans consider to be perfection in one another.

<sup>22</sup> Nawawi quotes Imam Mazari in *Sharh Sahih Muslim* as saying, “The people [of knowledge] have differed about what the “*aql*” is. It has been said: It is knowledge (*ilm*). It has also been said: [It is] one of the objective sciences. It has been said: [It is] a faculty by which one distinguishes between the true natures of things that are known.” Then Nawawi says, “These are his words. I say: The disagreement about the true nature of the ‘*aql*’ and its divisions is varied and known. There is no need here to indulge deeply into it.” (*Sharh Sahih Muslim*: 1/2: 57) This disagreement stated here should be enough to understand that it is very difficult to give a translation of the word ‘*aql*’ that clearly conveys the likely intent of the Prophet—God’s mercy and peace on him.

<sup>23</sup> Another point of interest is that “*aql*” is used in the Qur’an to mean comprehension of empirical signs as well as comprehension of spiritual matters.



matters, a type of perception that is to be found with greater frequency in men. It is the difficulty they find particularly in perceiving the treachery in men.

For this reason, a woman needs a guardian in marriage, and for this reason, I deem it most appropriate to translation “*aql*” as ‘discriminatory capacity’ as opposed to ‘intelligence’ due to the intended meaning in this particular usage. Additionally, when we look at the prophetic tradition closely, we find that although this statement has the appearance of pointing out flaws in women, it is actually a statement in praise of a special trait found in them that men do not possess. It is the ability to neutralize the strength and disturb the calm of the strongest, most confident, and most brilliant of men. This power leads a man to give in to his woman’s misguided requests and to stand behind her even when she is the one in the wrong, and to appear as thoughtless and irrational creatures. It is her ability to have her way with men and get what she wants also through complaints and objections; a thing which was initially what led the Prophet to even point out this deficiency in them. He said, ““You curse [others] frequently and you show ingratitude to [your] husbands (*ashir*).” This characteristic of a woman acts as a form of checks and balances built within human nature in that a man is given the position and authority of head of household and outwardly has the control, but God has given women an interesting counterpoint to that, indirectly intended by God’s statement in the Qur’an, “And they (women) have the like of what is against them within reason, while men have a degree above them” (Qur’an 2: 228). This characteristic helps her to balance out what could be a rigidity within men that makes them sometimes inflexible and hard in some ways. She possesses the ability to soften him; just as she can touch his heart.

So the Prophet’s statement that, “I have not seen among those deficient in *discriminatory capacity* (*aql*) and *ritual observance* (*din*) better at subduing one with *full discrimination* (*lubb*) than you [women]” is as if he said to them, “In spite of your strength and worth being underestimated by most men, you are better at subduing the most firm of men than even the best of men are capable of.” It is like if one of us were to say about a very small person who is a good fighter, “He’s so small, but he packs a heck of a punch.” So, is the Prophet actually speaking in condemnation of women and is he actually saying that they have no wits or are not bright? The report itself answers these questions for us. We recall that he first encourages them saying,

“O gathering of women! Give in charity and ask forgiveness often; for indeed I have seen that you will be the most numerous of the inhabitants of Hell.”

Then the report says,

“Upon this, an *intuitive* woman said: “And what quality is it of ours—O Messenger of Allah—that makes us the most numerous of the inhabitants of Hell?”

The statement that an “intuitive woman said...” is the greatest proof that women are possessors of intelligence and are as brilliant as men have the potential to be. Imam Nawawi in explaining the word *‘jazla’* that I have translated as ‘intuitive,’ says that it means, ‘one who possesses intelligence (*aql*) and good understanding (*ra’y*).’ What greater indication can there be that women are not lacking in brilliance?

The Messenger, then, in answering the woman’s question explains, “You curse [others] frequently and you show ingratitude to [your] husbands (*ashir*).” What is of particular importance in this case is that the Prophet—God grant him mercy and peace—spoke to these women as intelligent fully responsible adults. His encouragement of them to give charity and to ask God’s forgiveness clearly indicates that. It also shows that in spite of their ‘apparent’ flaws he believed that they had the spiritual capacity to overcome them.

So in an attempt to give balance to this matter we need to understand that the Prophet was not just singling out or picking on women. He was speaking to them in an attempt to help them to come closer to God. For if cursing people and showing ingratitude toward their husbands are base defects found in women then arrogance and ostentation are equally in men base defects for which the Prophet—God’s mercy and peace upon him—cautioned them against. In reality, both men and women are obliged to avoid cursing, showing ingratitude to one another, arrogance, and ostentation, even though some of these traits may be more common in one gender than in the other.

What further compels me to translate the word ‘*aql*’ as ‘discriminatory capacity’ is the fact that Imam Nawawi quotes Imam Mazari as saying the following: “His (the Prophet’s) saying: “As for the deficiency in [a woman’s] discriminatory capacity, it is that the testimony of two women is the equivalent of one man” is an allusion to something else beyond it. It is what Allah—be He most high—alerted to in His book by His saying: “...so that if one of them forgets, the one of them will remind the other (woman).” [Qur’an: 2/282] That is, [the Prophet means] that they (women) seldom retain [things] (*qalilat al-dabt*).”<sup>24</sup> Imam Fayyumi states that the word ‘*dabata*’ (he retained) means ‘he guarded thoroughly’ (*hafiza hifzan balighan*).<sup>25</sup> A person usually *guards* something from danger and peril. Hence, ‘*aql*’ is a reference to ‘alertness and vigilance,’ not ‘intelligence.’ As such, it would support my conclusion that men usually more on guard against the threat of treachery, swindle, and fraud in financial agreements.

## The Objective of Witnessing

After a close observation of all of these details, I believe that it is a reasonable assumption on my part that I say that the Prophet’s intent when speaking of ‘*aql*’ was ‘alertness,’ since contracts and business transactions are normally subject to the threat of swindle, con, fraud, and treachery. In such instances, and since men are more disposed toward such treachery while women are not, men also are more disposed to perceiving trickery than are most women. In light of this, two women are stipulated as witnesses in such discussions and interactions to ensure that when dispute occurs that the two of them can recall the happenings in the sitting.

This all becomes clear when we remember that the aim of witnessing an event is to offer one’s testimony to what occurred when or if dispute occurs surrounding the terms of the agreement. An additional aim of witnessing is to report inconsistencies or conflict that did occur at the moment when the contract was being formulated. My argument presumes that men pay more attention to such details and maintain a higher degree of sensitivity and ‘alertness’ about inconsistencies in such circumstances. This, of course, does not mean that there are not a lot of women who are equally vigilant. In spite of that, the rulings of Islam are intended to apply to the overall and dominant norm, not the exception.

## *Din* is ‘Ritual Observance,’ not ‘Religion’

Another important matter to discuss from this tradition is the matter of the word ‘*din*’, which is often translated as ‘religion.’ The Prophet—God’s mercy and peace be upon him—said, “And I have not seen among those deficient in *discriminatory capacity* (*aql*) and *ritual observance* (*din*) better at subduing one with *full discrimination* (*lubb*) than you [women].” To translate this word—as it commonly is—as ‘religion’ would mean that the words of the Messenger—God’s mercy and peace upon him—imply that women have a fundamental flaw, imperfection, or deficiency in their faith and connection to God. If so, that would justify the understanding of some men that a

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<sup>24</sup> *Sharh Muslim*: 1:2/56

<sup>25</sup> *Al-Misbah Al-Munir*: 185

woman can never be as righteous as a man. However, we have already dealt with this matter in the prophetic report related to God's criterion for judging superiority and the capacity of both men and women to reach spiritual perfection. Later, in explaining the Prophet's intent from his words, he says, "[The other defect is that] she spends nights without praying and abandons the fast during Ramadan. This is the deficiency in [her] *din*."

Once again, Imam Nawawi says,

"As for characterizing women as lacking in *din* (religion or ritual observance) due to their abandonment of prayer and fasting during the period of menstruation, one may take issue with what it means, even though it is not problematic. Rather, its meaning is outwardly apparent (*zahir*); for [the word] '*din*' (religion), *iman* (faith), and *islam* (submission) all share in one meaning as has already been stated in a number of places. It has already been stated also in a number of places that acts of obedience are referred to as *iman* (faith) and *din* (religion)..."

In light of this fact, it is most appropriate to translate the word '*din*' as either 'ritual observance' or 'regimented acts of obedience.' Otherwise, the meaning would be that a woman is incapable of reaching the degree of God-consciousness that a man may be able to; just as it would be an implicit condemnation of women by the Prophet—God's mercy and peace upon him—in light of something that God has made to be part of woman's nature.<sup>26</sup> That in itself would imply that the Prophet—God forbid—was raising contention against one of God's creation and was dissatisfied with His divine decree. That is one of the greatest violations of faith in God, while we know unequivocally that the Prophet—God's mercy and peace upon him—is the closest of all people to the Creator.

Nawawi continues,

"...Once this has been established, we know that whoever carries out acts of worship frequently, increases in faith and religiosity, and whoever's acts of worship decrease in number, his religiosity decreases. Additionally, the decrease in religiosity may occur in a way that a person falls into sin, as in the case of one who abandons prayer, fasting, or another deed among the compulsory acts of worship without an excuse. It might occur at times in a manner where no sin results, as with one who abandons the Friday prayer, going into battle, or another deed that is compulsory to carry out [but abandoned] because of an excuse. Similarly, it might occur in a manner wherein a person is responsible for doing such [an abandonment], as in the case of the menstruating woman who abandons prayer and fasting. If it is then said: "If she is excused, will she be rewarded for making prayer during the period of menstruation even if she does not make it up, just as the sick person and traveler are rewarded and have recorded in their favor during the sickness or journey the equivalent of the voluntary prayers he performs during times of good health and residence?" [If this is asked] the response would be that the outward appearance of the prophetic report is that she will not be rewarded [were she to pray during her menses]. The difference is that the sick man and the traveler carry them out (i.e. prayers) with the intention to carry them out without interruption while being fit to do them, while the menstruating

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<sup>26</sup> It is worth pointing out that God only burdens a soul with what it has the capacity to bear, so there can truly be no basis for condemnation against a soul that has been created for a particular purpose but cannot carry out certain other functions. If something is part of its nature, it cannot be that it will then be punished for it. In fact, the deficiency or imperfection seen by men in some of God's creation—such as the crookedness we see in a branch—is really a reflection of man's own inability to see the divine purpose in the way things are created. A branch is not really "crooked." It is merely made in the way God intended it to be. It is *supposed* to be as it is. Judging it to be crooked is something reflected from man's own ability to elevate his self above other things and pass judgment for or against them. Following this same reasoning, we understand that women are created as God meant to create them in all of their "feminine" perfection. It is only man who judges woman to be imperfect, not God.

woman is not in the same state. Rather, her intention is to abandon the prayer during the period of menstruation. Even more, it is unlawful for her to have the intention for prayer during the period of menstruation. She is analogous with a traveler or sick person who would pray voluntary prayers at times and abandon it at others without the intention of praying them without interruption. Such a person has nothing recorded in his favor during his journey or sickness at the time that he is not carrying out voluntary prayers. And Allah knows best.”<sup>27</sup>

This is all due to the fact that, according to this view, a person receives no reward for an act of worship unless he or she has the intention to do it or abandon what has been forbidden to do during certain occasions. On the surface this would imply that a woman has been denied something that men are not because of something that is beyond her control. However, when we take into account that, firstly, we are certain that God will reward a woman for not praying in compliance with God’s commands, and, secondly, were we to say she would not be rewarded for those missed prayers there are a number of other doors to good acts<sup>28</sup> that God has made available through which a woman may be able to excel men, whereby reaching spiritual perfection before man.<sup>29</sup>

## Full Discrimination (*Lubb*)

Recall that the Prophet—God’s mercy and peace be upon him—said, “And I have not seen among those deficient in discriminatory capacity (*‘aql*) and ritual observance (*din*) better at subduing one with *full discrimination (lubb)* than you [women].”

Another fallacy that needs to be cleared up is the one that assumes that this statement of the Prophet implies that every man is superior to every woman, or that every single woman is inferior to every single man. Nothing better proves this point than the fact that the Prophet—God’s mercy and peace be upon him—says about the irresistible power of women over a man that she is better at subduing “one of full discrimination.”

The Arabic word ‘*lubb*’ has a number of meanings. Among those meanings are: core, gist, essence, heart, mind, intellect, and understanding. The commentaries on this report state that what it means in this case is “full discrimination.” Nawawi says, “As for ‘*lubb*’, it is synonymous with ‘*aql*.’ It means [in this instance] the perfect state of ‘*aql*.’”

We have already spoken about the meaning of ‘*aql*’ and what it means here in the prophetic report. We have also established that a woman has a general deficiency in ‘*aql*’, just as we showed that it means that her ‘alertness to danger posed by men’ and ‘vigilance’ in that regard is lesser than that of a man’s. This, however, does not mean that some, many, or even most men today do not share or may not be far below the standard of the average woman in the degree of his alertness and vigilance against the same dangers.

That said, we assert that while the average woman may be less vigilant than the average man, not every man can be described as one who is of full discrimination. In other words, many men are no more or less vigilant and alert

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<sup>27</sup> *Sharh Muslim*: 1/2: 58

<sup>28</sup> A woman is merely prohibited from performing the ritual prayer (*Salat*), fasting, circumambulating the Ka’ba, passing through or remaining in a mosque, and touching the Qur’an during her menses. But, she may continue to supplicate God, make regular mention of Him, recite the Qur’an from memory or read it without touching it, do all forms of charitable acts, continue pursuits of spiritual knowledge, and any other act of good encouraged by Islam.

<sup>29</sup> Important to note is that a woman does not become an unbeliever or one whose faith is lessened simply because her menstrual period has begun; just as a man is not necessarily increased in faith because he does not have a menstrual cycle. Were we to presume that a woman is prevented from achieving perfect faith due to her menses, it would necessarily mean that once she begins menopause she is now fit to perfect her faith. But even this notion is worthy of being scoffed at. No considerable scholar has ever suggested such a thing to my knowledge.

than the average woman, and in spite of the average woman's incompleteness in that regard, she is capable of subduing through her special feminine traits both the man of incomplete discrimination as well as the man of full discrimination. She has this power, while neither the man of incomplete nor full discrimination is capable of subduing the man of full discrimination the way that a woman can. This is so, in spite of her general inability to fully understand the nuances that prevail in relationships between men, relationships that are qualified, in some instances, by deceit, swindling, conning, betrayal, and fraud. This is the reason I said earlier that even though these words of the Prophet—God's mercy and peace upon him—outwardly may seem like words of condemnation against women, they are in fact words of praise for their special feminine traits.

Muhammad Jamal al-Din b. Hisham (d. 761 AH), the famous Arabic linguist and grammarian says the following about the use of the definite article "the" (*al*) in the statement that "The man is superior to the woman" or "Man is superior to woman"

"As for its use (i.e. the definite article) to identify categorization (*jins*), it is like when you say "The man is superior to the woman" whenever we do not intend by such [a statement] to make reference to a specific man nor to a specific woman—rather, you intend merely that "this gender" from the regard that it is superior to this gender from the regard that it is [less superior]. But, it is not correct to intend by such that every individual man is more superior to every individual woman because the reality is contrary to this."<sup>30</sup>

Similar to this in meaning are the words of the famous poet, Mutanabbi

Neither is femininity to the noun "sun" a flaw—Nor is masculinity a point of boast for the "lunar crescent"

In other words, the fact that the Arabic word '*shamsh*' (sun) is considered to be a feminine noun, does not render it flawed, because it is the brightest object in our physical world. In the same way, the masculine nature of the Arabic word '*hilal*' (lunar crescent) does not render it superior to the sun, for its light is barely discernible.

## Conclusion

In conclusion, we say that the words of our holy Prophet—God's mercy and peace upon him—speak only of a human reality and distinction between the sexes—whether we say that this distinction is innate or due to social conditioning. Such distinctions exist only to serve the betterment of the human race, especially in light of the fact that man chiefly has been placed on the Earth to govern, manage, and maintain balance in it. Although women share in this responsibility, men are those who carry the greater burden and have been given the ultimate task of supreme governorship over all of Earth's creatures. He can only best discharge those duties if he has an added advantage in his perception of the way the world operates in order to protect the person, honor, and other rights of Earth's inhabitants. This quality given to him by God is his heightened alertness, vigilance, sensitivity to, and perception of potential danger in all of its forms that arise in a world ruled by men with all their treachery. Consequently, we see that man has traditionally and historically exerted his utmost to build a world that guarantees for his self, his wealth, and his progeny safety, security, and longevity.

Due to this special quality in men, Islam has entrusted them with the chief responsibility of safeguarding the welfare of women, children, the elderly, and serving as guardians for women in marriage to other men with the objective of ensuring that her rights will not be usurped or that she will not be exploited in the way that we see happening in western societies today that encourage sexual promiscuity. This is not to suggest that women do not

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<sup>30</sup> *Qatr al-Nada wa Ball al-Sada*: p. 134

play a part in the overall effort and duty to balance and manage the world with justice. The point is only that the role assigned to men in that regard requires particular vigilance against pride and arrogance. The prophetic statement under consideration—as well as others—have been advanced by Islam’s antagonists as proof of the fact that Islam demeans, debases, and oppresses women. How could a religion be God’s religion while it belittles the intelligence of women? This is what they suggest. The reality is that God has addressed women with the same degree of ‘intelligence’ as He addressed men, and He has given women just as much responsibility toward fulfilling His commandments as He gave men. It seems to me that the West—in its insistence that Muslim women are oppressed and *forced* to cover their bodies—is the greatest sign that they believe that women lack the intelligence to make an independent and voluntary decision about truth and falsehood. If Islam holds women to be lacking enough intelligence to figure out the benefits of dressing modestly and behaving honorably, then it is the West that seems to have accepted this mistaken idea that a woman is not bright enough to realize that she is oppressed or to make intelligent choices about life.

“Verily Women are the complimentary halves of men.”

Prophet Muhammad