

Feminist Legal Theory within Islamic/Muslim Context: Birth, Development and Trends

By

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Abstract

Feminism is a complex and fluid field of study, characterized with plurality, multiplicity, differences and intersectionality. Feminist engagement with religious studies, projects, hermeneutics and movements duels on the assumption that religious prescriptions, interpretations and precepts are patriarchal and detrimental to women's course and gender equality. Hence, feminists are utilizing both conventional and religious laws, to achieve feminist goals. Today, feminists are haggling to achieve feminist goals of equality in all spheres of life, by finding legality within Islamic legal epistemology. Thus, feminist legal theory in Islamic/Muslim context has emerged as a critical approach to Islamic legal systems that examines how classical interpretations produce and reproduce gender inequality. In essence, feminism in the Islamic context is a theory, ideology, movement and social project. Leading to the perception that feminism is a Western ruse and incompatible with Islam. This paper, therefore, seeks to examine how feminist legal theory emerged, evolved, and manifested in trends within Islamic/Muslim Context, and their central themes and implications. This paper will serve to acquaint readers with feminist legal theory and to introduce readers to more in-depth varieties of feminism generally and in Muslim context in particular. The approach is basically doctrinal with deductive reasoning and descriptive analysis.

Keywords: Feminism, Legal Theory, Islamic/Muslim, Birth, Development, Trends

1.0 INTRODUCTION

Feminism has grown into a complex field of study with a universal sentiment towards women's courses. But to arrive at a unified universal core that response to and answers all women's issues, questions, needs and challenges. Feminism keeps on emerging into various categories, divergence and complexities. Including, within the context of women and religion. Feminist legal theory generally interrogates how law constructs and perpetuates gender hierarchy. Within Islamic/Muslim Context, this critique occurs within the framework of Islamic jurisprudence. Feminism within Islamic/Muslim context emerged but grown and developed into various models and trends¹. Giving way to a more individual interpretation of religion. However, feminist

intersection of Islamic law and gender studies remains a site of contestation. Regarded as being one of the many instruments of colonialism as well as principle of secularism. Infact, even the so-called Islamic feminism is said to be an oxymoron and a misnomer. Therefore, this paper seeks to examine the birth, development and trends of feminism within an Islamic or Muslim context. Following the introduction is the definition and philosophical thought of feminism. Next in line is historical roots of feminism, looking at the various phases and waves of feminism. This will lead to the dimension of feminist legal theories. Meanwhile, then the birth and development of feminism in Muslim context. It is within this section that all the various trends of feminism in Muslim context will be examined, finally present criticisms of the divergence of feminist theories and then draw a conclusion.

2.0 MEANING OF FEMINISM AND FEMINIST PHILOSOPHICAL THOUGHT

The terms ‘feminism or feminist’ first appeared in France and the Netherlands in 1872. It was claimed to be coined by Hubertine Auclert. However, there is no clear-cut definition of feminism or of Feminist. Creating some contradictions even among Feminists themselves. According to Navarro, definition of Feminism have been subjected to constant revision in accordance with the historical and sociological dynamism². Historians of feminism have demonstrated that since its initial appearance the term has been given many meanings and definitions. It has been put to diverse uses and inspired many movements³. According to Bell Hooke feminism is a movement

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¹ See Rebecca Barlow & Shahrar Akbar: *Womens Right in the Muslim World: Reform or Re-construction?* Third World Quarterly Vol.27, No.8 (Routledge2006) Accessed February 2026, Aiysha Madani A Review of Contemporary Thought in Women’s Right with Reference to Amina Wadud and others (Poorab Academy 2005), Ashraf Ibrahim Zidan Islamic Feminism and Concept of Hijab: A Study of Leila Aboulela’s *Minardt* Humanities and Social Science Review (Conference Paper February 2022) < <https://www.researchgate.net> > Accessed 7th February 2025. Abdulsalam M. Sukri & Musa Y. Owoyemi, *The Origin, Development and Diversity of Islamic Feminism: A Historical Review*, MALIM- Journal Pengajian Umum Asia Tenggara-Vol 17 2016< <http://ejournals.ukm.my/malim> > Accessed February 2026.

² Laura Nayarro ‘Approaching Feminism from the Margins: The Case of Islamic Feminism *Politika Toplumsal Cinsiyet özel Sayisi II*, Subat 2016 < <https://alternatifpoliticka.com> > Accessed January 2026.

³ Margot Badran, ‘Feminism in Islam, Secular and Religious Convergence’ One World Oxford Wordpress.com <<https://masculinisations.wordpress.com>> Accessed March 2026

to end institutionalized patriarchy⁴. In general, it is described as a broad-based philosophical perspective on women's rights and their position and role in the society as a whole⁵.

Theoretically, feminism has evolved into a complex ideology that encompasses a variety of different social, cultural and religious movements, all claiming to represent the true identity of a woman. Therefore, feminism seeks to advance women's rights opportunities and choices within any ideology or context. In essence, Feminism aimed at interrogating and changing the economic, civil and ideological disparities between men, women and those whose identity is outside of the gender binary. It also seeks to holistically alter natural, traditional, religious or cultural views of sex and gender.⁶ At its core, Feminist Legal Theory shows the importance of the roles of law and feminist legal theory in shaping contemporary gender issues. Rendall has described the term 'feminist' as women who claimed for themselves the right to define their own places in society and a few men who sympathized with that claim⁷. Although, some activists in gender-equality movement refused to be labeled as feminist. Today feminist has assumed an ideology and a Worldview.

2.1 History of Feminism

Even though there were some women writers from as early as the 15th century to the late 17th century who seriously presented their views on the rights and role of women.^{8 9}, however, feminism is generally traced back to the 18th century Europe. After the socio-political events that transformed European societies in the wake of the Renaissance, reformation and enlightenment, many people became concerned with illiteracy rates among women.¹⁰

⁴ Bell Hooks Feminism is for Everybody Passionate Politics, Hooks Beell (south End Press 2000) Canada

⁵Kausar, Zeenath Women in Feminism and Politics: New Directions Towards Islamization, (Leeds Publications, Kuala Lumpur, (2001) 30

⁶7 types of Feminism: A Brief History of Feminism Master Class <<https://www.masterclass.com>> (Master Class) Accessed January 2026

⁷See Kausar, Zeenath oikos/polis conflict: Perspectives of Gender Feminists and Islamic Revalists AJISS Vol.13 No4, AMSS and IIIT, (Kuala Lumpur 1996), P.31

⁸ The first woman who concentrated on women's rights was the French writer Christine-depisan (1364-1430). The first English feminist also referred as the first systematic feminist theoretician, was Mary Astell (1666-1731), Aphra Ben (1640-89) a dramatist, along with some others, also addressed the debate on women's rights and problems during this period.

⁹ See Kausar, Z (n.7) P.30

¹⁰Ibrahim Olatunde Uthman, , Muslim Women of Nigeria and the Feminist Discourse of Shaykh Al-Albani, (Illum Press, Kuala Lumpur 2008) Pp.24-26

However, feminism is conventionally dated from the inception of the first wave in the 19th century. By the 19th century, the feminists demand had been transformed into educational, legal and political reform movements and a mass campaign for women's right to vote¹¹. This early feminism only focuses on raising the literacy rates of women, legally enfranchising them and redressing many of their social grievances¹². Since then, feminism has emerged as an umbrella sheltering under its expanse various schools of thought-liberal socialist, Marxist and so on.¹³

Unlike the feminism of the 19th and early 20th centuries, the modern feminism began to draw up a new map of life, one of its features was to bring complete equality between men and women in all fields of life. It has centered mostly on gender equality.¹⁴ This objective of promoting gender equality has been augmented by the United Nations Intervention. In 1945, during the UN first General Assembly, held in San Francisco, female delegates demanded special attention for women's issues. The UN established a sub-commission on Human Rights on the status of women, and the sub-commission becomes full commission, in 1946. Its mandate was to promote women's political, economic and social rights. By 1954, the UN general Assembly recognizes that women are "subject to ancient laws, customs and practices. Hence, Feminist calls on all government to abolish such customs and practice and apply gender-neutral laws in consistent with the Universal Declaration on Human Rights."¹⁵

The resurgence of feminism in the 1960s and 70s was based on a shared recognition that women were oppressed worldwide and that there was need to develop a theory and politics that would further women liberation from this oppression¹⁶. As a result, in 1967, the UN General Assembly adopted the Declaration on the Elimination of Discrimination Against Women "to ensure the universal recognition, in law and infact, of the principle of equality of men and women. In furtherance of the cause of gender equality, the UN organized World Conferences on women beginning in Mexico City 1975 marked the starting point on women issues internationally. This was followed by series of conferences held in Copenhagen 1980, Nairobi 1985 and Beijing 1995.

¹¹Kausar, (n.7) p.35

¹² Ibid, 47

¹³ Ibid, 30

¹⁴Uthman, (n.10) P.26

¹⁵UN Milestones in the Advancement of Women's Political (Status/ Right/ Participation) Longman (Published by UN Department of Public Information, 1995) < digitallibrary.un.org> Accessed February 2026

¹⁶ Steven Jackson, (ed.) Women's Studies: Essential Readings, (New York, University Press 1993).3

The United Nations debated, passed resolutions, recommendations and adopted the platform for action to enhance gender equality. Thus, feminist's demands were incorporated into the United Nations document for Women. By the late 20th century, feminism had therefore assumed wide dimensions. In recent years, they seek total and complete moral independence, sexual emancipation and class and gender deconstruction. These dimensions are ever expanding as gender feminists' struggle for a non-male, non-patriarchal and non-phallic language and meaning. Treaty, based human rights laws, plans and strategies were put in place like the Convention, on the Elimination of All Forms of Discrimination Against Women (CEDAW) is the major international treaty dealing with prohibition of discrimination against women. It defines what constitutes discrimination against women and setup an agenda for national action to end it.

The Beijing Platform for Action (BPFA) is the agenda for women and empowerment which faster women's active participation in all spheres of public and private life through full and equal share in economic, social cultural, and political decision making. The goal of eliminating gender discrimination received heightened international propensity on September 18, 2000 when the United Nations general Assembly passed Resolution 55/2 the United Nations Millennium Declaration which set forth ambitious agenda of eight goals to reached by 2015 and one of those goals is the promotion of gender equality worldwide¹⁷.

3.0 WAVES OF FEMINISM

History of feminism is often divided into series of periodic "Waves or Phases": Generally, is divided into categories of first wave, second wave, third wave and even fourth wave. Each wave is described as dealing with different aspect of the same feminist issues. Thus, reflecting periodic tide change of varying goals and progress. Though the borders overlaps.¹⁸ Feminism is a theory (or set of theories), something capable of being studied and debated on an academic level, it is simultaneously a movement which retains a commitment to change the real world outside the universities. But what, exactly, is feminism? A general definition might state that it is the belief that women, purely and simply because they are women, are treated inequitably within a society which is organised to prioritise male viewpoints and concerns.

¹⁷See Christie S. Warren, "lifting the veil: Women and Islamic Law" *Cardozo Journal of Law and gender* Vol. 15:33, 2008. < <https://scholarship.law.wm.edu/facpub199> >P.59 Accessed 15/1/2026

¹⁸Obaidur, O Waves of Feminism. <<https://www.academia.edu/resource/work/36072698>> 2 Accessed 5 February 2026

Feminism seeks to change this situation. Feminism is becoming an increasingly contested term. Postfeminism has followed the example set by theoretical second wave feminism in negotiating fruitful relationships with postmodernism, drawing on theories of difference, identity and deconstruction to interrogate the ways in which the category ‘woman’ is constructed. Feminism is conventionally dated from the inception of the first wave in the nineteenth century, this study looks further back to demonstrate that women were expressing views we would now identify as ‘feminist’ long before the development of a discourse of liberation. However, any consideration of the history of the feminist movement must conclude that one feminist wave never retreats entirely in the face of the one that follows it.

Secondly, the essays that follow examine the impact of the theories and ideas that have come out of the feminist movement on various areas of culture, such as literature, philosophy, film and religion. Mindful of the fact that feminism is not just a European or American phenomenon, an essay on ‘Feminism and the Developing World’ has also been included to give the reader some idea of the controversies and liberating possibilities evoked in the translation of feminism into a non-Western context.¹⁹ Historically, feminism has often challenged organized religious institutions, Islamic Feminism has been recognized as an extension²⁰ of the broader feminist discourse. Feminist studies in religion have root in ‘Second Wave’ feminist of the late 1960s and 1970s which sparked new critical engagement with religion. However, efforts to develop Post patriarchal (re) interpretation of religion texts, traditions, practices, representation and histories were especially formative through the mid-1990s.²¹

3.1 First-Wave Feminism

The First Wave of Feminist advocated for constructional and social change to mitigate gender inequality but the period 1550–1700 saw no legislated improvement in the position of women. At the end of the period, as at the beginning, women did not have any formal rights in local or national government, including the right to vote. Although conditions for the education of women largely

¹⁹Sarah Gamble (ed) *The Routledge Companion Feminism and Postfeminism*, Accessed 13 February 2026.

²⁰Arshad M. H and Noor F, *Islamic Feminist: An Overview*, Accessed 17 February 2026.

²¹ Niamh Reilly ‘Rethinking the Interplay of Feminism and Secularism in a Neo-Secular age.

improved from 1550–1700, women were barred from receiving a university education²²i.e. To improve legal status for woman, such as:

- i. Right to Vote
- ii. Education
- iii. Own property
- iv. Legal identity (i.e. independent subjects from their husband). The works of Mary Wollstonescrafts, *A vindication of the Rights of women* (1792), Harriet Taylors *Enfranchisement of women* (1851) and John Stuart Mill (1869) are lucid illustrations of the first wave feminism.²³

3.2 Second-Wave feminism

The term second wave refers to feminist activism in the U. S., Britain and Europe from the late 1960s through the late 1980s. Second Wave Feminism involved expanding previous ideas and victories to FWF. The SWF pushed for equal opportunities in workplace, home and public spaces and a historically patriarchal system. This period focused on both indirect and direct oppression of women

3.3 Third-Wave Feminism

Third wave feminism refers to several diverse strains of feminist activity and study, which began between 1983 and the early 1990s and continuing to the present the movement arose due to the perception that women are of “many colors, ethnicities, nationalities, religions and cultural backgrounds. The pothird-wave ideology focuses on a more post-structuralists interpretation of gender and sexuality. They insist that words and texts have no fixed or intrinsic meanings, that there is no transparent or self-evident relationship between them and either correspondence between language and the world. Thus, while language has been used to create binaries (such as male/female) third-wave see these binaries as artificial constructs created to maintain the power of dominant groups. Though, the third wave feminism is often seen as an extension of the second wave, some argue that the third wave can be dubbed the “second wave, part-two”.

Third wave however contains many often conflicting strands of theory, including queer theory, ecofeminism, post-colonial theory, post modernism, cultural critique and post feminism. Post

²²Sarah Gamble (n.19)

²³Uthman, O.I. (n. 10) P.30

feminism, though it is a nebulous category, tends to argue that all authoritative models of gender must be deconstructed and reevaluated. In order to fight patriarchy, feminism and feminist theory was born.²⁴

3.4 Fourth Wave

Inclusivity and the third wave: - The mid-1990s saw the rise of the third wave of feminism. In 1989, gender and critical race scholar Kimberle Crenshaw coined the phrase “intersectionality” to explain the intersection between demographic like class, gender, identity, sexual orientation, and race. Intersectionality becomes an essential factor in modern feminist discussions, referring to how in equality and discrimination across different social identities can overlap and exacerbate one another. Trans feminism also emerged, exploring the place of trans woman in discussions of gender equality. Postmodern feminism and ecofeminism also cropped up and further diversified the feminist discussion.

4.0 DIMENSIONS OF FEMINIST PHILOSOPHICAL THOUGHT AND LEGAL THEORIES

Feminists’ philosophy is a loose term for the many varieties of feminist philosophical discourse. The 19th and 20th centuries saw the rise of modern approaches to the theory which produced a variety of overlapping approaches; liberal, Marxist, socialist, black feminism, radical and postmodern feminism. Below are the main courses of some of the feminist schools of thought.

4.1 Liberal Feminism

Liberal feminism can be traced back to liberalism, a school of political thought²⁵. Most liberal feminists believed that the basic cause of women’s universal subordination was located in the customary and legal constraints that were placed on a woman’s access to the “public sphere”. Thus, both legal and political systems are enormously patriarchal. They claim that all human beings deserve freedom of choice and equality of opportunity. Unlike those of the early liberal feminist, modern liberal feminists, argued that the male-dominated society is “one grade rape of womanhood”. Elizabeth Cady Stanton is one of the proponents of modern liberal feminism²⁶.

4.2 Marxist Feminism

²⁴Mohammad K A and Sultana J ‘Feminist Discourse and Islamic: A Critique, International Review of Social Sciences and Humanities’ 6) (2(2014) 11 www.irssh.com Accessed 4th January 2026 P.2

²⁵Kausar (n.7) 31

²⁶Ibid, 476

Marxist, it is class-understood in terms of economic exploitation of the working class by the bourgeoisie-which is the fundamental social divide in capitalist societies. Marxist feminists sought either to incorporate feminism into Marxist critique of capitalism or to extend Marxism to encompass the politics of women's liberation. Conversely, many Marxist feminists made use of the concept of patriarchy²⁷.

4.3 Existentialist Feminism

Existentialist feminist's targets customs, values, and beliefs and they reject the idea that the fate of an individual is predetermined. For instance, Simone de Beauvoir applied existentialist principles in her analysis to women's problem. She asserted that the elimination of femaleness would make women fully human. De Beauvoir believed that the institution of marriage enslaves women. Marriage thus blocks women's self-development²⁸. Hence, she contended that until the myth of the family, the myth of motherhood and maternal instinct is destroyed, women will continue to be subjugated²⁹. Reproduction technology and contraception play an important role in preventing women's subordination³⁰.

4.4 Socialist Feminism

Socialist feminism represents the confluence of Marxist, radical and psychoanalytic trend of feminist thought with a particular focus on psychoanalytic theory, socialist feminist believes that language is phallogentric and patriarchal. They analysis images, objects, family structure, feminine personality and point out that woman is alienated in all aspects. Thus, women's freedom from economic dependence on men is a necessary condition for women's liberation. Marriage is a big bargain for life on the men's part and is the same as prostitution. Both patriarchy and capitalism are the main sources of women's problems and should be overthrown³⁰.

²⁷ Jackson, S (n.16) P.3

²⁸Kausar, Z. (n.7) Pp.48-49

²⁹ Izetbegovic, A.A. Islam between East and West, (Indianapolis 1991) s, A.T. p.37

³⁰Kausar, Z (n.7) Pp.45-53

4.5 Multicultural, Global, and Postcolonial Feminism

Multicultural, global, and postcolonial feminists push feminist thought in the direction of both recognizing women's diversity and acknowledging the challenges it presents. Not all women think and act alike: nor do all women value same thing or aim for same goals. In short, women are different from each other. For this reason, multicultural, global, and postcolonial feminist challenged female essentialism.³¹

4.6 Lesbian Feminism

Lesbian feminism maintain that gender has no natural basis, women exist as a political category (and a class) because of patriarchy. In their analysis, no one is born a woman or with the elements of what the female sex represents in society, but is rather turned into one. Witting in her 'One is Not Born a Woman' takes this further in her controversial assertion that; the category 'woman as well as the category 'man' are political and economic categories not eternal ones. 'Woman' is there to confuse us, to hide the reality women. We first have to kill the myth of woman including its most seductive aspects. For us, this is an absolute necessity.

Our survival demands that we contribute all our strength to the destruction of the class of woman within which men appropriate woman. This can be accomplished only by the destruction of heterosexuality as social system which is based on the oppression of women by men, and which produces the doctrine of the difference between the sexes to justify this oppression³². From a radical lesbian feminist perspective, the demolition of heterosexual desire is a necessary step on the route to woman's liberation. Freedom is indivisible. It is not possible to keep little bits of unfreedom, such as in the area of sexuality, if we are serious about wanting women's liberation⁹⁷.

4.8 Radical Feminism

Radical feminism targets cultural phenomena that threat women as sexual objects and identify patriarchy as the root cause of woman's subordination in the global sphere. The only way to fight patriarchal culture is to deconstruct gender itself. If there is no gender as male or female such gender in equalities as sexism, misogyny and so on would no longer be perpetrated in society. With such assertions in mind, radical feminism demands the acceptance of sexual orientation,

³¹Rosemarrie Tong, "Feminist Thought: A More Comprehensive Introduction (University of North Carolina, Charlotte, Westview Press, 2009) 200

³² Ibid P.24

acceptance of homosexuality, lesbianism and trans-sexuality³³. One of the earliest radical feminist analyses of patriarchy was that of Shulamith Firestone (who is often taken as the founder of radical feminism) in the *Dialectic of Sex*, she argued that; we can no longer justify the maintenance of a discriminatory sex class system on grounds of its origin in nature. Indeed, for pragmatic reasons alone, it is beginning to look as if we must get rid of it ... the tyranny of the biological family would be broken. The new technology, especially fertility control may be used which requires seizure of means of production, control of reproduction of the species by one sex for the benefit of both would be replaced by at least the option of artificial reproduction. Children would be born to both sexes equally or independently of either. However, one chooses to look at it. The division of labour would be ended by the elimination of labour altogether through cybernetics³⁴ Marxist methods and concepts, however, provided asserting point for many radical feminist³⁵. Radical feminism also contains diverse streams of feminism³⁶.

4.9 Postmodern Feminism

By the early 1980s a current within feminism emerged as poststructuralist or, more recently, as post-modernist, influenced by theoretical developments in France, which sought to 'deconstruct' gender categories, to reveal the way in which they have been culturally constructed and to demonstrate that they are fictions rather than natural facts. The category 'woman' could no longer be regarded as fixed and stable. What it means to be a woman changes over time, varies across cultures, and shifts from one social context to another.³⁷

The postmodern feminists have been more concerned with socio-religious and cultural perceptions of gender and sexuality. Postmodern feminisms are today dominating public discourse on feminism. They insist that the definition of gender is socio-religiously and culturally conditioned and that gender roles are not natural but are inculcated in people through the process of socialization. For this reason, postmodern feminist call for a radical and total deconstruction and

³³Kausar, (n.7) 477-478

³⁴ Firestone, S 'The Dialectic of Sex' *Women's Studies: essential Readings* edited by Jackson, et al, 7-9

³⁵ Ibid P.3

³⁶Kausar, (n.7) 50

³⁷ Jackson, (n.16) 5

liberation of women from socio-religious and cultural perceptions, which they argue have marginalized women in the economic, socio-religious, political and all other spectrums of society³⁸

4.10 Other Forms of Feminist Legal Theories

The Diverse Strands of Feminist Legal Theory also includes:

- i. Equal treatment theory
- ii. Cultural feminism
- iii. Dominance theory
- iv. Critical race feminism
- v. Ecofeminism

Feminist theory generally, "is extremely diverse in both premises and conclusions." However, What these feminist legal theorists have in common is a commitment to three basic claims that gender is a central category of analysis in law; That important aspects of mainstream legal doctrine and theory were "developed with men's experience and interests in mind and are incapable of adequately recognizing women's needs or incorporating women's experiences"; and That significant changes are needed in the law in order to promote greater equality between the sexes. In fact Feminist legal theory is one of the most dynamic fields in the law, and it affects issues ranging from child custody to sexual harassment, including domestic violence, reproductive rights, workplace discrimination, education, sports, pornography, and global issues of gender. Also, a sweeping range of cutting-edge topics at the intersection of law and gender, such as single-sex schools, abortion, same-sex marriage, rape on college campuses, and international trafficking in women and girls. This will lead us to discuss the feminism within Islamic/Muslim context.

5.0 TRENDS, BIRTH AND DEVELOPMENT OF FEMINISTS' THEORY IN MUSLIM SOCIETIES

Islamic Feminist movement is diverse and varied in its approach, Feminism in Muslim context first appeared during the heyday of colonialism. Which also developed with particular vigor during this period. Colonized societies in the colonial thesis, were alike in that they were inferior but differed as to their specific inferiority. Colonial feminism, or feminism as used against other cultures in the service of colonialism, was shaped into a variety of similar constructs each tailored

³⁸Uthman, (n.10) 30-31

to fit the particular culture that was the immediate target of domination-the Islamic world, sub-Saharan Africa. With respect to the Islamic world, regarded as an enemy since the crusades, colonialism had a rich vein of bigotry and misinformation to draw on.

Thus, to create the new centrality of the position of women in the colonial discourse of Islam was the language of feminism. It was here and in the combining of the languages of colonialism and feminism that feminism theory in the Muslim context was created. Feminism or the ideas of feminist, served as a handmaid to colonialism.³⁹ Thus, the first stage of feminist movement in the Muslim societies emerged between the 19th and early 20th century, under the auspices of colonial and post-colonial state formation. It has its origin in Egypt and Lebanon and soon spread to all parts of the Muslim world.⁴⁰

The earliest call for the feminist movement, came from men who sought to reform the general life style of Muslim societies in such a way as to suit the demands of the modern climate.⁴¹ Feminism within Islamic Muslim context are the grandchildren of the so- called modernist reformist scholars born in the last decade of the last twentieth century as represented by Egyptian Jurist Muhammad Abduh .Muhammad Abduh (1849-1905) was the developer of the intellectual and social reformist dimensions of Islamic modernism. Abdu's Quranic interpretation was adopted by most Islamic reformers and provided the modernist rationale for many governments' Muslim family-law reforms.¹³⁴

However, it was Abduh's associate Qasim Amin (1863-1908), a lawyer and judge, who developed the feminist dimension of Islamic modernism. He argued the equality of the sexes in Islam, stigmatized *Hijab* and seclusion as unislamic and so on.⁴² Amin's work has traditionally been regarded as marking the beginning of feminism in Muslim society-whose work became an inspiration to later generation of feminists like Huda Sha'rawi.⁴³ Feminists and reformers saw the European encroachment as a positive, because the social institutions and mechanisms for the

³⁹Ibid, 150-155

⁴⁰Ibid, 39

⁴¹Muhammad Abdul-Rauf, *The Islamic View of Women and the Family*, (Robert Speller & Sons, New York 1977), Pp.141-142 Ibid, Pp.140-143

⁴²John L. Esposito *The Islamic Threat: Myth or Reality* (Oxford University Press 1992) P.58

⁴³Abdul-Rauf (n.40) 143

control and seclusion of women from the major domains of activity in their society were gradually dismantled.⁴⁴

In the 20th century feminists from different parts of the world made efforts to join hands in international meetings and conferences to strengthen the cause of women at home and abroad. Through western feminists thought, Muslim feminism also becomes advanced. Change occurred rapidly in the early decades of the 20th century, during which varieties of feminists' activism emerged.⁴⁵ Feminism as expounded by Sha'rawi was marked by supporting gradual reform toward total political emancipation from British control and toward the adoption of western political institutions and a secularist understanding of the state. Apparently by valorization of western ways as more advanced and more 'civilized' than Muslim Islamic cultures.⁴⁶ A lecture series for women held at the Egyptian University on Fridays was inaugurated in 1908 by Huda Sha'rawi to compare the 'lives of oriental and western women and talk about Muslim practices such as *Hijab*. They founded organizations for the intellectual improvement of women, the society for the advancement of women, established in 1908.⁴⁷

Infact, over the first three decades of the century feminism became visible intellectually, organizationally and politically. An Eastern feminist conference was convened in Cairo on 15, 1938 and was attended by delegates from seven Muslim countries. In 1944, at a second Arab women's conference, an Arab feminist union was founded, and Sha'rawi was elected its president. Upon her death in 1947, Ibtihaj Qaddus of Lebanon succeeded her as president.⁴⁸ During the 1950s and 60s, the role of women in society and the ensuring questions about the roles that they should play, were incorporated into national developments. It has shown that an increase in education helps create a new stratum of women who often actively seek to better their lives through, employment and political representation even if it is indirect contradiction to Islamic religious tenets. This is further complicated by the introduction of western educated and western trained

⁴⁴Laila Ahmed Women and Gender in Islam: Historical Roots of a Modern Debate, (Yale University Press, New Haven & London 1994) 121-128

⁴⁵Ibid, 172

⁴⁶Ibid, 178

⁴⁷Ibid, 172

⁴⁸Ibid, 177-178

Muslim feminists. The open access to western feminist scholarship provided a number of different ways to study women issues in the Muslim context. It also provided a number of different theories that could be selectively incorporated into Muslim women studies.

The incorporation of these theories into feminist studies in the Muslim context provided a vast number of distinctly individual styles of scholarship.⁴⁹ At the end of the 20th century, the debate has become a broader one-feminist discourse tends to focus on the patriarchal explanations of gender relations. Some feminists believe that the study of gender is best undertaken through the deconstruction of literature. Feminism, in this instance, is a radical challenge to the very premise of Islamic society.⁵⁰ Unlike the early feminists who were not equipped by training to engage in direct examination of religious sources, feminists in the last couple of decades felt the urgency to engage in Ijtihad and to conduct their own tafsir (Qur'anic interpretation). They view that in order to argue their cases more persuasively women needed to draw upon deeper knowledge of the Islamic sciences. Especially, in order to counteract Islamic revivalists; therefore, the urgent need for a powerful gender-sensitive Islamic discourse.⁵¹ It was at this moment that a plethora of Muslim women's writings discussing issues of women and gender within an Islamic discourse began to appear. For instance, writers in Zanan (est. 1992) in Iran offered Islamic readings of gender equality and justice.⁵² Many Muslim women's right groups and several international and regional organizations were established to advocate and promote full equality of the sexes in public and private life, regardless of gender. These organizations include Sisters in Islam, MUSAWAH, The League of Demanders of Women's Right to Drive Cars in Saudi Arabia, Women Living under Muslim Laws (WLUML), The Women Aid Collective and Baobab and so on.⁵³

However, the growing attention to feminism in Muslim context has been largely situated, at least post 9/11, within a policy context of looking for what is constructed as a "Moderate Muslim" voice, a voice which espouses secular-liberal understanding of key values such as equality, pluralism and

⁴⁹Ibid, 19-20

⁵⁰Ibid 20-23

⁵¹Badran, (n.3) 30

⁵²Ibid p.30

⁵³Warren, (n.17)57

human rights.⁵⁴ Sherkat writes that “We believe that the key to the solution of women’s problems lies in four realms: religion, culture, law, and education. If the way is paved in these four principal domains, then we can be hopeful of women’s development and society’s advancement” Writers in Zanan, have raised the issue of the right to ijtehad, and the right of women to reinterpret Islamic law. At the center of Zanan’s revisionist approach is a radical decentering of the clergy from the domain of interpretation, and the placing of woman as interpreter and her needs as grounds for interpretation.⁵⁵

5.1 Trends of Feminism in Muslim Context

Within the feminist’s discourse in the context of Muslims and Islam, Badran has identified different trends.⁵⁶ However, Hjärpe points out four feminist trends in Islamic countries: Atheist feminism, Secular feminism, Muslim feminism, Islamic feminism. According to Hjärpe Atheist feminism proposes that religion is anti-women. They believe that women’s movement cloud develops only by challenging the influence of religion in society. Secular feminism has a neutral view about religion. Secular feminists argue that the relationship between Islam and feminism depends first and foremost on whether liberal or patriarchal view of Islam is dominant in the society. They also hold that under a theocratic government, or a religious movement woman’s emancipation is impossible. But they do not think that feminist movements necessarily have to attack religious beliefs.⁵⁷ For the purpose of this study three main trends are identified:

1. Muslim Feminism
2. Islamists Feminism
3. Islamic Feminism.

5.1.1 Muslim Feminism

Within the feminist discourse, Muslim feminism are Muslim secular feminists like feminism/s first articulated early in the 20th century made up of a composite of Islamic modernist, secular nationalist and humanist discourses. Muslim feminists used secular, modernist and humanists’

⁵⁴Yasmin Moll, “People Like Us” In Pursuit of God and Right: Islamic Feminist Discourse and Sisters in Islam in Malaysia Journal of International Women’s Studies Vol.11 November 2009

⁵⁵Mohammad and Sultana (n.23)

⁵⁶ Margot Badran, Women and Radicalization (Danish Institute for Islamic Studies, DIIS, 2006) <www.diis.dk> Accessed January 2026.

⁵⁷ Ibid (n.7)

arguments to successfully promote women's rights. They argued for full gender equality in the public sphere.⁵⁸ They actively support a stronger separation of politics and religion and the superiority of the public space over the private space. Thus, Muslim feminists see Islam like other religions as an obstacle to the advancement of women. As such they urged Muslim women to disown Islamic regulations on women in marital, social, legal, and economic and political arena, which they argue regarded women as inferior to men.⁵⁹

Muslim feminism has liberal view of Islam and tries to adapt it to modern time. Muslims feminism argues that for a long time, our imagination about Islam was dominated by a patriarchal vision of Islam, but that this is not necessarily an authentic Islam. They argue that we should primarily focus on the teachings of the Quran because much Shari'ah is a patriarchal reading of Islam.⁶⁰ According to this trend, women's identification with religious movements helps Muslim women's emancipation.⁶¹ The Muslim feminist speaks against conservatism and rigidity in Islam and insist for the change in Islamic laws.⁶²

5.1.2 Islamists Feminism

Islamists women try to put forth another definition of Islamic feminism and to challenge Islamic feminist thinking. Islamist women who enter the arena of gender debates typically call for gender equality in the secular part of public sphere with the exception of the religious domain. And uphold the notion of differential gender roles or gender equality in the private sphere and in so doing accepted an Islamic model of the family.⁶³ By contrast, Islamist women argue that they can benefit by returning to the source of Islam. They are of the view that Islamic dicta bestow complementarity on women, as human being, as partner to men and as mothers and daughters.⁶⁴ Using much of the criticism provided by Western Women themselves, Islamist women argue that by concentrating on labour market analysis and offering the experiences of a minority of white affluent middle class women norm. Western feminist has developed an analysis which is all but irrelevant to the lives of

⁵⁸Badran, M (n.3) pp.33-34

⁵⁹Uthman, O.I (n.10) P.40

⁶⁰ Mohammad K.A and Sultana J. (n.23)

⁶¹Mohammad K .A and Sultana J. (n.23)

⁶² Aiysha Madani (n.1) P.163

⁶³Badran, M. (n.3) Pp.35-36

⁶⁴ Aiysha Madani (n.1) P.163

the majority of women in the world.⁶⁵ They argue that Islam its inception has provided them with exemplary female role models and has delineated a path that can be honorable followed at each stage.⁶⁶

5.1.3 Islamic Feminism

The term “Islamic Feminism” began to be visible in the 1990s and was well established by the turn of the 21st century.⁶⁷ Islamic feminism, also known as “gender jihad” (struggle) is defined as a feminist discourse and practice that derives its understanding and mandate from the Quran, seeking right and justice within the framework of gender equality for women and men in totality of their existence. It combines principles of feminism such as gender equality, justice, and empowerment with the teaching of Islam, particularly those found in Quran and Hadith, and Islamic jurisprudence. Their overarching goal is to destroy patriarchy, remove all patriarchal elements in the law with the hope of creating a ‘gender-balance’ which would lead to overall social justice. They sought to ‘reform’ Islamic law through a hermeneutic model. The reformation of Islamic law relating to women especially in area of family law, and leadership both in their private and public life.

One of the key figures in Islamic feminism is Amina Wadud, who advocates for the reinterpretation of the Quran to reflect its inherent egalitarianism. Wadud and other Islamic feminist argue that many of the gender inequalities observed in Muslim societies are not rooted in Islam but are the result of cultural practice and patriarchal interpretations of religious texts. – They further argued that assumptions and laws about gender in Islam as in any other religion are socially constructed and thus open to negotiation and changing⁶⁸. Islamic feminists are legitimizing the right of everyone to speak about women and Islam. Thus, Islamic feminism is not a field of research

⁶⁵Ibid P 163

⁶⁶ Ibid P.162

⁶⁷Qudsia Mirza, “Islamic Feminism & Gender Equality” ISIM Review 21/spring2008.

<<https://www.academia.edu/resource/work/35703510> >Accessed February 24, 2025

⁶⁸Mir-Hosseini, Z ‘Feminist Voices in Islam’ at <http://www.mazafilm.deldokupdf/mir-hosseini.pdf>. Accessed February 24, 2025

restricted to Muslim women or men but is open to all researchers who have this kind of commitment.⁶⁹ Hence, key features of feminism are:

- i. Reinterpretation of Islamic Text.
- ii. Equality and Justice.
- iii. Education of Women in Islam.
- iv. Work and Family Life.
- v. Work and Economic Independence.
- vi. Challenging Misinterpretation and Cultural Practice.

6.0 IMPLICATIONS, LIMITATIONS AND CRITICISM OF FEMINISM WITHIN ISLAMIC/MUSLIM CONTEXT

Feminism has always been a dynamic and multifaceted movement. Although, as has already been stated, it is generally categorized as the struggle to increase women's access to equality in a male-dominated culture but there has never been a universally agreed agenda for feminism. It has no monolithic universal definition. Differences in class, education, opportunities, generation, and religion also shape different kinds of feminisms.⁷⁰ However, Feminism or Feminist ideology have been criticized on many grounds by different factions including feminists themselves. For example, different feminist schools have different theories concerning women issues. When two or more groups have different viewpoints, theorists as well as researchers are fond of pointing out that at least one of them is wrong.

Moreover, if the theory of a specific feminist school of thought says that certain action is right, then that action is right within that school of thought. That few women are now willing to explicitly identify themselves as feminist. As an ideology, policy, and social movement feminism generally have been connected to secularism and the justification of imposing western defined agendas.⁷¹ In fact according to Joan, gender inequality was fundamental to the articulation of the separation of

⁶⁹Maimunatu Y. Iyawa, Gender Equality and the Islamic Law: Analysis of Muslim Feminist Perspective, *Al-Hadarah Journal of Islamic Civilization* Vol-1 No-1 (Center for Islamic Studies Civilization and Interfaith Dialogue, BUK, 2023) Pp 58-60.

⁷⁰Feminism and Postfeminism, Edited by Sarah Gamble, Accessed 13 February 2026.

⁷¹ See Niamh Rally, 'Doing Transnational Feminism Transforming Human Right: The Emancipatory Possibilities Revisited', *Irish Journal to Sociology* Vol. 9:2 2011 p4

church and state that inaugurated Western modernity.⁷² Hence those concepts are one-sided, distorted and politically motivated. Some people opposed feminism because they saw it as contradicting their traditional values or religious beliefs. They believe that men and women are fundamentally different and that the traditional roles they play in society must be preserved. Because ignoring the natural differences between women and making them with the opposite sex equal is considered a kind of sexual oppression, which is double oppression of women. Anti-feminists' belief that feminist theories of patriarchy and the exclusion of women in society are incorrect or exaggerated. What feminist premises does is to free women from religious influence and then subject them to the approval and influence of feminism.

Generally, Feminist religious studies generally remain a site of contestation. Within Islamic/Muslim context, the feminist intersection of Islamic law and feminist theories of gender equality is also problematic. Particularly the term 'Islamic feminism' as well as its referent is subjects of controversy and disagreement. In fact, it raises questions such as; can there be such a thing as a feminism that is framed in Islamic terms? Is Islam compatible with feminism? Is it correct to describe as feminist or even as "Islamic feminist". Asma Barlas states that, ironically, the anticipated criticisms have come instead from traditionalist Muslims, came from liberal, and secular feminists. For instant, Moghissi claims that the term "Islamic feminist" has been used in "inaccurate" and "irresponsible" ways. Another critic Hammed Shahidian similarly argues that the politics of "Islamic feminism" is problematic. Shahidian is critical of attempts to craft a feminist theology and reinterpretation of Islamic texts; these attempts are futile, he argues, given the strength of conservative, orthodox, traditional, and fundamentalist interpretations, laws, and institutions. Shahidian argues that Islamic feminism is an oxymoron, a contradiction in terms.

According to Mojab, real change or real democratization will come about outside of the religious framework. Moreover, Shahrzad Mojab and Haiddeh Moghissi, argue that Islam is a challenge to feminism. The Islamic feminist movement is more, a compromise with patriarchy than a realistic movement for the emancipation of women. Kausar also argued that the term "Islamic feminism" is both imperializing and reductive. As critically observed by Ahmed, that from Qasim Amin onward, the internalization of colonialism and of notions of the innate superiority of the European

⁷²Joan Wallach Scott, *Sex and Secularism* (The Public Square 2018) 3

over the religious culture-the colonization of consciousness, in short could complicate feminism. Amin's advocacy merely called for the substitution of Islam and was far from being the father of feminism in the Muslim context, Amin might more aptly be described as the son of Cromer and colonialism.⁷³

Infact, Kausar analyses some of the major implications of feminism. The Islamic feminists suffer from lack of clarity, contradiction and confusion. the Islamic feminists views on some crucial concepts and issues reflect less of Islamic content, which even give rise to the question whether the so-called "Islamic feminism" is really Islamic or not.⁷⁴ According to Sarah, try to help Muslim women by condescending them about Islamic law and values is considered disrespectful, disruptive, and fruitless.⁷⁵ What feminist's premises does is to free women from religious and then subject them to the approval and influence of feminism.

Major implications of feminism within Islamic context shows that;

- i. There are no feminist theories that are completely right, relevant and applicable to all women.
- ii. There is no gold standard that can be used for all women at all times.
- iii. As if Islam is incapable of speaking for the rights of women and for that reason, Muslim women need feminism as an intellectual tool to analyse the problems of women and to resolve them.
- iv. Acceptance of the term "Islamic feminism" also means a denial of self-determination to Muslim women to protect and promote their rights and their definitions of development and empowerment based on their own faith and civilizations.
- v. Acceptance of feminism would also mean a sort of intellectual submission of Muslim women to the intellectual and cultural Western Imperialism. Imperialism smashes the inner dignity, individuality and identity of other cultures and then, it either talks in terms of "the end of history" or "the clash of civilizations and cultures."

⁷³Ahmed L. (n.43) 162-163

⁷⁴Asma Barlas, "Secular and Feminist Critique of the Quran's Anti-Hermeneutics as Liberation? Project Muse Journal of Feminist Studies in Religion, Vol 32, No. 2, Fall 2016, pp. 111-121, Indiana University Press, 2016 Pp411-412. <https://muse.jhu.edu/article/633515>, accessed 7 February, 2025.

⁷⁵Sarah Risha, Ph.D, Unveiling the Veiled International Journal of Arts Humanities and Social Sciences Studies, Vo7 Issue 5 May 2022 < www.ijahss.com > Accessed 4th March 2026.

7.0 CONCLUSION

The diversity and multiplicity of feminist theory, as well as the differential definitions and its composition, indicates that feminist theories, philosophy or ideology for Muslims or Muslim women in particular is problematic. Feminism is a principle of secularism. We are inclined to agree with Kausar's contention that even if women in Muslim context face any challenges with their rights and development, this does not so-called mean Muslim women need feminism or the kind of Islamic feminism in order to regain their rights and positions. Neither do they have to depend on nor add feminism to Islamic teachings to get back their rights back.⁷⁶ In fact, joining or adding "Islamic" to feminism is a misnomer. Often reducing contradictory or implicated legal arguments to self-explanatory premises or reductionism strategies. Hence, despite its pervasiveness, feminism has not been a clear progression by any means, particularly within Islamic/Muslim context. Broadly speaking, Feminism is a mixed-up philosophy.

⁷⁶ZeenathKausar, "Islamic Feminism Fully Exposed: Amina Wadud and Margot Badran vis-à-vis Allama Yusuf Al-Qaradawi and Jamal Badawi on Islamic Issues," TAFHIM: IKIM Journal of Islam and the Contemporary World 9 (2016): 1-36, <https://www.academia.edu/resource/work/7035378>, accessed 7th Mar 2025.